kwiktag® 022 564 975

CPA2004-00006

FILE

COMP PLAN

LEE COUNTY

Fee History

Case #: CPA2004-00006

Case #:	**CPA2004-00006**
Property Owner	**FLORIDA CITRUS COMPANY**
Property Address	**ACCESS UNDETERMINED BONIT**
Contractor	
License Number	
Fax Number	

Comp plan amendment to change Future Land Use from Rural and Open Lands to Rural Village

Description	Revenue Account Number	Fees	Paid	Date Paid	Due
Map Amendment > 20 Acres	LB5150715500.322000.9018	4,755.00	4,755.00	2/27/2004	0.00

Total Fees: $4,755.00 **Paid:** $4,755.00 **TOTAL REMAINING DUE:** **$0.00**

DAVID PLUMMER & ASSOCIATES, INC.

1531 Hendry Street
Fort Myers, Florida 33901
(239) 332-2617
FAX: (239) 332-2645
E-Mail: dpafm@peganet.net

LETTER OF TRANSMITTAL

DATE: **April 4, 2005**	Job. No.: **04525**
Attention: **Lili Wu**	
Re: **Florida Citrus**	

Lee County Dept. of Transportation
P. O. Box 398
Fort Myers, FL 33902

Via: Mail

We Are Sending You The Following Items: ☒ **Attached** ☐ **Under Separate Cover**

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of Letter ☐ Change Order ☐ Report ☒ Other: CD

COPIES	DATE	NO.	DESCRIPTION
1	2/28/05	CD	Florida Citrus CPA 2004-06, Northeast Lee Rural Village Comprehensive Plan Amendment Traffic Study

These Are Transmitted as Checked Below:

☐ For Approval ☐ Approved as Submitted ☐ Resubmit _____ Copies for Approval
☐ For Your Use ☐ Approved as Noted ☐ Submit _____ Copies for Distribution
☒ As Requested ☐ Returned for Corrections ☐ Return _____ Corrected Prints
☐ For Review and Comment ☐ Other: _____
☐ For Bids Due _____ ☐ Prints Returned After Loan To Us

Remarks: _____

Copy To: Matt Noble, David Loveland and Pat Newton (w/o enclosure)

RECEIVED
APR 0 5 2005
COMMUNITY DEVELOPMENT

Signed: _____
Adong Xu

COASTAL ENGINEERING CONSULTANTS, INC.
3106 South Horseshoe Drive
Naples, Florida 34104
PHONE (239) 643-2324 FAX (239) 643-1143 · FAX (239) 643-6148

RECEIVED
MAR 10 2005
COMMUNITY DEVELOPMENT

LETTER OF TRANSMITTAL

NAME	Matt Noble
COMPANY	Lee County Planning Division
ADDRESS	
FAX #	***Tel.#***

FROM	Karen Taylor
DIVISION	Planning
DATE	March 9, 2005
CEC #	**04.174**

SUBJECT: Florida Citrus Property, CPA; Proposed Rural Village, 23351 North River Road, Sections 1 thru 4 and 11 thru 14, Township 43S, Range 27E, Lee County Florida

We are transmitting herewith: *US Mail*

QTY	DATE	REF.	DESCRIPTION
1	03/05/05		Letter from Michael Horsting, Lee County Transit Division

COMMENTS: The enclosed letter (for your file) from Mr. Horsting is in response to our letter dated February 14, 2005, from Robert Andrea, requesting a letter stating that Lee County Transit Services has the adequacy to provide service to the above-mentioned property. This is the first of six letters to various service providers that we have received a response from. We will send you copies of the remaining response letters once we receive them.

Thank you.

Signed: Karen Taylor

C: Joe Beale
Neale Montgomery
Andy Tilton
Rae Ann Boylan
Ron Talone
Vince Cautero

From: Roland Ottolini
To: Noble, Matthew
Date: 10/12/04 10:44AM
Subject: Northeast Lee Rural Village CPA 2004-06

we have reviewed the proposed comprehensive plan amendment application and have the following comments:

a conceptual site plan is needed for us to more accurately assess potential surfacewater impacts
we encourage flow-way restoration and in general agree w/ the concept of restoring the north-south corridor as depicted in Appendix 5, Water Management Narrative prepared by Johnson Engineering. the SFWMD is currently modeling the 4 Corners area for existing conditions and proposed improvements/options to address the hydrologic alterations that have occurred in the region and on-going flooding issues. We request that the applicant work closely w/ SFWMD and their consultant in the design of this flow-way including but not limited to flow amounts to be recieved from the north, required setbacks and downstream hydrologic connections to Spanish and/or Cypress Creeks. The contact for SFWMD is Mr. Clyde Dabbs, at the Greater West Coast Service Center, 239-338-2929.
we request that the applicant consider restoration of the east-west flow-way on the southern portion of the property that includes an existing assembly of interconnected lakes. This flow-way may be benefical for and provided historic flood relief to lands east of County Line Drainage District. Again, coordination w/ SFWMD and their consultant will be required.

CC: Dabbs, Clyde; Karuna-Muni, Anura; Pavese, Michael; Trebatoski, Kim; Vance, Brad

From: Lindsey Sampson
To: Noble, Matthew
Date: 3/24/04 6:53PM
Subject: Re: 2004 Lee Plan Private Amendments - Summaries...

Matt,

I don't have any objections to the requested amendments that are summarized below.

Lindsey

Lindsey J. Sampson
Lee County Solid Waste Division
sampsolj@leegov.com
Ph. 239-338-3302
Fax 239-461-5871

>>> Matthew Noble 03/23/04 07:50AM >>>
Good morning all,

Here is a brief summary for the Plan amendments that I email late yesterday:

1. CPA 2004-01 - Small Scale Amendment (from General Commercial Interchange to Central Urban)- Leeward Yacht Club L.L.C., Leeward Yacht Club Mixed Use Planned Development (Hansen's Marina property @ S.R. 80 & I-75).

(EAR ROUND OF AMENDMENTS PRIVATE REQUESTS:)
2. CPA 2004-02 - Text Amendment, Sue Murphy, AICP, Estero, allow outdoor storage over one acre within a portion of the General Interchange land use category at Corkscrew & I-75.

3. CPA 2004-03 - Text and FLUM Amendment, Weeks Landing L.L.C., Michele Pessin, Manager, Creation of the "Public Marine Mixed Use" category and application to Weeks Fish Camp property (23 acres).

4. CPA 2004-04 - FLUM Amendment, William Fitzgerald, Trustee, Amend from Outlying Suburban to Urban Community (54 acres) from Rural to Outlying Suburban (55 acres), located near Daniels Parkway & I-75 .

5. CPA 2004-05 - Text Amendment, Pine Island, Pine Island Agriculture & Landowners' Association, Inc., Amend Policy 14.2.2.

6. CPA 2004-06 - FLUM and Text Amendment, Florida Citrus Corporation, North East Lee County (Alva), Creation of the Rural Village land use category, Amend from Rural and Open Lands to the new Rural Village category for a 3,713 acre property.

7. CPA 2004-07 - Text Amendment, Watermen Development Group Corp., Buckingham, Amend Policy 17.1.3 to "allow lots to be clustered as part of an Agricultural Planned Development."

8. CPA 2004-08 - FLUM Amendment, Advance Homes, Inc., Mill Creek Florida Properties No. 3, L.L.C., Richard D. Fernandez, SW Florida Land 411 L.L.C., Development known as Oak Creek, Amend Rural to Suburban (10 acres), and Suburban to Rural (10 acres), North Fort Myers (near Raymond Lumber)

9. CPA 2004-09 - Text Amendment, Captiva Community Panel, Captiva, Proposing six additional policies.

10. CPA 2004-10 - FLUM Amendment, Hawks Haven Investment, L.L.C., East Lee County (off S.R. 80),

Amend approximately 1,623 acres of Rural and 79 acres of Suburban to Outlying Suburban with a density limit of 2 units per acre and Public Facilities (20 acres).

Matthew A. Noble, Principal Planner
Lee County Department of Community Development
Division of Planning
Email: noblema@bocc.co.lee.fl.us
(239) 479-8548
(941) 479-8319 FAX

From: Donna Marie Collins
To: Noble, Matthew
Date: 4/1/05 12:15PM
Subject: Florida Citrus

Matt
By way of clarification:
It is fine if the District wants to join as a coapplicant in the comp plan amendment process. However, this joinder does not substitute for the consent/joinder of all property owners of the affected property.

I could find nothing in the applicable general or special laws pertaining to the District that would give the District LU authority over landowners in the context of a Comprehensive plan amendment. Except perhaps in the limited context of a drainage improvement. The proposed amendment to the Lee Plan goes well beyond that context.

While I initially considered inviting Neale to provide an "Attorney's opinion of title" that the District has ownership rights/authority to bind property owners who have not otherwise expressed consent to the application, after reading the special act, the resolution and Florida Statutes, I have since concluded that the scope of the District's authority over landowners in the district cannot reasonably be construed to encompass a change to the future land use classification of district property.

Peace.
dmc

Donna Marie Collins
Assistant County Attorney
Lee County Attorney's Office
Phone: 239-335-2236
Fax: 239-335-2606
Email: collinsd@leegov.com

CC: Jones, Timothy

From: Kim Trebatoski
To: Noble, Matthew
Date: 10/7/04 12:08PM
Subject: Re: CPA2004-06 Florida Citrus Corp.

Matt - The following need to be addressed in the environmental analysis (Section 6 of the submittal):

1. The following species are listed in Lee County and have the potential to occur within habitats on this site: Florida Panther; twisted air plant; and Simpson's stopper. Please revise the submittal to include these as potential listed spices to occur on the property, and provide an analysis of this listed species in relation to the proposal.

2. The following listed species were listed as potential to occur on the property, however, no analysis was included for these species: Audubon crested caracara; little blue heron; white ibis; wood stork; everglades mink; and Florida black bear.
Please submit.

3. Aquifer recharge - no map or discussion included. Please submit.

4. Topographic Map and 100-year Flood Plain - not included. Please submit.

No information was submitted regarding these topics.

>>> Matthew Noble 10/07/04 10:04AM >>>
This is the plan amendment at the four corners area. I am trying to get the sufficiency letter out to the applicant, so does anybody have anything to include in the insufficiency letter?

Matthew A. Noble, Principal Planner
Lee County Department of Community Development
Division of Planning
Email: noblema@bocc.co.lee.fl.us
(239) 479-8548
(941) 479-8319 FAX

From: Thom Osterhout
To: Noble, Matthew
Date: 4/7/05 4:56PM
Subject: NORTHEAST LEE RURAL VILLAGE

We have reviewed the proposed Comprehensive Plan amendment application for the above referenced and have the following comments.

Potable water service would have to be extended from our North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road.

Sanitary sewer service would require the Developer to construct an on-site WWTP built to LCU standards. Then donated to us for ownership and maintenance.

Thom Osterhout
Utilities Senior Manager
New Development
Lee County Utilities
E-mail address TOsterhout@leegov.com
Phone (239) 479-8165
Fax (239) 479-8176

****
*** TX REPORT ***
****

Jim English

TRANSMISSION OK

TX/RX NO	0456
CONNECTION TEL	99393722
SUBADDRESS	
CONNECTION ID	
ST. TIME	12/08 10:09
USAGE T	04'43
PGS. SENT	7
RESULT	OK

****
*** TX REPORT ***
****

Rob

TRANSMISSION OK

TX/RX NO	0457
CONNECTION TEL	97285266
SUBADDRESS	
CONNECTION ID	
ST. TIME	12/08 17:28
USAGE T	03'32
PGS. SENT	7
RESULT	OK

Bryan Paul Citrus, Inc.

March 3, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, FL 32968

RE: **Proposed CR 78 Alva By-Pass, #04525**

Dear Joe,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would agree.

The proposed new road is already in the draft Hendry County 2030 Needs Plan. I support including the proposed new road in the 2030 Financially-Feasible Plan, once it is adopted.

In addition, I will coordinate with you and the other affected property owner to set an alignment and will cooperate in providing the right-of-way for that alignment. I also support the use of road impact fees generated by development on my property for this new road.

Good luck in your efforts to advance this new road.

Very truly yours,

Bryan Paul

P.O. Box 2357 • LaBelle, Florida 33975-2357 (863) 675-4410 • FAX (863) 675-4570

From: Roland Ottolini
To: Noble, Matthew
Date: 4/29/04 10:54AM
Subject: Re: FL Citrus/ County Line Drainage District

we are hoping to reconnect some of the water diverted by the CLDD back into Spanish Creek. Also the project will effect the proposed expansion of the County Line Canal, which SFWMD has acquired a 350' ROW. there is a berm at the north side of CLDD w/ a few culverts under it to allow limited discharges from the north. we are hoping to open that up, possibly like what was done for the Brooks and Estero River. lots of ideas right now, but the SFWMD is doing a master study of the area. will get a status on that effort sometime in the next 2 weeks

>>> Matthew Noble 04/29/04 10:50AM >>>
what does the CIP project entail?

Matthew A. Noble, Principal Planner
Lee County Department of Community Development
Division of Planning
Email: noblema@bocc.co.lee.fl.us
(239) 479-8548
(941) 479-8319 FAX

>>> Roland Ottolini 4/29/04 10:49:17 AM >>>
yes, that must be what he was referring to. pls keep me in the loop as we have a joint project and study w/ SFWMD underway in that area, including a CIP for Spanish Creek Restoration

>>> Matthew Noble 04/29/04 10:47AM >>>
no rezoning that I am aware of, they have a comp plan amendment in, covers over 3,700 acres, seeks 2 dwelling units per acre, and some unspecified amount of commercial...is Mr. Jim English bugging you, he has been calling me, told me today that he would be calling you, I've told him that nothing has been done with the amendment at the moment...

Matthew A. Noble, Principal Planner
Lee County Department of Community Development
Division of Planning
Email: noblema@bocc.co.lee.fl.us
(239) 479-8548
(941) 479-8319 FAX

>>> Roland Ottolini 4/29/04 10:39:49 AM >>>
has the proposed rezoning come in yet for the 4 corners area in NE Lee County? thanks

The Law Office of
ANNE DALTON, ESQUIRE
2044 Bayside Parkway
Fort Myers, Florida 33901
adalton@daltonlegal.com

LEE COUNTY
RECEIVED
04 MAY -5 AM 8:54
COMM. DEV/
PUBLIC WORKS. CNTR.

Licensed in Florida, New York, Pennsylvania
Florida & Federal Supreme Court Certified Mediator

(239) 337-7900 (Voice)
(239) 337-7616 (Fax)

Matthew Noble
Lee County Department of Community Development
Division of Planning and Environmental Science
P. O. Box 398
Fort Myers, FL 33902

April 30, 2004

RE: Application of Florida Citrus Corporation/Lee County Comprehensive Plan Amendment Application

Dear Matt:

I have had an opportunity to review the submittal of the Florida Citrus Corporation from Vero Beach, Florida, on February 27, 2004. This entity is purporting to apply for a change in the designation of future land use category for property located at 23351 North River Road, Alva, Florida 33920, from Rural and Open Lands to Rural Village.

It is my understanding that the Florida Citrus Corporation does not own all of this property and, accordingly, does not have standing to apply to the county for this change.

Please advise.

Thank you.

Sincerely,

Anne Dalton, Esquire

CC: Honorable John Albion, County Commissioner, Lee County, Florida
Mary Gibbs, Director, Community Development, Lee County, Florida

MAD/os

MEMO

TO: Paul O'Connor, Planning Director
FROM: David Loveland, Manager, Transportation Planning
DATE: October 14, 2004
RE: CPA 2004-00006 (Florida Citrus Corporation)

The Department of Transportation has reviewed the above-referenced application, which proposes changing the land use designation of approximately 3,713 acres from "Rural" and "Open Lands" to a new category called "Rural Village". The County's comprehensive plan amendment application requires applicants to identify whether their proposed changes require modification to the socio-economic data forecasts for the traffic analysis zones where their project is located. If they do, the applicants are required to submit that information to the County so the County can run the FSUTMS model on the current adopted Financially Feasible Plan network to see if network modifications are necessary.

The traffic analysis submitted in the application indicates that the development parameters with the proposed land use change would increase significantly over what is currently assumed for that area. The property in question is located within Traffic Analysis Zone (TAZ) 103, which includes the following socio-economic data forecasts through the year 2020:

Existing TAZ 103 Forecasts

Single-Family	
Dwelling Units	42
Population	101
Multi-Family	
Dwelling Units	13
Population	18
Total	
Dwelling Units	55
Population	119
Industrial Employment	5
Commercial Employment	0
Service Employment	15
Total Employment	20

The application proposes splitting TAZ 103, with 10% of the forecasted development included in a modified TAZ 103 and a new zone created for the applicant's site. The total development parameters for the modified TAZ 103 and the new TAZ are as follows:

	Modified TAZ 103 Forecasts	New Project TAZ Forecasts
Single-Family		
Dwelling Units	4	5,200
Population	10	12,505
Multi-Family		
Dwelling Units	1	2,226
Population	2	3,082
Total		
Dwelling Units	5	7,426
Population	12	15,587
Industrial Employment	1	0
Commercial Employment	0	190
Service Employment	2	180
Total Employment	3	370

The combined effect of the modified TAZ 103 and the new Project TAZ, which encompasses the entire area of the existing TAZ 103, is an increase in dwelling units from 55 to 7,431, an increase in population from 119 to 15,599, and an increase in total employment from 20 to 373. When plugged into the FSUTMS model set for the 2020 Financially Feasible Transportation Plan, the proposed land use change results in the need for improvements beyond those currently identified in the plan.

The negatively-affected roadways in the immediate area are North River Road (CR 78) from Broadway to the Hendry County line and Broadway from SR 80 to North River Road. The 2020 Financially Feasible Transportation Plan network calls for those two road segments to remain two lanes as they exist today, because both are projected to operate at level of service "B" in 2020 with the development parameters currently assumed in existing TAZ 103. The 2020 model volumes are projected to be 2,732 (Peak Season, Daily) on North River Road and 5,966 on Broadway. With the significant increase in growth resulting from the modified TAZ 103 and the new Project TAZ development parameters, those two road segments are projected to operate at level of service "F". The 2020 model volumes increase to 26,110 on North River Road and 22,208 on Broadway. The current model ends at the Hendry County line, but that doesn't necessarily mean the need for widening ends there; this proposed land use change could be reasonably expected to create the need for improvements in the adjacent county, although at this point we don't know how far.

The four-laning of Broadway from SR 80 to North River Road (which includes widening the bridge) is expected to cost $ in today's dollars, and the four-laning of North River Road from Broadway to the Hendry County line is expected to cost $. As noted, the need for improvements to North River Road could extend into Hendry County for some distance, so there would be additional cost associated with that. These improvement costs could not be accommodated in the current 2020 Financially Feasible Plan without

sacrificing other needed projects already in the plan. The County's plan amendment application suggests that if the necessary improvements cannot be accommodated within the financially feasible limits of the plan, the requested land use change should be denied. To avoid a recommendation of denial, the applicant has the option of making the commitment to cover the costs of these improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

One other consideration regarding portions of Broadway and North River Road in the "Old Alva" area – based on the previously submitted but never adopted Alva Community Plan, there is some interest in the community in preserving the "Old Alva" core area, and four-laning those roads may be contrary to the community's interests in that regard. If the County determines that widening is too detrimental to the community, then the project will have to be scaled back to minimize the impacts or alternative improvements will have to be identified and the necessary financial commitments made.

On a related note, the applicant proposes in his submittal a text amendment, which includes the following subparagraph:

> 5. *Planned Developments approved within the Rural Village Land Use Category must provide a traffic circulation map allowing for additional east-west corridors to alleviate traffic from S.R. 78.*

Besides the fact that the North River Road designation is CR 78 not SR 78, there is no data and analysis submitted with the application that supports this language. As noted above, based on staff's analysis the proposed project will cause the failure of a portion of both North River Road and Broadway. Requiring future planned developments to "allow for" additional east-west corridors does not constitute the necessary financial commitment to make the needed improvements.

Thank you for this opportunity to comment. Please let me know if you have any questions.

To: Matt

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning DL

Date: October 26, 2004

Subject: **CPA 2004-00006 (Florida Citrus Corporation)**

The Department of Transportation has reviewed the above-referenced application, which proposes changing the land use designation of approximately 3,713 acres from "Rural" and "Open Lands" to a new category called "Rural Village". The County's comprehensive plan amendment application requires applicants to identify whether their proposed changes require modification to the socio-economic data forecasts for the traffic analysis zones where their project is located. If they do, the applicants are required to submit that information to the County so the County can run the FSUTMS model on the current adopted Financially Feasible Plan network to see if network modifications are necessary.

The traffic analysis submitted in the application indicates that the development parameters with the proposed land use change would increase significantly over what is currently assumed for that area. The property in question is located within Traffic Analysis Zone (TAZ) 103, which includes the following socio-economic data forecasts through the year 2020:

Existing TAZ 103 Forecasts

Single-Family	
Dwelling Units	42
Population	101
Multi-Family	
Dwelling Units	13
Population	18
Total	
Dwelling Units	55
Population	119
Industrial Employment	5
Commercial Employment	0
Service Employment	15
Total Employment	20

The application proposes splitting TAZ 103, with 10% of the forecasted development included in a modified TAZ 103 and a new zone created for the applicant's site. The total development parameters for the modified TAZ 103 and the new TAZ are as follows:

	Modified TAZ 103 Forecasts	New Project TAZ Forecasts
Single-Family		
Dwelling Units	4	5,200
Population	10	12,505
Multi-Family		
Dwelling Units	1	2,226
Population	2	3,082
Total		
Dwelling Units	5	7,426
Population	12	15,587
Industrial Employment	1	0
Commercial Employment	0	190
Service Employment	2	180
Total Employment	3	370

The combined effect of the modified TAZ 103 and the new Project TAZ, which encompasses the entire area of the existing TAZ 103, is an increase in dwelling units from 55 to 7,431, an increase in population from 119 to 15,599, and an increase in total employment from 20 to 373. When plugged into the FSUTMS model set for the 2020 Financially Feasible Transportation Plan, the proposed land use change results in the need for improvements beyond those currently identified in the plan.

The negatively-affected roadways in the immediate area are North River Road (CR 78) from Broadway to the Hendry County line and Broadway from SR 80 to North River Road. The 2020 Financially Feasible Transportation Plan network calls for those two road segments to remain two lanes as they exist today, because both are projected to operate at level of service "B" in 2020 with the development parameters currently assumed in existing TAZ 103. The 2020 model volumes are projected to be 2,732 (Peak Season, Daily) on North River Road and 5,966 on Broadway. With the significant increase in growth resulting from the modified TAZ 103 and the new Project TAZ development parameters, those two road segments are projected to operate at level of service "F". The 2020 model volumes increase to 26,110 on North River Road and 22,208 on Broadway. The current model ends at the Hendry County line, but that doesn't necessarily mean the need for widening ends there; this proposed land use change could be reasonably expected to create the need for improvements in the adjacent county, although further analysis would be necessary to determine how far.

The four-laning of Broadway from SR 80 to North River Road (which includes replacing the bridge across the Caloosahatchee River and expansion of the right-of-way from 100 feet to 125

feet) is expected to cost $29.5 million in today's dollars. The four-laning of North River Road from Broadway to the Hendry County line (which includes expansion of the right-of-way from 50 feet to 125 feet) is expected to cost $14 million. As noted, the need for improvements to North River Road could extend into Hendry County for some distance, so there would be additional cost associated with that. These improvement costs could not be accommodated in the current 2020 Financially Feasible Plan without sacrificing other needed projects already in the plan. The County's plan amendment application suggests that if the necessary improvements cannot be accommodated within the financially feasible limits of the plan, the requested land use change should be denied. To avoid a recommendation of denial, the applicant has the option of making the commitment to cover the $44.5 million cost of these improvements that go beyond the 2020 Financially Feasible Plan (plus the cost of additional improvements in Hendry County), or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

One other consideration regarding portions of Broadway and North River Road in the "Old Alva" area – based on the previously submitted but never adopted Alva Community Plan, there is some interest in the community in preserving the "Old Alva" core area and making it more pedestrian-friendly, and four-laning those roads may be contrary to the community's interests in that regard. Acquiring an additional 25 feet of right-of-way along Broadway and an additional 75 feet along North River Road would require the purchase and removal of a significant number of homes in the community. If the County determines that widening is too detrimental to the community, then the project will have to be scaled back to minimize the impacts or alternative improvements will have to be identified and the necessary financial commitments made.

On a related note, the applicant proposes in his submittal a text amendment, which includes the following subparagraph:

> 5. *Planned Developments approved within the Rural Village Land Use Category must provide a traffic circulation map allowing for additional east-west corridors to alleviate traffic from S.R. 78.*

Besides the fact that the North River Road designation is CR 78 not SR 78, there is no data and analysis submitted with the application that supports this language. As noted above, based on staff's analysis, the proposed project will cause the failure of a portion of both North River Road and Broadway. Requiring future planned developments to "allow for" additional east-west corridors does not constitute the necessary financial commitment to make the needed improvements.

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/mlb

Spanish Creek
Comprehensive Plan Amendment

Overview: The Spanish Creek Community encompasses over 3,800 acres of property in northeast Lee County. The property is located between Charlotte County to the north Hendry County to the east; and to the south is Alva and Lehigh Acres.

The property is currently used as an active citrus grove. In recent years agriculture has become less economically viable in Lee County. The spread of citrus canker, NAFTA, federal and regional environmental regulations, particularly as it relates to consumptive use permits have all combined to force grove owners to reexamine what is a reasonable use of the land. Adjacent properties to the east and west have already come to this conclusion and are currently seeking entitlements to construct residential developments communities.

Currently, the subject property is divided into lots which are subject to agricultural zoning which permits 455 lots according to the Lee County Property Appraiser, and 629 lots according to the County Line Drainage District. This number can be increased if a Planned Development is approved.

The applicant is of the opinion that the form of development requested in this application is the preferable type of development. However, there was some indication from some staff members that there wasn't necessarily any ability to develop all of the property with the current entitlements. The applicant was of the opinion that it was necessary to ascertain whether a rural estate type of development was viable, and if it was, to compare that form of development to the subject request. An analysis of the potential for residential development from an economic perspective was examined through an economic feasibility study by Hank Fishkind and Associates. The report, included with and made a part of this application, concluded that ranchette developments were very popular in similar communities around the state and would indeed be a viable option for the property. However, the result of such a development would be similar to other developments constructed in southwest Florida prior to the advent of growth management, and would be an under utilization of the property and could be considered sprawl development. All residential units within the ranchettes type of development would be served by individual wells and septic tanks. There would also be no commercial development with the ranchettes style development. A lack of commercial uses would require residents to travel to either Fort Myers or LaBelle for all commercial needs, but the property owner thinks there is a better alternative, and that is why the applicant is taking the time and effort to pursue this application. One of the major concerns when developing in

ditched, and diked citrus grove, there are only a limited number of environmental issues

The intent of the Spanish Creek Community is to provide for development of a maximum of two (2) dwelling units per gross acre, while avoiding antiquated uniform grid forms of development. Because this area is adjacent to two properties seeking entitlements and nearby to numerous others it is an inescapable fact that development on the C.R. 78 corridor will occur. These proposed developments will receive some form of approval, and improvements to the roadway network will be needed even though they are not identified by Lee or Hendry County. Commercial property to serve these residents has not been accommodated on the Future Land Use Map of the Lee Plan. There are no plans for utility services in this area. This proposal attempts to address these issues within the subject property, and also identifies proposals to work with adjacent property owners and public agencies to address issues on more of a regional basis. The Spanish Creek Community is intended to be a residential development focused around strategically located commercial uses. Standards have been established to provide for neighborhood and community commercial uses. In addition to the commercial development there will be an opportunity for a diversity of residential products which includes attached single-family or multi-family development.

To support this community and other developments in Lee and Hendry Counties improvements have been identified for the existing transportation network. Utilities will be addressed by requiring the installation of central potable water and sewer facilities throughout the site if the development is approved for over 5,000 residential units. The 5,000 residential units are necessary to make central water and sewer a viable use.

General Principles: The intent of this land use category is to provide of orderly well planned development for the Spanish Creek Community. This land use category will provide for the establishment of a self-supporting community which will provide residential, commercial, and service opportunities in harmony with current and proposed communities adjacent to and surrounding the subject property. Density within each of the following areas within Spanish Creek Community shall be permitted within that specific area as defined below; however, the density for the entire project cannot exceed the overall approved density of two (2) dwelling units per gross acre. Development densities within specific tracts can be higher and are identified within the development standards listed below. Because of the current agricultural use of the property, such uses shall be permitted to remain until the property is developed in accordance with the regulations associated with this land use designation. These include equestrian facilities, grazing, and cooperative farming. Development within the

Spanish Creek Community Land Use Category is subject to the following criteria:

The Spanish Creek Community will include Village Centers, Neighborhoods, and Rural Residential as defined below. Village Centers will be focus points within the community and contain larger scale commercial development and higher density residential units. Neighborhoods will surround the Village Centers and contain medium density residential and neighborhood commercial development designed to meet daily needs. These areas will be interspersed with Rural Residential. The Rural Residential is a low density residential development consisting of larger lots of a ½ acre or larger. All development will be supported by essential public facilities, which are permitted uses throughout the site. School sites are encouraged to locate within a Village Center.

Village Center

1. Definition
   a. The purpose of the Village Center will be to provide a place for retail, office, light industrial, and residential land uses with a local market base that serves as an employment center for Spanish Creek. The Village Center shall be oriented towards serving the residents of the surrounding neighborhoods. The scale of these uses will be higher than those permitted in the Neighborhood Commercial Centers. The Village Center should be large enough to support adjacent residential neighborhoods. Commercial uses shall be centralized to provide for convenient access from adjacent residential developments.

1. Location
   a. The Spanish Creek Community will have a minimum of two (2) Village Centers to support residents of the community. The location of Village Centers will be based on locational standards within this land use designation. Each Village Center is to be located in an area(s) that primarily serves the residents of the Neighborhoods. Ultimately the exact location of the Village Center(s) is to be determined by the site parameters.

2. Size:

a.	Maximum Size	Forty (40) Acres
b.	Minimum Density	4.0 DU/AC (single-family) 8.0 DU/AC (multi-family)
c.	Maximum F.A.R.	.60

3.

Land Use Mix for Village Centers	*Min. Land Required*	*Max. Land Allowed*
Residential	15%	30%
Commercial and Retail Services	40%	70%
Office	0%	30%
Light Industrial	0%	20%
Overall Office, Commercial and Industrial	0%	70%
Public and Civic	0%	No Max
Public Parks and Open Space	As per LDC for Planned Developments	No Max

5. Residential uses permitted within Village Centers;

a. Multi-family Housing

1. Multi-family housing should be located near the Village Center(s) and within Neighborhoods where higher density can be developed in a compatible manner with other lower density uses through landscape buffers. When multi-family development is located within the Village Center pedestrian access will be provided to adjacent or nearby commercial development and public open space.

3.b. Single-Family Attached (Townhomes)

1. Attached single-family homes are permitted in Village Center(s) and also within Neighborhoods. They are not permitted outside of these areas

c. Or any other similar style housing type that may be appropriate.

Neighborhood

1. Definition

a. A Neighborhood is a collection of Neighborhood Residential and Neighborhood Commercial that provides for residential development and the provision of commercial development for daily commercial needs. Golf Courses and golf course communities are also a permitted uses within Neighborhoods. Design and construction must meet the standards established within the Spanish Creek Community and all other applicable standards of the Lee Plan and Lee County Land Development Code.

2. Size:

a. Maximum Size 120 Acres

3. Density:

a. Maximum Density 4.0 DU/Acre

4. Residential Housing Types Permitted in Neighborhoods;

a Multi-family Housing

1. Multi-family housing should be located near the Village Center(s) and within Neighborhoods where higher density is permitted. When multi-family development is located within the Village Center pedestrian access will be provided to adjacent or nearby commercial development and public open space.

b. Single-Family Attached (Townhomes)

3.1. Attached single-family homes are permitted in Village Center(s) and also within Neighborhoods. They are not permitted outside of these areas

a.c. Single-Family Located Within Neighborhood Residential

1. Single family home sites should be located further away from the Rural Village and Neighborhood Commercial centers. These home sites should range from ¼ acre to 1 acre tracts.

d. Or any other similar style of residential development that may be appropriate.

Neighborhood Center

1. Definition
   a. Each Neighborhood Center is designed to provide for daily commercial needs of the surrounding Neighborhoods. The Neighborhood Center(s) shall have a maximum size of five (5) acres. The Neighborhood Center should provide for a mix of land uses including commercial and personal and household service establishments, public facilities, and other similar services designed to meet the needs of the adjoining neighborhoods.

d. 2. Size

e. a. Maximum Size Five (5) acres
   b. Maximum FAR.60

3. Location:
   a. The Neighborhood Center shall not be adjacent to the Village Center. The size of the Neighborhood Center is smaller and meant to serve the needs of the Neighborhood Residential.

4.

Land Use Mix for Neighborhood Centers	***Min. Land Required***	***Max. Land Allowed***
Commercial and Retail Services	20%	80%
Public and Civic	0%	No Max

Neighborhood Residential

1. A Residential Neighborhood should be approximately 25 to 250 acres. Residential Neighborhoods must be approved as a Planned Development. Neighborhoods may include a mix of housing including single-family, single-family attached, duplex, and multi-family. The number of neighborhood residential tracts is determined by development standards.

2.

Land Use Mix for Neighborhood Residential	***Min. Land Required***	***Max. Land Allowed***
Residential	100%	100%

Rural Residential

1. Single family home sites located in an area suitable for low density residential. These home sites should incorporate the ambiance of the rural lifestyle with lots ranging from ½ acre to 10 acre tracts. Golf Courses with or without adjacent residential units are also a permitted use within Rural Residential areas. Design and construction must meet the standards established within the Spanish Creek Community and all other applicable standards of the Lee Plan and Lee County Land Development Code.

2. Permitted Housing Types Permitted with Rural Residential;
   a. Rural Residential
      1. Single family home sites should be located further away from the Rural Village and Neighborhoods. These home sites should incorporate certain aspects of the rural lifestyle, with lots ranging from ½ acre to 10 acre tracts. The intent of the rural residential units is to provide for larger lots in a lower density design. The Rural Residential category will fill in the areas between neighborhoods and extend away from the more intense development. Due to their nature, the Rural Residential designation is not permitted in the Village Center(s) or Neighborhood(s).

Approval Process

1. Any development other than development pursuant to the existing agricultural zoning must be performed through the Planned Development approval process established in the Lee County Land Development Code.

Environmental

1. Flow way restoration

a. Spanish Creek Community has two (2) disturbed flow ways running through the site. One is located to the furthest northwest section (Cypress Creek) and the other begins along the eastern boundary of the property and extends through the middle of the property to the west (Spanish Creek).
b. Restoration of the on-site portion of the flow ways must be incorporated into appropriate zoning applications. All vertical residential or commercial structures will be buffered from the restored flow way. Residential and commercial accessory uses such as canoe launches, pedestrian trails, and other compatible uses can be located adjacent to or in the flowway. (Now) trails or accessory structures shall impair the hydraulic capacity of the flowway.

1. Restore the flowways as shown on the attached exhibit.
2. Applicants must identify specific flow ways that will be restored and/or protected during the zoning process.
3. A minimum of four (4) roadway crossings are allowed through the Spanish Creek flowway.
4. A minimum of six (6) roadway crossings are allowed through the flowway to be restored on the northwestern portion of the property

Policy – Where feasible, significant naturally occurring wetlands, which have not been significantly degraded, shall be designated as preserve areas. Nature trails, bike paths, boardwalks and the like are permitted within these preserve areas on a limited basis. This does not preclude any necessary permit applications and approvals that may be necessary to additional review agencies. Wetland areas should be incorporated into water management design where feasible.

2. Wetland Protection
   a. Wetland areas A, B, and C will be incorporated into the water management design.
   b. The identified oak hammock on the south central portion of the site will be preserved.

Policy – The Spanish Creek Community will adopt a regional systems approach to environmental planning and design within the site to the extent feasible.

Policy – The design for the functional open space area shall incorporate the following design features:

- The following uses, boardwalks, picnic areas, trails, benches, golf courses, water management systems, biking/jogging/equestrian trails, exercise trails, bird viewing blinds/towers, hunting towers, and educational pavilions shall be permitted;
- Any listed exotic species of bush or tree as stated within the Lee County Land Development Code shall be removed at the time the development order is issued. A monitoring program to maintain the area as exotic free shall be implemented.
- Golf courses shall be replanted with a minimum of 75% native vegetation consistent with good golf course design;
- Plant material used for revegetation must conform to the standards for Florida Number 1, or better as given in Grades and standards for Nursery Plants 1973, and grades and Standards for Nursery Plants, part II, Florida Department of agriculture and Consumer Services, Tallahassee, Florida;

Policy – At least 30% of the entire subject site shall be reserved for Open Space/Conservation lands and where feasible shall preserve a connected system of environmentally sensitive and passive recreation. At least 10% of this open space component must be uplands.

Open Space and Recreation

1. Equestrian and Human Activity Trails
    a. Equestrian riding trials, human activity trails, and any other common uses should be incorporated into appropriate open spaces. The trials should be placed in the open space of the site and be part of the protected area. Trails and pathways shall be located around natural features and preserve areas where feasible.

Traffic

Policy- If the Spanish Creek Comprehensive Plan Amendment is approved for over 5,000 residential units, Lee County shall require the construction of the Lee County portion of a privately-funded, two-lane road that extends from the CR 78/Kirby Thompson Road intersection in Hendry County to just east of the CR 78/Cemetery Road intersection in Lee County and by-passes the Alva Community to the north. Lee County shall establish a funding source(s) that will require a fair share contribution from all developments within the CPA area plus all other new developments that access the road or directly benefit from construction, so that the new road is fully funded by private development. Funding sources may include, but are not limited to, the following: a super impact fee; proportionate share payments by all developments; a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU); a Uniform Community Development District (UCDD); or another funding mechanism(s) that ensures the full funding of the new road. All private contributions for the construction of this new two-lane road shall be creditable against the road impact fee payments, because the road is being constructed specifically to mitigate the traffic impacts of private development on CR 78, Broadway (including the Alva Bridge), SR 80 and the Alva Community.

- Within two years of the adoption of this Comprehensive Plan Amendment, Lee County will conduct a privately-funded engineering study to establish the precise alignment for this new road and to determine the right-of-way requirements. Right-of-way acquisition will be privately funded, but conducted by Lee County. Construction of the new road will be scheduled by the County no later than 2015 to ensure that the new road is in place when needed.

- The Applicant shall facilitate the construction of this new road by reserving 150 feet of right-of-way within the CPA area for an eventual four-lane, divided roadway and dedicating the right-of-way to the County for credit against road impact fees.

- Lee County shall enter into an interlocal agreement with Hendry County to ensure the construction of the Hendry County portion of the new road in a timely manner. The Applicant shall assist Lee and Hendry Counties by seeking the

cooperation of Hendry County property owners in reserving the right-of-way for the road, and dedicating the right-of-way.

- The new road will have good access management, with minimum spacing for full median openings of one quarter mile and minimum spacing for directional median openings and driveway connections of 660 feet, subject to review and approval by Lee County.

1. Vehicular Interconnectivity
    a. The street network shall be designed to provide connectivity between uses within Neighborhoods and the Village Center. Connections of major streets to existing or planned streets outside Neighborhoods shall be provided although this will occur on a more limited basis due to the need to limit impacts to existing roadways. Interconnections between Neighborhoods shall be supplemented by pedestrian and/or bicycle paths. Within Neighborhoods, the street network shall create a hierarchy of interconnected streets to allow access between Neighborhoods and the Village Center(s). This shall not preclude the existence of gated communities within residential portions of the site, however, the Neighborhood Commercial centers must not be within a gated neighborhood.

2. Miscellaneous Design Guidelines
    a. The intent of Spanish Creek Community is to provide for residential and supporting commercial development in emerging northeast Lee County. To ensure quality development within these areas and ensure an attractive image, the following design features shall be shown on the Master Concept Plan at the time of rezoning;

        1. Sidewalks shall be required according to Lee County standards outlined in the Land development Code. All Neighborhoods must be connected by means of pedestrian and/or bicycle path access. A separate sidewalk, separated from the roadway by a landscape strip, may be used to satisfy this requirement. Sidewalks are not required for cul-de-sacs with less than seven residential lots. Sidewalks must also be provided into gated neighborhoods, however, access may be controlled to only include residents and visitors.

        2. The road network within Spanish Creek Community should emphasize the use of two-lane neighborhood streets in a connected road pattern.

        3. All project utilities shall be underground unless prevented by natural features.

        4. Residential and non-residential developments shall be linked by streets, sidewalks, and in some cases by separate systems of pedestrian, bike and/or golf cart paths.

        5. On-street parking shall be permitted within the Spanish Creek Community. On-street parking shall be designed to promote traffic calming, pedestrian use, and shopping convenience, including but not limited parallel and angle parking.

Adequate Public Facilities

Policy – The Spanish Creek Community must provide central water and sewer service if applicable at the time of construction. The Spanish Creek Community is permitted to construct more than 5,000 dwelling units and is not within publicly supplied water and sewer service areas.

NORTHEAST LEE RURAL VILLAGE

ECONOMIC ANALYSIS OF COMPREHENSIVE PLAN AMENDMENT CPA 2004-06

February 16, 2005

Prepared for

Florida Citrus Corporation
4511 8th Lane SW
Vero Beach, Florida 32968

Prepared by

Fishkind & Associates, Inc.
11869 High Tech Avenue
Orlando, Florida 32817
407-382-3256

Northeast Lee Rural Village
Economic Analysis of Comprehensive Plan Amendment CPA 2004-06

February 16, 2005

1.0 Introduction and Summary of Findings

1.1 Purpose

This report analyzes certain economic aspects of Florida Citrus Company's ("Land Owner") proposal to amend the Lee Plan for its +/- 3,713 acres. Under the existing Lee Plan's Future Land Use Map ("FLUM") the property can be developed into 1,298 ranchettes. The Land Owner prefers to develop the property into a Rural Village consisting of 7,426 residential units and 100,000 square feet of commercial space. Changing the FLUM as proposed will have economic and fiscal impacts on the County that are analyzed in this report.

First, the report analyzes the market for ranchette development at the property. Without change to the FLUM the Land Owner plans to develop the property for ranchettes. Second, the analysis examines the rationale for the proposed land use change. To change the FLUM an applicant must demonstrate the need for the proposed change. Finally, the report quantifies the fiscal impact of the proposed land use change on the County.

1.2 Summary of Findings

First, there is a strong existing market for ranchettes in northeast Lee County. The Land Owner could successfully develop the property with ranchettes in lieu of the proposed Rural Village. Furthermore, there is no economic rationale for continued agricultural use, and at this juncture agricultural use is not the highest and best use for the property. Therefore, if the proposed land use change is not approved, it will be in the best interest of the Land Owner to proceed with ranchette development.

Second, there is reasonable justification to change the FLUM in accordance with the proposal. The population projections, that are the basis for the existing FLUM and its allocation of land uses, are based on 1998 forecasts which are outdated. Since then data from the 2000 Census became available and the official population projections from the Bureau of Economic and Business Research were revised. The Census

and the new forecast were increased significantly for Lee County. The end result is that the existing population allocations are significantly below what is now reasonably expected. Updating the allocations produce a need for the proposed change to the land use plan.

Third, the proposed change to the FLUM will have a positive fiscal impact on the County. Based on analysis using the Fiscal Impact Analysis Model ("FIAM") the proposed project will have a positive net fiscal impact on the County and the school board under any reasonable set of assumptions.

2.0 Market for Ranchette Development

2.1 Introduction

The first order of business is to determine the feasibility of developing the property for ranchette home sites. The ranchettes can vary in size from 1-to-10 acres on the 3,713 +/- acre parcel of land located at 23351 N. River Road, in Alva, Lee County, Florida. The property is comprised of 3,030+/- acres of open lands and 683 acres of rural lands as designed on the Lee County Future Land Use Map. Within the open and rural lands are 93.4 acres of wetlands.

The Lee County Future Land Use Map (FLUM) allows for up to one (1) unit per acre for the Rural Lands designation and for up to one (1) unit per five (5) acres for the Open Lands designation. With the Rural Lands designation allowing one (1) unit per acre and the Open Lands designation allowing one (1) unit per five (5) acres, there is a potential for 1,289 ranchette units.

The existing parcelization of the property is immaterial to this analysis, since Florida Citrus is the sole landowner of all the parcels. Density is calculated based on the gross area of each Future Land Use category. The parcel has actually been subdivided into hundreds of parcels. However, the actual density of the property is slightly higher if it is developed in its current form.

2.2 Lee County Ranchette Market- Listings and Sales.

The Sunshine MLS system was utilized to identify recent sales and current listings for properties in the northeast portion of Lee County. The subject property is located in the Sunshine MLS FN11 zone. The following Sunshine MLS zones were utilized in the study:

MLS Areas: FE03, FE04, FE05, FE06, FE07, FE08, FN09, FN10, FN 11

The following data was analyzed in looking at the subject property's market:

- Single Family Lots.
- Closed Sales
- Units greater than 1 acre.

Figure 1 displays a map that outlines the different MLS areas as provided by Sunshine MLS:

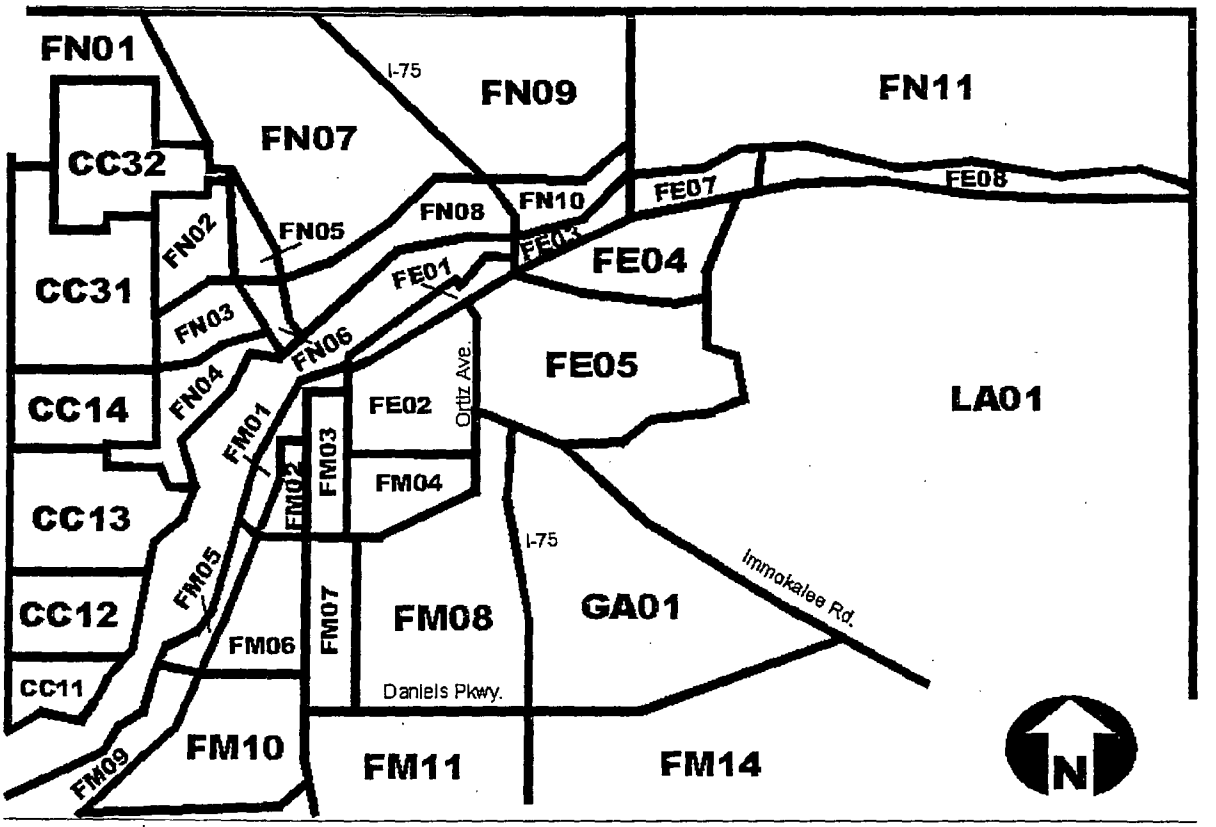
From 1998 on, there have been almost 300 sales of single family ranchette lots in the targeted zones surrounding the property per year. (See Table 1.) Those sales total almost 1,750 acres and represent just under $40,000,000 in gross sales. The weighted average sales price per acre is $22,300 and the weighted average sales per square foot price is $0.51. The average parcel size sold is 5.39 acres.

Sales of this product type have increased over the past six (6) years in this market area due to a number of factors. First, growth is moving east and north from the core of Lee County as land is developed and people move looking for larger pieces of land. Second, Lehigh Acres continues to show rapid growth, again forcing the population looking for larger pieces of land to move east and north.

The number of annual sales have held steady in the 50-unit plus range for the past five years. Projections annualized for 2005 indicated that the number could double to almost 100 units. Also of note is that the sales volume could exceed $16,000,000 for 2005 annualized from January's sales figures. The weighted average sales price per acre has steadily climbed from just under $20,000 to over $37,000 in just three years, with the annualized project to come in at just under $39,000 for 2005. The average weighted per square foot price has increased from $0.27 in 2001 to $0.65 in 2004. Annualized projections for 2005 indicate a 60 percent increase in that figure to $1.02. Finally, the average size of a parcel has decreased over the past four years from just over 9 acres to 5 acres.

The data in the Table 1 are actual closed sales of scattered independent parcels across the subject property's market area. Note that there are no true "communities" selling this type of product. If developed for ranchettes, the subject would be marketed as a community. It is reasonable to expect that the subject property would not only capture a substantial portion of the marketplace, but it would likely generate higher total sales for the marketplace with this type of ranchette program. With 1,289 ranchettes available, the subject would likely sellout in 15-years or less.

Figure 1. Market Area for Ranchettes in Notheast Lee County



Source: Sunshine MLS.

Table 1. Ranchette Sales in Northeast Lee County

Year	# of Sales	Acres	Sales Volume	Weighted Average Sales Price Per Acre	Weighted Average Sales Price Per Square Foot	Average Parcel Size
1998	5	8.8	$128,500	$14,669	$0.34	1.75
1999	24	123.7	$1,006,450	$8,134	$0.18	5.16
2000	66	110.1	$1,910,400	$17,356	$0.93	1.67
2001	34	256.2	$2,366,150	$9,234	$0.27	7.54
2002	42	385.0	$7,661,900	$19,901	$0.36	9.17
2003	65	551.2	$14,134,380	$25,644	$0.59	8.48
2004	55	276.4	$10,392,930	$37,601	$0.65	5.03
2005*	8	34.6	$1,333,900	$38,597	$1.02	4.32
TOTALS	299	1,745.9	$38,934,610	$22,300	$0.51	5.39

* Sales for 2005 are for January only.

Source: Feasinomics, Inc., and Sunshine MLS.

The only true communities selling "lots" are the single-family areas in Lehigh Acres, Cape Coral, Port Charlotte and Golden Gate Estates. These lots are improved with access and in some cases water and sewer. However, these lots are or the most part less than one (1) acre in size.

This next section describes projects that are proposed for marketing in Lee County. Although they do not directly compete with the subject property in its current state of proposed development as ranchettes, they could have a future impact on the subject property.

2.2 Additions to Supply

The following is a list of projects proposed for marketing in Lee County.

Fort Myers Shores

Buckingham 320 – This parcel is located south of Palm Beach Boulevard on Buckingham Road and encompasses 318 acres. The site is controlled by GL Homes

Caloosa Preserve – This property encompasses 240 acres and is located approximately 15 minutes east of I-75 on SR 80, or Palm Beach Boulevard. The planned community consists of 133 one to two acre lots, 40 of which have frontage and docks on the Caloosahatchee. The

community will be gated and owners may choose their own builder and may build at any time. Non-waterfront lots range from $100,000 to $125,000 and waterfront lots are approximately $350,000.

Hawk's Haven – Hawk's Haven is located on SR 80 or Palm Beach Boulevard just east of Bonita Bay's Verandah development. The site encompasses 1,695 acres and is planned to be developed with affordable single family homes. Sales are anticipated to commence the end of 2004 or beginning of 2005.

Hawk's Preserve - Hawk's Preserve is a 60 plus acre development of Single Family Homes on lots that are generally 70 feet by 130 feet. Holiday Builders will be constructing the 186 Single Family Homes planned for Hawk's Preserve. Sales commenced during the first week of June 2004.

Hunter North and South – Two parcels comprise this site. The first, Hunter North, is controlled by Taylor Woodrow and encompasses approximately 206 acres. The second parcel, Hunter south, is controlled by GL Homes, and is comprised of 318 acres.

Portico – Two parcels comprise this site. Both parcels are controlled by Taylor Woodrow and comprise approximately 583 gross acres. Taylor Woodrow is planning approximately 1,200 units including 40, 50, and 60 foot Single Family sites as well as some Town Homes. Several builders will be involved in the project.

Orange River Property – The Orange River Property includes approximately 365 acres and is located south of Palm Beach Boulevard on Orange River Road.

Owl Creek – Owl Creek is comprised of approximately 255 acres.

Simon Property – This property is located north of Palm Beach Boulevard at River Road and includes approximately 450 acres.

Weathers Property – This parcel is located East of SR 31 on Duke Highway. It comprises approximately 161 acres.

Wellington Ranch – Wellington Ranch is located south of Palm Beach Boulevard on Joel Boulevard and includes approximately 300 acres.

2.3 Conclusions Concerning Ranchette Development at the Subject

Based on the recent sales increases in both the number of ranchette sales and the weighted average per acre and per square foot, the proposed plan of selling ranchette lots on the subject property should be successful. Absorption of the 1,289 units would take just 15 years, or less, to complete at the current absorption of 96 units per year. That assumes that the market for this type of product would stay status quo. However, growth is moving from the west toward the subject property and through shear numbers and other nearby lands being master planned, it is conceivable that absorptions could double in the next three (3) to five (5) years, thereby shortening the sell out of the subject property by five (5) to seven (7) years.

It is our professional opinion that with the implementation of a few planning tools, the absorption of the 1,289 ranchette lots on the subject property could be accelerated to under 10 years. By developing the ranchettes in a "master planned" fashion to include selling ranchettes by areas and not shot gun, providing potable water from a local source as opposed to wells and developing the 30,000 square foot commercial area to include a convenience store/gas station and a small strip center including a hardware store, would be important factors in attracting the purchaser who is looking for a large tract of land to build a home on while at the same time looking to have the conveniences of modern living nearby.

3.0 Rationale for the Proposed Amendment to the FLUM

3.1 Introduction

To amend the FLUM as proposed in the petition, the Land Owner must demonstrate that there is a need to change the Lee Plan ("Plan"). The FLUM is required to accommodate the population projected for the County. The Plan allocates the projected population growth to the County's 22 planning communities. The subject is located in the Alva Community. Therefore, the analysis must show that the current allocation of land available in the Alva Community is insufficient to accommodate the population projected for the Community. As a result, then there is a "need" to alter the FLUM for the Alva Community.

3.2 Analysis

The starting point for the analysis is the allocation of land available for residential uses in the adopted Plan. Table 1 presents the relevant data form the Plan for Alva.

Table 1. Land Use Allocation and Availability of Residential Land in the Alva Community from the Lee County Comprehensive Plan

Land Use	Units/Acre	Available Acres	Capacity
Urban Community (UC)	6	61	915
Outlying Suburban (OS)	3	-4	0
Rural (R)	1	168	420
Ourter Islands (OI)	1	4	10
Open Lands (OL)	0.2	158	79
Density Reduction/Grndwtr Resources (DRGR)	0.1	-10	0
Wetlands (RPA)	0.05	0	0
			=======
			1,424

As Table 1 demonstrates, the current Plan has the capacity to accommodate an additional 1,424 dwelling units based on maximum densities allowed under the Plan for each category of available acreage.

The allocations in Table 1 for Alva were based on population projections from the University of Florida's Bureau of Economic and Business Research ("BEBR") as of 1998. Table 2 provides those projections. By 2020 the County's population is projected to total 670,296 with Alva's population reaching 3,924.

[The balance of this page left intentionally blank]

Table 2. Lee Plan Population Projections

	1998	2020	Growth	% Share
Total	394,244	670,296	276,052	100.0%
Alva	2,796	3,924	1,128	0.4%
Lehigh Acres	32,495	91,734	59,239	21.5%
SE Lee Cnty	958	2,077	1,119	0.4%
Bayshore	4,568	5,060	492	0.2%
Fort Myers	6,308	86,057	79,749	28.9%
Burnt Store	1,057	3,897	2,840	1.0%
N FT Myers	43,939	51,574	7,635	2.8%
S FT Myers	46,243	55,764	9,521	3.4%
Cape Coral	117,929	167,487	49,558	18.0%
Iona McGregor	27,621	35,287	7,666	2.8%
Bonita Springs	30,352	46,653	16,301	5.9%
Estero	7,855	22,574	14,719	5.3%
Gateway Airport	2,598	10,585	7,987	2.9%
Pine Island	8,941	11,020	2,079	0.8%
Buckingham	2,679	3,149	470	0.2%
Boca Grande	966	1,361	395	0.1%
Captiva	771	862	91	0.0%
Daniels Parkway	6,538	8,272	1,734	0.6%
Fort Myers Beach	7,134	7,134	-	0.0%
Ft Myers Shores	13,516	15,135	1,619	0.6%
San Carlos	20,950	32,660	11,710	4.2%
Sanibel	8,030	8,030	-	0.0%

Source: Lee Plan

Since the population projections contained the Plan were adopted, a number of events have occurred that has made the population projections outmoded. First, the 2000 Census is now available. Second, BEBR has updated its official population projections for the Lee County. Importantly, the updated population projection for Lee County for 2020 now is 852,200 compared to the prior projection of 670,296. This is an increase of 181,904 people that are not included in the Plan or the allocations to the 22 Planning Communities.

To properly evaluate the proposed amendment to the Plan, it is necessary to update the population projections for the County and for its various Planning Communities. In that regard the first step is to start with the shares of prior growth allocated to the Planning Communities as shown in Table 2 for the existing Plan. Next, the growth shares must be updated to account recent trends as follows.

First, the City of Bonita Springs has significantly expanded its boundaries since the Plan was adopted. Therefore, some of the growth that was previously allocated to the County is now in the City. Second, the shares of future growth allocated to Cape Coral and Lehigh were reduced slightly. Otherwise, the additional growth increments are unreasonable in the context of these cities. The total growth for these cities increases under this procedure, but not quite as much as would have been the case without some adjustments downward to their prior shares of growth allocated in the Plan.

Finally, and most importantly for this analysis, the share of growth allocated to Alva was increased to 10.4% from 0.4%. This increase recognizes the strong development trends that have emerged along the SR 80 corridor to the Hendry County line.

Using the updated population projections for the County and the allocated shares of growth as described above, Table 3 analyzes the need for the proposed land use change. As shown in Table 1, the current capacity of the land use plan for the Alva Community is 1,424 dwelling units. This would accommodate approximately 3,560 citizens. The updated population projection for Alva is 18,934 by 2020 based on: (1) the new increment of growth totaling 181,904 not included in the current Plan and (2) an allocated share of 10.4% to Alva. This incremental growth would require 7,573 additional dwelling units. Since the current allocation for Alava has 1,424 units available, there is a current need to an additional 6,149 dwelling units.

Table 3. Analysis of the Need for the Proposed Amendment for Florida Citrus

	Dwelling Units	People
Existing Capacity	1,424	3,560
Additional Growth	7,573	18,934
	=========	=========
Net New Need	6,149	15,374
Proposed Increase		
Dwelling Units in FLUM	1,289	3,223
Dwelling Units Proposed	7,426	18,565
	=========	=========
Net Increase in Units	6,137	15,343

[The balance of this page left intentionally blank]

The subject property currently is planned for 1,289 units and 7,426 are proposed. This represents an increase of 6,137 dwelling units. Since 6,149 are needed, based on the updated population projections, the rationale for amending the Plan is clear. The present allocation of land to accommodate future population growth now expected in the Alva Community is too low.

4.0 Fiscal Impact Assessment

4.1 Introduction

This section of the report examines the cost and revenues associated with the proposed amendment to the Plan. The fiscal impact analysis is conducted using FIAM calibrated for Lee County using the County's latest adopted budget. Details on FIAM are available on our website Fishkind.com. They are too voluminous to include here. FIAM was developed under contract with the Florida Department of Community Affairs ("DCA"). FIAM is designed to be the prototype fiscal impact analysis tool by which local government in Florida can quantify the costs and revenue associated with land use decisions, such as the one being considered here. DCA plans to promulgate FIAM for statewide use later this year.

4.2 Analysis

The development plan for the proposed Rural Village encompasses 7,426 dwelling units clustered in a village development pattern. The amenities include 36-holes of golf arranged in two clubhouse complexes, parks, playing fields, and a bike/hike trail system. The plan Table 4 summarizes the program and the average pricing.

Table 4. Rural Village Development Program Summary

Land Uses	Units	Volume	Average Value
Single-family	Units	4,926	$218,616
Multifamily	Units	2,500	$150,000
Mobile Home	Units	0	$0
Hotel	Rooms	0	$0
Retail	Sq. Ft.	100,000	$90
Office	Sq. Ft.	0	$0
Warehouse	Sq. Ft.	0	$0
Industrial	Sq. Ft.	0	$0
Instutional/Gov't	Sq. Ft.	0	$0
Golf Course	Holes	36	$333,333

The development program will take approximately 20-years to reach full buildout. Sales are projected to ramp up in the early years of the project reaching a maximum of 435 per year. The shopping center is projected for 2020 when there are sufficient homes to support a grocery-anchored center. The initial 18-holes of golf will be built in 2007 and the balance of the golf holes will developed over the next 10-year interval.

Table 5 summarizes the net fiscal impacts of the proposed Rural Village on Lee County. As Table 5 shows, the proposed project will have a positive fiscal impact on Lee County. The project is projected to generate a substantial operating surplus for Lee County with a present value in excess of $33,000,000. This operating surplus is more than sufficient to offset the capital account deficit of about $5,000,000 in present value terms resulting in a net fiscal surplus to the County of over $28,000,000.

Table 5. Net Fiscal Impact of the Proposed Rural Village

	Total	Present Value*
Total Operating Revenue	$788,929,276	$213,581,611
Total Operating Cost	$640,204,436	$178,004,837
Net Operating Impact	**$148,724,841**	**$35,576,774**
95% of Net Operating Impact	**$141,288,599**	**$33,797,935**
Total Capital Revenue	$11,832,400	$5,072,867
Total Capital Cost	$24,219,909	$10,234,776
Net Capital Impact	**-$12,387,509**	**-$5,161,909**
Net Total Impact @ 95% of Revenue	**$128,901,089**	**$28,636,026**

(20 years @ 10% discount rate)

4.3 Conclusions

The proposed project will have a positive fiscal impact on Lee County. If approved, the project will generate substantially more revenues for the County than it will cost the County to provide services to its residents and businesses. In light of the magnitude of the estimated surplus, it is reasonable to conclude that the project can pay for its services and facilities at no net cost to existing residents under any reasonable set of assumptions.

IV. AMENDMENT SUPPORT DOCUMENTATION

C. Environmental Impacts

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

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Forms Classification System (FLUCFS).

See attached map for community locations. The vegetation communities on site were mapped according to the Florida Land Use, Cover and Forms Classification System (FLUCFS) (Florida Department of Transportation, 1999). The mapping utilized Level III FLUCFCS. The site was inspected and the mapping superimposed on 1999 digital aerial photographs. Acreages were approximated using AutoCAD (Version 2004).

In general, vast majority of the property consisted of active citrus grove, except for scattered patched of wetland communities in various states of quality. The exotic plant Brazilian pepper colonized many of the wetlands. Clearly, the property has undergone considerable land disturbance in order to be put it into citrus production.

The following is a discussion of the existing land uses and vegetative associations found on site.

221 **Citrus Groves (approximately 3380.91 acres)**
This land-use type consists of active citrus grove with attendant roads, drainage features and support buildings.

422 **Brazilian Pepper (approximately 2.64 acres)**
Brazilian pepper dominated this community with the understory being minimal due to the dense shading by the Brazilian pepper.

427 **Live Oak (approximately 3.14 acres)**
This upland community was composed of a live oak hammock. Other vegetation included cabbage palm, wild coffee, and beautyberry.

618 **Willow Wetlands (Approximately 18.03 acres)**
This land-use description describes a wetland community composed mainly of willow shrub, as well as a variety of other shrub species, which include Brazilian pepper, marsh elder, and primrose willow. Scattered cypress and cabbage palm may also be present.

619 **Brazilian Pepper Wetlands (Approximately 43.74 acres)**
Brazilian pepper with scattered cypress dominated this wetland community. Again the mid-story was minimal due to the dense shading by the Brazilian pepper.

621 **Cypress Wetlands (Approximately 24.02 acres)**
This wetland community was dominated by cypress trees with scattered cabbage palm and laurel oak. Swamp fern dominated the understory. This description covers a range of cypress wetlands, which also had varying degrees of Brazilian pepper colonization. Often Brazilian pepper was situated around the perimeter of these communities.

631 **Scrub Wetlands (Approximately 7.61 acres)**
This wetland community was dominated by mostly scrub habitat, with scattered Brazilian pepper, willow, cabbage palm, and cypress. The understory was composed of a variety of shrubs, primarily primrose willow.

742 **Borrow Areas (Approximately 131.72 acres)**
This land-use description describes excavated water bodies that include ponds, lakes or drainage ditches. The larger ditches situated on the property were demarked, while the interior ditches were not and simply included in the Citrus Grove (221) category.

743 **Spoil Areas (Approximately 101.19 acres)**
This land-use description describes areas of spoil. These areas were typically vegetated with a variety of herbaceous plant species.

TABLE. FLUCFCS Breakdown.

FLUCFCS	Description	Wetland Acreage/ OSW Acreage	Upland Acreage	Percent of Total
221	Citrus Groves		3380.91	93
422	Brazilian Pepper		2.64	<1
427	Live Oak		3.14	<1
618	Willow Wetlands	18.03		<1
619	Brazilian Pepper Wetlands	43.74		1
621	Cypress Wetlands	24.02		1
631	Scrub Wetlands	7.61		<1
742	Borrow Areas	131.72		2
743	Spoil Areas		101.19	2
	Total:	**225.12**	**3487.88**	100 %
	Total:	**3713**		

Because the property is overwhelmingly composed of citrus grove, there will be very little relative impact to natural habitats. The majority of the wetlands will be preserved, as well as majority of the upland greenbelts.

2. **A map and description of the soils found on the property (identify the source of the information).**

   See attached map for soil mappings based on NRCS soil survey for Lee County, formerly the Soil Conservation Service (SCS).

3. **A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).**

   See attached map provided by the project engineer.

4. **A map delineating wetlands, aquifer recharge areas, and rare and unique uplands.**

   See attached map for locations of mapped wetlands. The property has 93.40 acres of wetland and 131.72 acres of Other Surface Water. See attached map for locations of Wetlands.

5. **A table of plant communities by FLUCFS 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 FLUCFS and the species status (same as FLUCFS map).**

ANIMALS

The following table identifies the listed species observed on site during the field investigation. This investigation constitutes a reconnaissance level investigation. The American alligator was the only listed species observed on the property. The alligators were seen laying out at the edge of two of the borrow areas. There were no nests or burrows observed on the property.

TABLE. Listed Species Identified on the Property.

Name	Scientific Name	Habitat	Status	
			FWC	FWS
Birds				
American Alligator	*Alligator mississippiensis*	742	SSC	T(S/A)

FWC Florida Fish and Wildlife Conservation Commission
FWS US Fish and Wildlife Service
SSC Species of Special Concern
T Threatened
E Endangered
T(S/A) Threatened Due to Similarity of Appearance

Listed wildlife species that were not observed but which have the potential to occur on the project site are listed in the following table. These potential occurrences were determined by referencing the Field Guide to Rare Animals of Florida (Florida Natural Areas Inventory 2000), Florida Atlas of Breeding Sites for Herons and Their Allies (Runde et. al. 1991), The Florida Endangered Species, Threatened Species and Species of Special Concern; Official Lists, dated August 1997 was used to identify the status of the potentially occurring species.

TABLE. Listed Animal Species Not Observed But Having the Potential to occur on the Property.

Name	Scientific Name	Potential Habitat	Status	
			FWC	FWS
Amphibians				
Gopher frog	*Rana capito*	621	SSC	
Reptiles				
Eastern indigo snake	*Drymarchon corais couperi*	427	T	T
American Alligator	*Alligator mississippiensis*	500, 600, 621, 742, 743	SSC	T(S/A)
Gopher Tortoise	*Gopherus polyphemus*	427, 743,	SSC	--
Birds				
Audubon Crested Caracara	*Polyborus plancus audubonii*	428	T	T
Burrowing owl	*Speotyto cunicularia*	700, 743	SSC	
Limpkin	*Aramus guarauna*	500, 600, 621, 742, 743	SSC	
Little Blue Heron	*Egretta caerulea*	500, 600, 621, 742, 743	SSC	--
Reddish egret	*Egretta rufescens*	500, 600, 742, 743	SSC	
Snowy Egret	*Egretta thula*	500, 600, 621, 742, 743	SSC	--
Tri-colored Heron	*Egretta tricolor*	500, 621, 742, 743	SSC	--
White Ibis	*Eudocimus albus*	500, 742, 743	SSC	--
Wood Stork	*Mycteria Americana*	500, 600, 621, 742, 743	E	E
Mammals				
Everglades mink	*Mustela vison evergladensis*	500, 600, 621	T	
Florida Black Bear	*Ursus americanus floridanus*	427, 600, 621	T	
Florida Panther	*Felis concolor coryi*	427, 428,600, 621	E	E

FWC-Florida Fish and Wildlife Conservation Commission
FWS-U.S. Fish and Wildlife Service
SSC-Species of Special Concern
T-Threatened
E-Endangered
T(S/A)-Threatened due to similarity of appearance

The following is an analysis of the listed species and their potential occurrence on the property vis-vis site specific habitat conditions present.

Gopher frog
The gopher frog would have a low probability of occurring on the property, since there is little native upland habitat. Furthermore, they are often associated with gopher tortoise burrows and since no tortoise burrows were identified on the property during the reconnaissance level investigation, the potential for their presence is low.

Eastern indigo snake
The eastern indigo snake, a far ranging species, could potentially occur in the upland and wetland communities on the property, however, the potential is low due to the lack of connections to other habitat. Wetlands and uplands are essentially isolated and form no contiguous corridors for travel. In addition, this species is commonly considered to be associated with gopher tortoise burrows and since no tortoise burrows were identified on the property, the potential for their occurrence is low.

American Alligator
The American alligator was seen on site laying on the in the perimeter ditch. They could potentially occur in the lakes, cypress and other wetlands as well. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Gopher Tortoise
The gopher tortoise could potentially occur on the disturbed lands and the upland oak communities. Since these lands are limited the potential would be low, or they would occur in extremely low numbers.

Burrowing owl
Burrowing owls normally inhabit open grassy areas consisting of low grasses. These areas limited on the property, consequently the potential for burrowing owls to occur on the property would be low.

Limpkin
The limpkin inhabits a wide variety of wetlands, but prefers mangrove and freshwater swamps. Its preferred food is the apple snail. This listed wading could utilize the property the property. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Reddish egret
This wading bird typically inhabits coastal areas. Because of this it is unlikely that this bird would inhabit the property.

Snowy Egret
The snowy egret inhabits a variety of wetland habitats. It is possible that this bird would utilize the property. No nesting areas of this bird were identified. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Tri-colored Heron

Like the snowy egret this bird could use the wetlands during the rainy season for foraging. The borrow lake could also provide forage opportunity along the lake edges during the dry season. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Wood Stork

The wood stork could also utilize the property during the rainy season like the aforementioned wading birds. The existing borrow lakes could provide forage opportunity along the lake edges during the dry season. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

White Ibis

The white ibis inhabits a variety of wetland habitats. It is possible that this bird would utilize the property. No nesting areas of this bird were identified. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Little Blue Heron

The little blue heron inhabits a variety of wetland habitats. It is possible that this bird would utilize the property. No nesting areas of this bird were identified. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

Audubon Crested Caracara

Suitable habitat for the caracara includes wet and dry prairies, with scattered saw palmetto, scrub oaks, or cypress, and improved and semi-improved pastures and rangelands. The site does contain a few areas of cypress and hammocks. No nests of the caracara were found on site. It is noted that a large area of suitable habitat is located to the east of the site. Once specific plans for the site area determined it is anticipated that the site will be re-surveyed for the presence of this species. The project plans include the restoration of a flow-way on site. It is anticipated that this activity will provide additional habitat for the caracara on site once this restoration is completed. Also, during preparation of this document no caracara has been observed on site. A caracara was observed during a site inspection on December 17, 2004.

Florida Black Bear and Florida Panther

These two species are wide ranging mammals. The Florida black bear can be found in wide variety of habitats. The Florida panther preferred habitat includes forested wetland and upland communities. The site currently contains an active citrus grove. The large perimeter ditches discourage entry into the project site. The native habitat that is present on site is fragmented and disconnected from any offsite native habitat. It is anticipated that restoration of the flow-way will provide a travel corridor through the site, where none exists now, and will provide a connection to offsite native habitats, where no connection currently exists.

Everglades Mink

The Everglades mink inhabits a variety of wetland habitats, but prefers shallow freshwater marshes and streams. The site does not contain preferred habitat for this species. It is anticipated that after development the project will include lakes and flow-way that will continue to serve as habitat for this species.

PLANTS

No listed plants were identified on the property during the reconnaissance level field investigation.

Listed plant species that were not observed but which have the potential to occur on the project site are listed in the following table. These potential occurrences were determined by referencing the Field Guide to Rare Plants of Florida (Florida Natural Areas Inventory 2000). The Florida Endangered Species, Threatened Species and Species of Special Concern; Official Lists, dated August 1997 was used to identify the status of the potentially occurring species.

TABLE. Listed Plant Species Not Observed But Having the Potential to occur on the Property.

Name	Scientific Name	Habitat	Status	
			FDA	FWS
Meadow Jointvetch	*Aeschynomene prantensis*	621		
American Bird's Nest Fern	*Asplenium serratum L.*	621	E	--
Narrow Strap Fern	*Campyloneurum angustifolium* (Sw.)	621	E	--
Leafless Bentspur Orchid	*Campylocantrum pachyrrhizum*	621	E	--
Many-Flowered Catopsis	*Catopsis floribunda*	621	E	--
Cowhorn Orchid	*Cyrtopodium punctatum*	621	E	--
Clamshell Orchid	*Encyclia cochleata*	621	E	--
Night-Scented Orchid	*Epidendrum nocturnum*	621	E	--
Fuch's Bromeliad	*Guzmania monostachia*	621	E	--
Spreading Pinweed	*Lechea divaricata*	631	E	--
Hand Fern	*Ophioglossum palmatum*	621	E	--
Frost-Flower Orchid	*Pleurothallis gelida*	621	E	--
Leafy beaked Ladies'-Tresses	*Sacoila lanceolata* Or *Stenorrhynchos lanceolatus*	621	T	--
Toothed lattice-Vein Fern	*Thelypteris serrata*	621	E	--
Fuzzy-Wuzzy Airplant	*Tillandsia pruinosa*	621	E	--
Twisted Airplant	*Tillandsia flexuosa*	427, 600	E	--
Satinleaf	*Chrysophyllum olivaeforme*	427	E	--
Simpson's Stopper	*Myrcianthes fragrans var. simpsonii*	427, 428	T	

FWC-Florida Fish and Wildlife Conservation Commission
FWS-U.S. Fish and Wildlife Service
SSC-Species of Special Concern
T-Threatened
E-Endangered

The plants listed above can be found in habitats, which are represented on site, but in those that are without disturbance and managed as a natural system. Listed plants often rely on occasional fires for their growth and propagation. The absence of managed fires and the presence of exotic plants as well as hydrologic alterations would likely serve to preclude their presence on the property.

In summary, because of the disturbed nature of the on-site vegetation communities, and the isolated conditions of them, all natural habitats are in poor quality. There are no pristine vegetation communities on the property. Nearly 94 percent of the property has been converted to citrus grove. It is anticipated that a majority of the native habitat will be retained as part of the development. The retention of the native habitat will allow the protection of any listed plant species that are found in these areas. It is anticipated that the site will be resurveyed again at a later date for the presence of listed plant species. If a listed plant species for some reason cannot be retained in it existing location, the specimen will be relocated to suitable habitat elsewhere on site.

D. 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.**

   Based on the correspondence from the Florida Division of Historical Resources, there are no known historic properties on the site. See attached letter.

2. **A map showing the subject property located on the archeological sensitivity map for Lee County.**

   Please see the attached map for archeological sensitivity.

FLORIDA CITRUS
CPA 2004-06, NORTHEAST LEE RURAL VILLAGE

COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Project #04525

February 22, 2005

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
1531 Hendry Street
Fort Myers, Florida 33901

FLORIDA CITRUS
CPA 2004-06, NORTHEAST LEE RURAL VILLAGE

COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Introduction

The Florida Citrus property (the Property) includes approximately 3,713 acres located northeast of Alva, on the north side of CR 78 (Exhibit 1). The Property has access to CR 78 east of Alva.

An application has been submitted to amend The Lee Plan to change the land use designation for this Property from "Rural" to a new category called "Rural Village". This report provides the traffic analysis in support of the Comprehensive Plan Amendment (CPA) identified as CPA 2004-06, Northeast Lee Rural Village. This report addresses the comments from the Lee County DOT staff in the memo dated October 26, 2004, from Mr. David Loveland of the Lee County DOT to Mr. Paul O'Connor of the Lee County DCD.

A traffic circulation analysis was performed in accordance with the guidelines provided in Section IV.B.1 (Traffic Circulation Analysis) of Lee County's Application for a Comprehensive Plan Amendment. Based on these guidelines, future 2020 traffic conditions, both with and without the CPA, were forecasted for the area within a three-mile radius of the site, for comparison purposes.

Proposed Development Parameters

This comparative analysis considered three different sets of development parameters for the Property: (1) the land uses on the Property assumed in the 2020 socioeconomic data used in the Lee County travel model to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan; (2) the land uses on the Property allowed under the current, adopted Lee Plan; and (3) the land uses on the Property allowed under the proposed amendment. Here is a summary of those uses.

	Model Forecasts (TAZ 103)	Allowed Under Adopted Plan	Proposed Plan
Single-Family Units	42 units	1,289 units	5,200 units
Multifamily Units	13 units	0 units	2,226 units
Total Units	55 units	1,289 units	7,426 units
Industrial Floor Area	2,646 sq. ft.	0 sq. ft.	0 sq. ft.
Commercial/Retail Floor Area	0 sq. ft.	20,000 sq. ft.	75,000 sq. ft.
Service/Office Floor Area	3,750 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Total Floor Area	6,396 sq. ft.	30,000 sq. ft.	100,000 sq. ft.

Golf	Not Applicable	0 holes	36 holes
Recreation	Not Applicable	0 acres	50 acres

The commercial floor area estimates under the Model Forecasts were derived from the employment estimates in the socioeconomic data, assuming 1.89 employees per 1,000 sq. ft. for industrial development and 4.0 employees per 1,000 sq. ft. for service/office development.

Traffic Circulation Analysis

The traffic circulation analysis of future 2020 traffic conditions with and without the proposed amendment reflects conditions under the adopted Lee County 2020 Financially-Feasible Transportation Plan, which is Map 3A in The Lee Plan and was amended most recently by the Lee County MPO on February 20, 2004. The current 2020 Financially-Feasible Plan is provided in Appendix A.

Travel model assignments were performed using the Lee County FSUTMS travel model assignment for the adopted 2020 Financially-Feasible Plan, as amended through February 20, 2004. The travel model assignment was provided by the Lee County MPO. The comparative travel model assignments will be provided to the review agencies on disk under separate cover.

Except as noted below, no adjustments were made to the zone structure, zonal data or 2020 highway network to ensure consistency with the adopted Plan. In addition, roadway level of service analysis was performed for the two comparative travel model assignments using Lee County adjustment factors and roadway service volumes.

In meetings with the County staff on December 6 and December 20, 2004, the staff emphasized that the traffic analysis prepared for this CPA must consider proposed development in Hendry and Glades Counties, as well as in Lee County. For this reason, the traffic volumes entering and leaving Lee County on CR 78 (North River Road) and SR 80 were controlled to the 2020 volumes at the Lee/Hendry County Line from the new Hendry County travel model. At a presentation to the Hendry County Board of County Commissioners on January 25, 2005, the Hendry County Engineer confirmed that the new Hendry County model reflects proposed development in both Hendry and Glades Counties.

Exhibit 2 provides a comparison of the traffic volumes crossing the Lee/Hendry County Line at the Lee County and Hendry County external stations. As shown in Exhibit 2, the volumes crossing the County Line on CR 78 and SR 80 are much higher in the Hendry County model than in the Lee County model. The Hendry County 2020 volumes were used in the CPA travel model assignments.

The external-external (EE) trips and internal-external (IE) trips at the external stations on CR 78 and SR 80 in the Lee County model were retained. However, the difference between the Hendry County 2020 external volumes and the Lee County 2020 external volumes were added as attractions in the ZDATA3 file. This was done to allow some of the trips generated by the residential development

in the area to be attracted to the east into Hendry County.

As noted above under Proposed Development Parameters, the Lee County travel model was run for the following three 2020 land use scenarios: (1) the land uses assumed in the 2020 socioeconomic data used in the Lee County travel model to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan; (2) the land uses on the Property allowed under the current, adopted Lee Plan; and (3) the land uses on the Property allowed under the proposed amendment. For each scenario, the assigned 2020 traffic volumes, which represent peak season daily volumes, were posted in a spreadsheet and then converted to annual average daily traffic (AADT) and peak season, peak hour, directional volumes. Levels of service were then estimated for all road segments within a three-mile radius of the site using Lee County generalized service volumes.

For the land use scenarios with the development allowed under the current plan (2) and with the proposed CPA (3), the Property's development parameters, which are given above, were converted to housing, population and employment estimates and input into the ZDATA1 and ZDATA2 files in the model, consistent with all other development reflected in the model. Full buildout of the Property was assumed under both scenarios.

Findings of the Traffic Circulation Analysis

The findings and conclusions of the traffic circulation analysis are discussed below.

The travel model was first run for future 2020 conditions with the land uses on the Property assumed in the 2020 socioeconomic data used by the MPO to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan. It's important to note that these MPO 2020 land use projections do not fully reflect the potential development in this area of the County and, therefore, the land use projections are much lower than those that would be allowed under either the current Lee Plan or the proposed CPA. The results of this travel model assignment are shown in Exhibit 3. As shown in Exhibit 3, all roads in the study area operate at an acceptable level of service.

The travel model was next run for future 2020 conditions with the land uses on the Property allowed under the current adopted Lee Plan. The results of this travel model assignment are shown in Exhibit 4. As shown in Exhibit 4, all roads in the study area operate at an acceptable level of service. As before, the MPO projections for other tracts of land in this area do not fully reflect the potential development under the current adopted Plan.

Finally, the travel model was run for future 2020 conditions with the land uses on the Property allowed under the proposed amendment. The results of this travel model assignment are shown in Exhibit 5. As shown in Exhibit 5, two road segments exceed the Lee County level of service standard.. These deficient roadway segments are listed below and shown in Exhibit 6.

- CR 78 from Broadway Street to the entrance to the Property
- Broadway Street from CR 78 to SR 80

With one important exception, these are the same road segments that were identified as deficient in the Lee County DOT staff memo dated October 26, 2004. The staff report indicates that CR 78 is deficient from Broadway Street to the Lee/Hendry County Line. On the contrary, Exhibit 5 demonstrates that, while CR 78 is deficient from Broadway Street to the Property entrance, CR 78 is not deficient east of the Property entrance.

The 2020 projected traffic volumes and levels of service on CR 78 from the Property entrance to the Lee/Hendry County Line do not exceed Lee County's level of service standard (LOS "E"). In addition, the projected 2020 volumes and levels of service on CR 78 from the Lee/Hendry County Line to the east, which were derived from a Hendry County 2020 travel model assignment, do not exceed Hendry County's adopted level of service standard (LOS "C").

Recommended Improvements

One way to improve these deficient segments would be to widen CR 78 and Broadway Street, including the bridge over the Caloosahatchee River to four lanes. In the Lee County DOT staff memo dated October 26, 2004, the Lee County staff estimated that these improvements would cost approximately $44.5 million.

As shown in Exhibit 9, DPA has developed a preliminary cost estimate of approximately $40.9 million in current dollars for these improvements. This is about $ 3.6 million less than Lee County's estimate.

However, the widening CR 78 and Broadway Street to four lanes would change the character of the Alva community and the area in general. As pointed out in the Lee County DOT staff memo dated October 26, 2004, there is community interest in preserving the "Old Alva" core area and making it more pedestrian-friendly. For this reason, these improvements are not the preferred alternative.

As an alternative, it is recommended that a new two-lane road be constructed from the CR 78/Kirby Thompson Road intersection in Hendry County to an intersection with CR 78 about three miles east of SR 31, as shown in Exhibit 7. This new road, which would by-pass the Alva community, has several advantages over the widening of the existing roads.

First, the new road would provide a more direct route both to the east and to the west. The existing CR 78 has several sharp 90 degree turns in Alva and to the east and west of Alva that limit its usefulness as a major east-west corridor. As a result, much of the east-west traffic north of the river crosses over the Alva bridge to use SR 80 instead of CR 78. The new road would by-pass many of these sharp 90 degree turns and would reduce the travel distance to the east and west. This in turn would make CR 78 a more attractive alternative to SR 80 and would help divert east-west traffic off of SR 80 and the Alva bridge.

Second, the new road would help preserve the current character of the Alva community. CR 78 and the Alva bridge would remain two-lane facilities, with projected volumes and levels of service that meet County standards.

Of course, the precise alignment of the new road should be determined through a more-detailed corridor study that considers environmental and community impacts and, to the extent practical, minimizes those impacts. The preliminary alignment shown in Exhibit 7, which was developed in consultation with environmental and water management experts, passes just north of the Caloosahatchee River State Park through the southernmost portion of the Babcock Ranch, which may eventually be purchased by the State for preservation purposes. If it becomes necessary to avoid impacts to the Babcock Ranch, it may be possible to locate the new road on the boundary between the State Park and the Babcock Ranch.

DPA has estimated that this new two-lane road would cost approximately $40.4 million in current dollars. This cost estimate considers the costs of construction, design, construction engineering inspection, right-of-way acquisition, storm water management and environmental mitigation. Of course, the actual cost will vary as more-detailed information becomes available.

Revenues Projections

As shown in Exhibit 11, it has been estimated that the development allowed on the Property under the proposed amendment would generate approximately $20.8 million, based on the current road impact fee schedule. In addition, the development on the Property will generate millions of dollars in ad valorem taxes, sales taxes, motor fuel taxes, and so on.

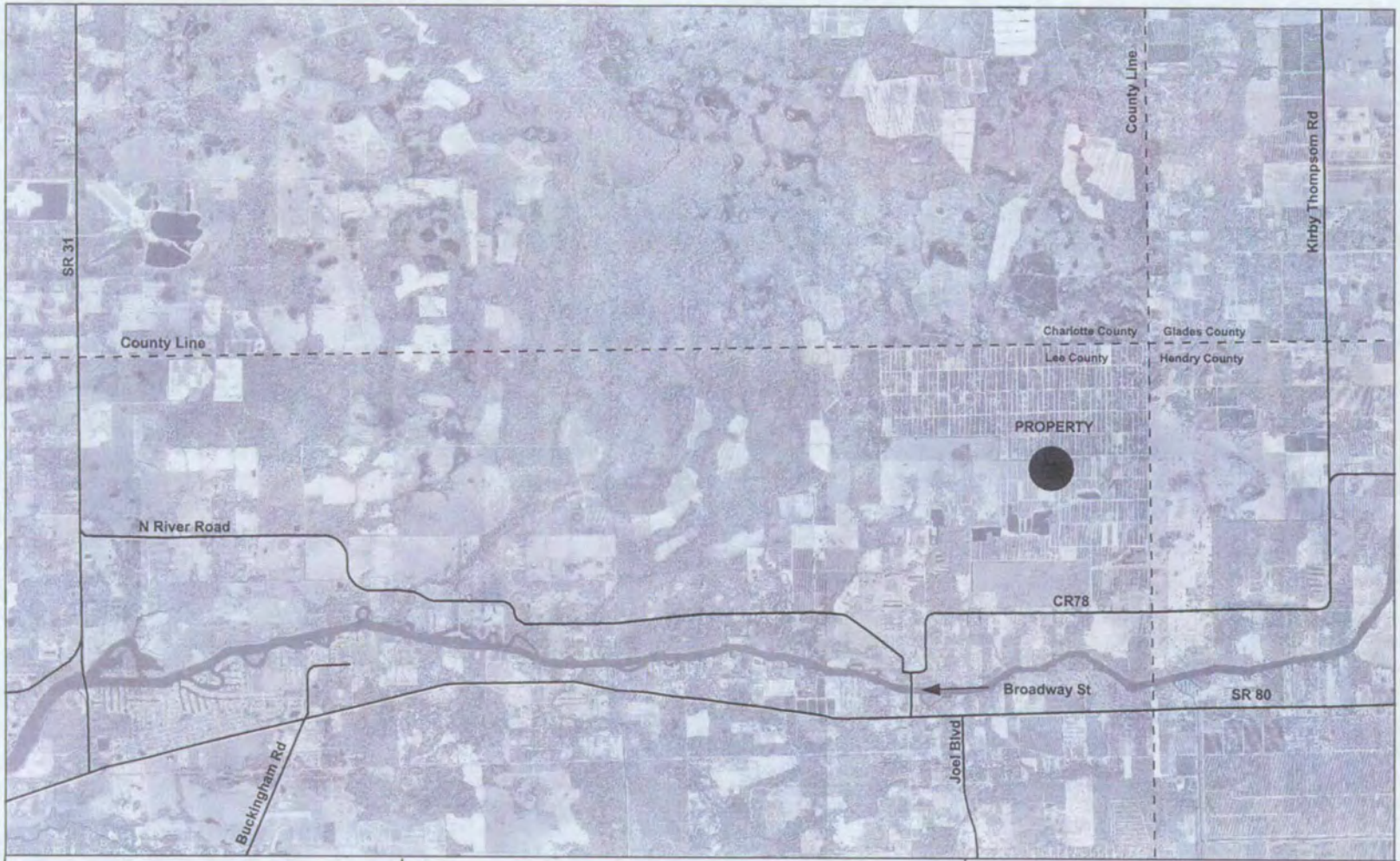
For example, based on the motor fuel tax credits reported in Table 17 of the report titled Road Impact Fee Update , Lee County, Florida by Duncan Associates, the development in the Property has will receive credit for $12.2 million in motor fuel taxes. The road impact fee payments ($20.8 million) plus motor fuel tax credits ($12.2 million) indicate that the development in the Property will contribute at least $33 million in transportation revenues through these two sources alone.

The additional revenues generated by this proposed amendment have been examined more thoroughly by the economist in the fiscal impact report. Please see that document for further information regarding this issue.

Of course, other developments in the Alva area should contribute toward the construction of this new road. That would include developments in Hendry County off of CR 78. Preliminary discussions have been held with other affected property owners regarding the alignment of the new road.

Financial Feasibility

These additional revenues will off-set the additional costs for road improvements made necessary by this proposed amendment. Thus, the proposed amendment meets the financial feasibility test.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 1

PROPERTY LOCATION

Project: #04525

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles

0 0.5 1 2

dpa

04525/04A/0105

EXHIBIT 2

TRAVEL MODEL EXTERNAL VOLUMES
LEE COUNTY VS. HENDRY COUNTY

		Lee County Model		Hendry County Model		CPA Model
CR 78						
Year 1990		1,326		-		
Year 2000		1,658	Est.	2,300	Est.	
Year 2010		2,166		4,012		
Year 2020		2,326		5,728	Est.	5,728
Year 2030		N/A		7,446		
SR 80						
Year 1990		9,058		-		
Year 2000		11,338	Est.	10,490	Est.	
Year 2010		13,620		18,328		
Year 2020		15,900		26,168	Est.	26,168
Year 2030		N/A		34,012		

EXHIBIT 3
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH MPO PROJECTIONS FOR TAZ 103

					TOTAL TRAFFIC															
							(4)			Total	Total Peak Hr Volume		(5) SERVICE VOLUME				LOS		V/C	
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	PSWDT/ AADT Factor	AADT	(4) K100 Factor	Peak Hr Volume	NE	SW	@ LOS C	@ LOS D	@ LOS E	@ STD	NE	SW	NE	SW
BAYSHORE RD.	West	SR 31	2LU	E	11,172	1.100	10,160	0.099	1,010	525	485	760	900	920	920	C	C	0.57	0.53
BROADWAY ST.	North River Rd.	SR 80	2LU	E	8,354	1.193	7,000	0.095	670	389	281	760	900	920	920	C	C	0.42	0.31
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	25,265	1.030	24,530	0.104	2,550	1,377	1,173	1,900	1,950	1,950	1,900	B	B	0.72	0.62
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,431	1.030	6,240	0.104	650	351	299	760	900	920	920	C	C	0.38	0.33
	Orange River Blvd.	SR 80	2LU	E	8,960	1.030	8,700	0.104	900	486	414	760	900	920	920	C	C	0.53	0.45
JOEL BLVD.	SR 80	12 St.	2LU	E	14,398	1.030	13,980	0.104	1,450	783	667	760	900	920	920	D	C	0.85	0.73
	12 St.	8 St.	4LD	E	14,006	1.030	13,600	0.104	1,410	761	649	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	11,973	1.030	11,620	0.104	1,210	653	557	1,900	1,950	1,950	1,900	B	B	0.34	0.29
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	3,078	1.193	2,580	0.095	250	145	105	760	900	920	920	B	B	0.16	0.11
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	2,533	1.193	2,120	0.095	200	116	84	760	900	920	920	B	B	0.13	0.09
	Cypress Creek Ln.	Broadway	2LU	E	2,805	1.193	2,350	0.095	220	128	92	760	900	920	920	B	B	0.14	0.10
	Broadway	Project Entrance	2LU	E	5,732	1.193	4,800	0.095	460	267	193	760	900	920	920	B	B	0.29	0.21
	Project Entrance	County Line	2LU	E	5,732	1.193	4,800	0.095	460	267	193	760	900	920	920	B	B	0.29	0.21
SR 31	SR 80	Bayshore Rd.	2LU	E	15,040	1.193	12,610	0.095	1,200	696	504	760	900	920	920	C	C	0.76	0.55
	Bayshore Rd.	North River Rd.	2LU	E	11,147	1.193	9,340	0.095	890	516	374	760	900	920	920	C	C	0.56	0.41
	North River Rd.	County Line	2LU	E	8,929	1.100	8,120	0.099	800	416	384	760	900	920	920	C	C	0.45	0.42
PALM BEACH BLVD.	I-75	SR 31	6LD	C	39,419	1.193	33,040	0.095	3,140	1,821	1,319	2,850	2,920	2,920	2,850	B	B	0.64	0.46
(SR 80)	SR 31	Davis Blvd.	4LD	C	32,482	1.193	27,230	0.095	2,590	1,502	1,088	1,900	1,950	1,950	1,900	B	B	0.79	0.57
	Davis Blvd.	Tropic Ave.	4LD	C	32,714	1.193	27,420	0.095	2,600	1,508	1,092	1,900	1,950	1,950	1,900	B	B	0.79	0.57
	Tropic Ave.	Buckingham Rd.	4LD	C	24,150	1.193	20,240	0.095	1,920	1,114	806	1,900	1,950	1,950	1,900	B	B	0.59	0.42
	Buckingham Rd.	South Olga Drive	4LD	B	22,346	1.193	18,730	0.095	1,780	1,032	748	1,900	1,950	1,950	1,630	B	B	0.63	0.46
	South Olga Drive	Hickey Creek	4LD	B	22,760	1.193	19,080	0.095	1,810	1,050	760	1,900	1,950	1,950	1,630	B	B	0.64	0.47
	Hickey Creek	Broadway St.	4LD	B	22,132	1.193	18,550	0.095	1,760	1,021	739	1,900	1,950	1,950	1,630	B	B	0.63	0.45
	Broadway St.	Joel Blvd.	4LD	B	22,513	1.193	18,870	0.095	1,790	1,038	752	1,900	1,950	1,950	1,630	B	B	0.64	0.46
	Joel Blvd.	County Line	4LD	B	332	1.193	280	0.095	30	17	13	1,900	1,950	1,950	1,630	B	B	0.01	0.01

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

EXHIBIT 4
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH DEVELOPMENT ALLOWED UNDER CURRENT PLAN

TOTAL TRAFFIC

ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	(4) PSWDT/ AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	Total Peak Hr Volume SW	(5) SERVICE VOLUME @ LOS C	@ LOS D	@ LOS E	@ STD	LOS NE	LOS SW	V/C NE	V/C SW
BAYSHORE RD.	West	SR 31	2LU	E	11,709	1.100	10,640	0.099	1,050	546	504	760	900	920	920	C	C	0.59	0.55
BROADWAY ST.	North River Rd.	SR 80	2LU	E	11,073	1.193	9,280	0.095	880	510	370	760	900	920	920	C	C	0.55	0.40
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	25,559	1.030	24,810	0.104	2,580	1,393	1,187	1,900	1,950	1,950	1,900	B	B	0.73	0.62
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,599	1.030	6,410	0.104	670	362	308	760	900	920	920	C	C	0.39	0.34
	Orange River Blvd.	SR 80	2LU	E	9,238	1.030	8,970	0.104	930	502	428	760	900	920	920	C	C	0.55	0.47
JOEL BLVD.	SR 80	12 St.	2LU	E	14,442	1.030	14,020	0.104	1,460	788	672	760	900	920	920	D	C	0.86	0.73
	12 St.	8 St.	4LD	E	14,056	1.030	13,650	0.104	1,420	767	653	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	12,092	1.030	11,740	0.104	1,220	659	561	1,900	1,950	1,950	1,900	B	B	0.35	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	3,766	1.193	3,160	0.095	300	174	126	760	900	920	920	B	B	0.19	0.14
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	3,205	1.193	2,690	0.095	260	151	109	760	900	920	920	B	B	0.16	0.12
	Cypress Creek Ln.	Broadway	2LU	E	3,233	1.193	2,710	0.095	260	151	109	760	900	920	920	B	B	0.16	0.12
	Broadway	Project Entrance	2LU	E	10,084	1.193	8,450	0.095	800	464	336	760	900	920	920	C	C	0.50	0.37
	Project Entrance	County Line	2LU	E	5,592	1.193	4,690	0.095	450	261	189	760	900	920	920	B	B	0.28	0.21
SR 31	SR 80	Bayshore Rd.	2LU	E	15,121	1.193	12,670	0.095	1,200	696	504	760	900	920	920	C	C	0.76	0.55
	Bayshore Rd.	North River Rd.	2LU	E	11,847	1.193	9,930	0.095	940	545	395	760	900	920	920	C	C	0.59	0.43
	North River Rd.	County Line	2LU	E	8,838	1.100	8,030	0.099	790	411	379	760	900	920	920	C	C	0.45	0.41
PALM BEACH BLVD.	I-75	SR 31	6LD	C	41,199	1.193	34,530	0.095	3,280	1,902	1,378	2,850	2,920	2,920	2,850	B	B	0.67	0.48
(SR 80)	SR 31	Davis Blvd.	4LD	C	34,011	1.193	28,510	0.095	2,710	1,572	1,138	1,900	1,950	1,950	1,900	B	B	0.83	0.60
	Davis Blvd.	Tropic Ave.	4LD	C	34,214	1.193	28,680	0.095	2,720	1,578	1,142	1,900	1,950	1,950	1,900	B	B	0.83	0.60
	Tropic Ave.	Buckingham Rd.	4LD	C	25,625	1.193	21,480	0.095	2,040	1,183	857	1,900	1,950	1,950	1,900	B	B	0.62	0.45
	Buckingham Rd.	South Olga Drive	4LD	B	24,143	1.193	20,240	0.095	1,920	1,114	806	1,900	1,950	1,950	1,630	B	B	0.68	0.49
	South Olga Drive	Hickey Creek	4LD	B	24,580	1.193	20,600	0.095	1,960	1,137	823	1,900	1,950	1,950	1,630	B	B	0.70	0.51
	Hickey Creek	Broadway St.	4LD	B	23,936	1.193	20,060	0.095	1,910	1,108	802	1,900	1,950	1,950	1,630	B	B	0.68	0.49
	Broadway St.	Joel Blvd.	4LD	B	23,084	1.193	19,350	0.095	1,840	1,067	773	1,900	1,950	1,950	1,630	B	B	0.65	0.47
	Joel Blvd.	County Line	4LD	B	25,794	1.193	21,620	0.095	2,050	1,189	861	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

EXHIBIT 5
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH PROPOSED CPA

TOTAL TRAFFIC

ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	(4) PSWDT/ AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	Total Peak Hr Volume SW	(5) SERVICE VOLUME @ LOS C	@ LOS D	@ LOS E	@ STD	LOS NE	LOS SW	V/C NE	V/C SW
BAYSHORE RD.	West	SR 31	2LU	E	13,805	1.100	12,550	0.099	1,240	645	595	760	900	920	920	C	C	0.70	0.65
BROADWAY ST.	North River Rd.	SR 80	2LU	E	23,211	1.193	19,460	0.095	1,850	1,073	777	760	900	920	920	F	D	1.17	0.84
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	26,408	1.030	25,640	0.104	2,670	1,442	1,228	1,900	1,950	1,950	1,900	B	B	0.76	0.65
	Gunnery Rd.	Orange River Blvd.	2LU	E	7,152	1.030	6,940	0.104	720	389	331	760	900	920	920	C	C	0.42	0.36
	Orange River Blvd.	SR 80	2LU	E	10,850	1.030	10,530	0.104	1,100	594	506	760	900	920	920	C	C	0.65	0.55
JOEL BLVD.	SR 80	12 St.	2LU	E	14,614	1.030	14,190	0.104	1,480	799	681	760	900	920	920	D	C	0.87	0.74
	12 St.	8 St.	4LD	E	14,560	1.030	14,140	0.104	1,470	794	676	1,900	1,950	1,950	1,900	B	B	0.42	0.36
	8 St.	Bell Blvd.	4LD	E	12,407	1.030	12,050	0.104	1,250	675	575	1,900	1,950	1,950	1,900	B	B	0.36	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	6,999	1.193	5,870	0.095	560	325	235	760	900	920	920	C	B	0.35	0.26
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	6,432	1.193	5,390	0.095	510	296	214	760	900	920	920	C	B	0.32	0.23
	Cypress Creek Ln.	Broadway	2LU	E	6,453	1.193	5,410	0.095	510	296	214	760	900	920	920	C	B	0.32	0.23
	Broadway	Project Entrance	2LU	E	27,034	1.193	22,660	0.095	2,150	1,247	903	760	900	920	920	F	E	1.36	0.98
	Project Entrance	County Line	2LU	E	5,574	1.193	4,670	0.095	440	255	185	760	900	920	920	B	B	0.28	0.20
SR 31	SR 80	Bayshore Rd.	2LU	E	14,716	1.193	12,340	0.095	1,170	679	491	760	900	920	920	C	C	0.74	0.53
	Bayshore Rd.	North River Rd.	2LU	E	14,826	1.193	12,430	0.095	1,180	684	496	760	900	920	920	C	C	0.74	0.54
	North River Rd.	County Line	2LU	E	8,956	1.100	8,140	0.099	810	421	389	760	900	920	920	C	C	0.46	0.42
PALM BEACH BLVD.	I-75	SR 31	6LD	C	47,062	1.193	39,450	0.095	3,750	2,175	1,575	2,850	2,920	2,920	2,850	B	B	0.76	0.55
(SR 80)	SR 31	Davis Blvd.	4LD	C	39,767	1.193	33,330	0.095	3,170	1,839	1,331	1,900	1,950	1,950	1,900	C	B	0.97	0.70
	Davis Blvd.	Tropic Ave.	4LD	C	39,982	1.193	33,510	0.095	3,180	1,844	1,336	1,900	1,950	1,950	1,900	C	B	0.97	0.70
	Tropic Ave.	Buckingham Rd.	4LD	C	31,780	1.193	26,640	0.095	2,530	1,467	1,063	1,900	1,950	1,950	1,900	B	B	0.77	0.56
	Buckingham Rd.	South Olga Drive	4LD	B	31,939	1.193	26,770	0.095	2,540	1,473	1,067	1,900	1,950	1,950	1,630	B	B	0.90	0.65
	South Olga Drive	Hickey Creek	4LD	B	32,407	1.193	27,160	0.095	2,580	1,496	1,084	1,900	1,950	1,950	1,630	B	B	0.92	0.66
	Hickey Creek	Broadway St.	4LD	B	31,869	1.193	26,710	0.095	2,540	1,473	1,067	1,900	1,950	1,950	1,630	B	B	0.90	0.65
	Broadway St.	Joel Blvd.	4LD	B	24,782	1.193	20,770	0.095	1,970	1,143	827	1,900	1,950	1,950	1,630	B	B	0.70	0.51
	Joel Blvd.	County Line	4LD	B	25,822	1.193	21,640	0.095	2,060	1,195	865	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

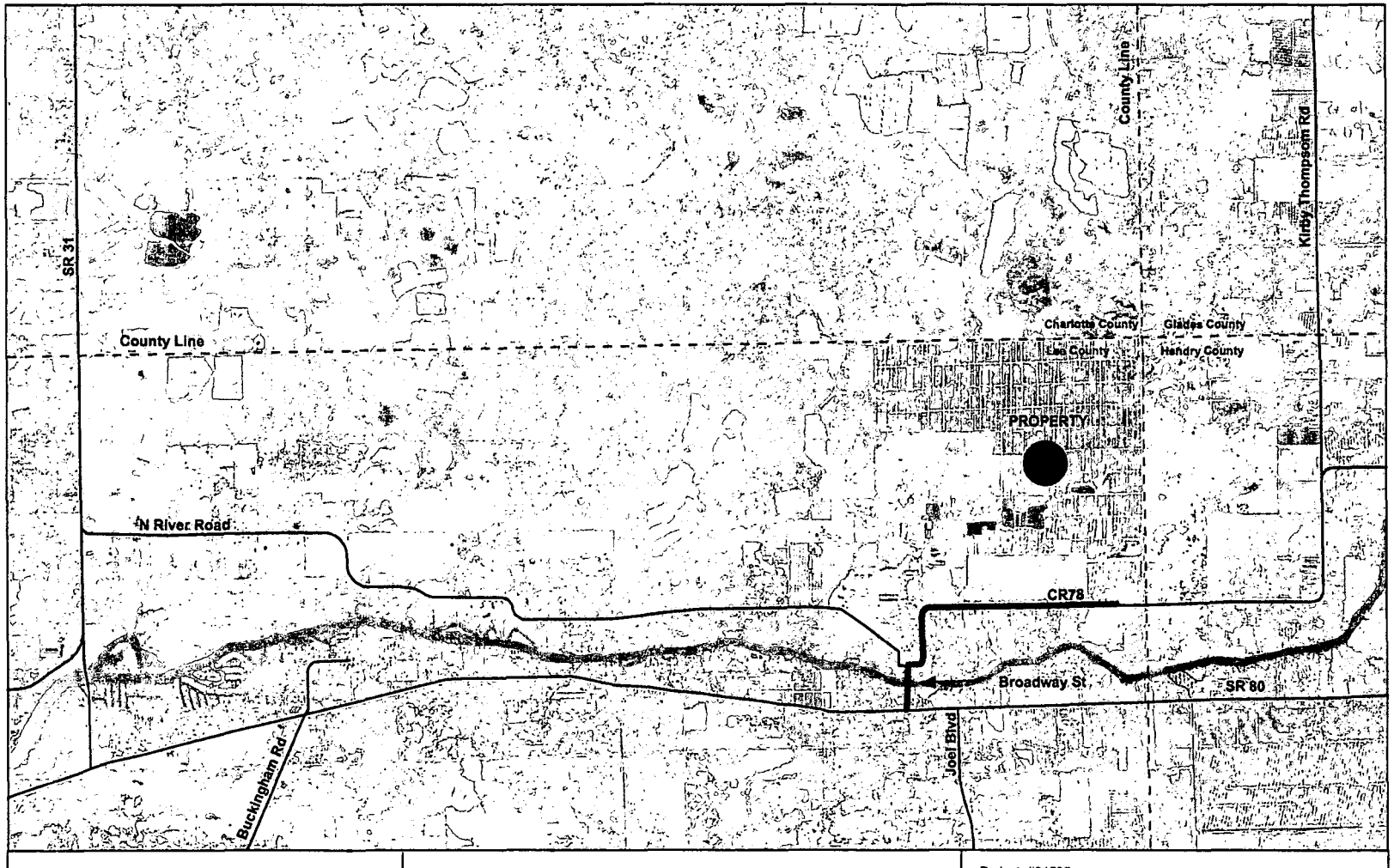
(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 6

ROAD SEGMENTS EXCEEDING LOS STANDARD
WITH PROPOSED AMENDMENT

Project: #04525

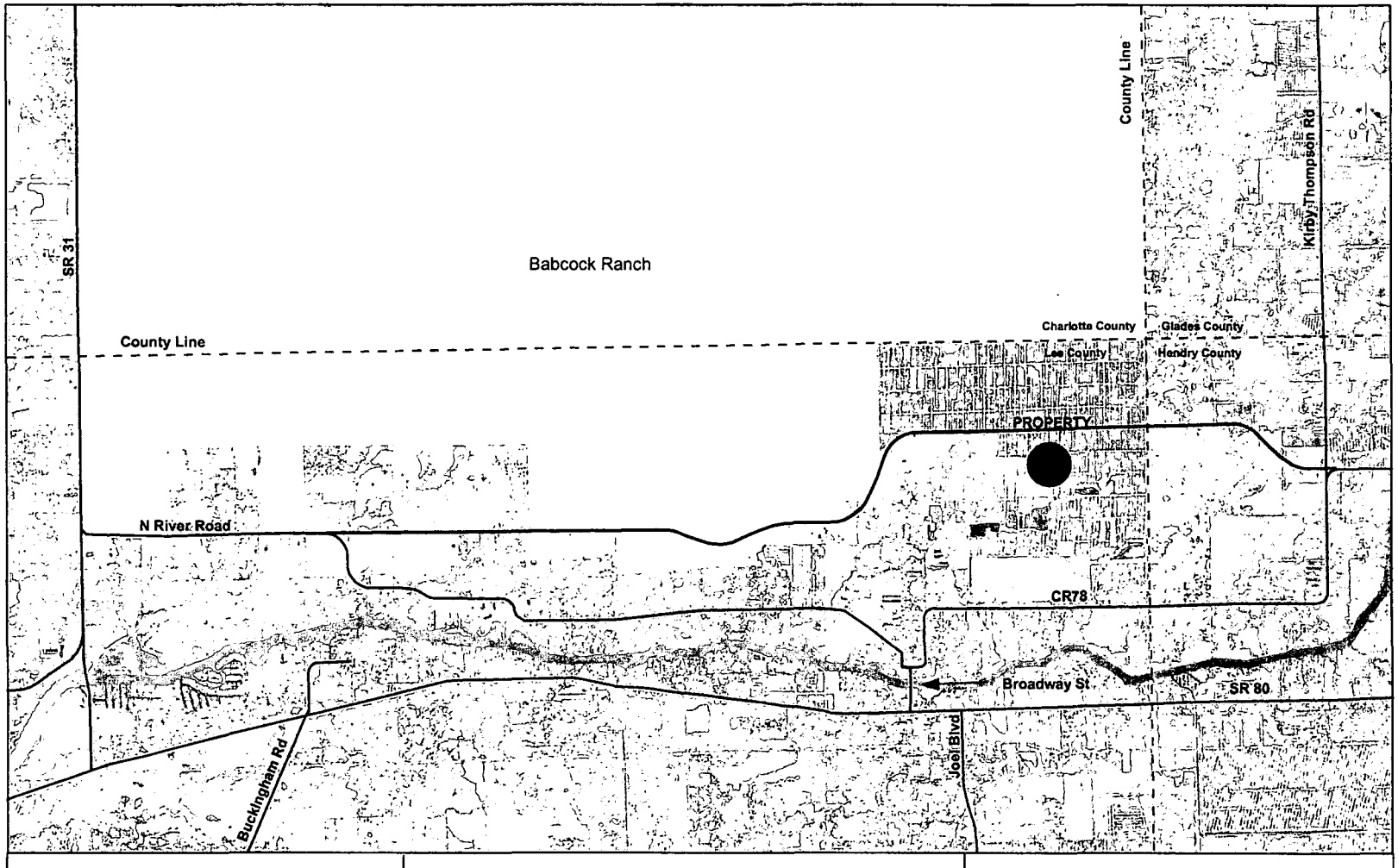
Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles
0 0.5 1 2

dpa

04525\038\0205



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7

PROPOSED NEW 2-LANE ROAD
(Revised 2/21/05)

* Preliminary Alignment For Discussion Purposes Only

Project: #04525

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles
0 0.5 1 2

dpa

04525/028/0205

EXHIBIT 8
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH PROPOSED CPA AND NEW 2L ROAD

TOTAL TRAFFIC

ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	(4) PSWDT/ AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	SW	(5) SERVICE VOLUME @ LOS C	@ LOS D	@ LOS E	@ STD	LOS NE	LOS SW	V/C NE	V/C SW
BAYSHORE RD.	West	SR 31	2LU	E	15,896	1.100	14,450	0.099	1,430	744	686	760	900	920	920	C	C	0.81	0.75
BROADWAY ST.	North River Rd.	SR 80	2LU	E	18,647	1.193	15,630	0.095	1,480	858	622	760	900	920	920	D	C	0.93	0.68
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	26,416	1.030	25,650	0.104	2,670	1,442	1,228	1,900	1,950	1,950	1,900	B	B	0.76	0.65
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,981	1.030	6,780	0.104	710	383	327	760	900	920	920	C	C	0.42	0.36
	Orange River Blvd.	SR 80	2LU	E	10,533	1.030	10,230	0.104	1,060	572	488	760	900	920	920	C	C	0.62	0.53
JOEL BLVD.	SR 80	12 St.	2LU	E	14,018	1.030	13,610	0.104	1,420	767	653	760	900	920	920	D	C	0.83	0.71
	12 St.	8 St.	4LD	E	13,945	1.030	13,540	0.104	1,410	761	649	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	12,241	1.030	11,880	0.104	1,240	670	570	1,900	1,950	1,950	1,900	B	B	0.35	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	10,104	1.193	8,470	0.095	800	464	336	760	900	920	920	C	C	0.50	0.37
	Project Entrance	County Line	2LU	E	2,254	1.193	1,890	0.095	180	104	76	760	900	920	920	B	B	0.11	0.08
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	12,110	1.193	10,150	0.095	960	557	403	760	900	920	920	C	C	0.61	0.44
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	1,718	1.193	1,440	0.095	140	81	59	760	900	920	920	B	B	0.09	0.06
	Cypress Creek Ln.	Broadway	2LU	E	1,833	1.193	1,540	0.095	150	87	63	760	900	920	920	B	B	0.09	0.07
	Broadway	Project Entrance	2LU	E	17,305	1.193	14,510	0.095	1,380	800	580	760	900	920	920	D	C	0.87	0.63
	Project Entrance	County Line	2LU	E	3,514	1.193	2,950	0.095	280	162	118	760	900	920	920	B	B	0.18	0.13
SR 31	SR 80	Bayshore Rd.	2LU	E	16,180	1.193	13,560	0.095	1,290	748	542	760	900	920	920	C	C	0.81	0.59
	Bayshore Rd.	North River Rd.	2LU	E	19,329	1.193	16,200	0.095	1,540	893	647	760	900	920	920	D	C	0.97	0.70
	North River Rd.	County Line	2LU	E	9,245	1.100	8,400	0.099	830	432	398	760	900	920	920	C	C	0.47	0.43
PALM BEACH BLVD.	I-75	SR 31	6LD	C	46,658	1.193	39,110	0.095	3,720	2,158	1,562	2,850	2,920	2,920	2,850	B	B	0.76	0.55
(SR 80)	SR 31	Davis Blvd.	4LD	C	37,048	1.193	31,050	0.095	2,950	1,711	1,239	1,900	1,950	1,950	1,900	C	B	0.90	0.65
	Davis Blvd.	Tropic Ave.	4LD	C	37,263	1.193	31,230	0.095	2,970	1,723	1,247	1,900	1,950	1,950	1,900	C	B	0.91	0.66
	Tropic Ave.	Buckingham Rd.	4LD	C	28,850	1.193	24,180	0.095	2,300	1,334	966	1,900	1,950	1,950	1,900	B	B	0.70	0.51
	Buckingham Rd.	South Olga Drive	4LD	B	28,687	1.193	24,050	0.095	2,280	1,322	958	1,900	1,950	1,950	1,630	B	B	0.81	0.59
	South Olga Drive	Hickey Creek	4LD	B	29,135	1.193	24,420	0.095	2,320	1,346	974	1,900	1,950	1,950	1,630	B	B	0.83	0.60
	Hickey Creek	Broadway St.	4LD	B	28,619	1.193	23,990	0.095	2,280	1,322	958	1,900	1,950	1,950	1,630	B	B	0.81	0.59
	Broadway St.	Joel Blvd.	4LD	B	24,356	1.193	20,420	0.095	1,940	1,125	815	1,900	1,950	1,950	1,630	B	B	0.69	0.50
	Joel Blvd.	County Line	4LD	B	25,836	1.193	21,660	0.095	2,060	1,195	865	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

EXHIBIT 9

FLORIDA CITRUS CPA TRAFFIC STUDY
CR 78 & BROADWAY WIDENING

CR 78 & BROADWAY WIDENING: CONSTRUCTION COSTS

Widening CR 78 to 4 lanes from County Line to Broadway plus widening Broadway (and bridge).

(1)	Total Length	+/-	3.65 miles	(Lee County)	
(2)	Bridge		0.1 miles		
(3)	Dirt roads/Farmlands/Open land	+/-	0 miles		
(4)	Existing Road segments	+/-	3.75 miles	(Lee County)	

(6)	**New Construction Cost**		0.00	miles		
	Construction Cost / mile		$2,496,600			
	Construction Cost		$0			
	Cost for Critter Crossings / Bridges		$0			
	Environmental Mitigation		$0			
	Comm/Business Displacements		$0			
	Signal		$0			
		Total Cost in 2002 Dollars	$0			
(7)	**Widening Construction Cost**		3.25	miles	(CR 78 from County Line to Broadway)	
	Construction Cost / mile		$2,151,700			
	Construction Cost		$6,993,025			
	Cost for Critter Crossings / Bridges					
	Environmental Mitigation		$0			
	Comm/Business Displacements		$0			
	Signal		$175,000			
		Total Cost in 2002 Dollars	$7,168,000		TOTAL COST (2004 DOLLARS) ---->	$7,425,000
(8)	**Widening Construction Cost**	0.1 mile Bridge plus	0.40	miles	(0.4 mile widening Broadway from CR 78 to SR 80 plus 0.1 mile Bridge construction)	
	Construction Cost / mile		$2,151,700			
	Construction Cost (0.4 miles)		$860,680			
	Cost for Draw Bridge (0.1 mile)		$19,565,000			
	Environmental Mitigation		$0			
	Comm/Business Displacements		$0			
	Signal		$175,000			
		Total Cost in 2002 Dollars	$20,601,000		TOTAL COST (2004 DOLLARS) ---->	$21,341,000
	TOTAL COST (2002 DOLLARS)	---->	$27,769,000		TOTAL COST (2004 DOLLARS) ---->	$28,766,000

CR 78 & BROADWAY WIDENING: RIGHT OF WAY COSTS

(a) Widening CR 78 from County Line to First Bend

Proposed ROW			150 ft
Available ROW			75 ft
Required ROW			75 ft
Length of Road	Miles	2.5	13200 ft
Area Required	Sq.ft	990000	22.73 acres
Total ROW Cost			$568,000
$25,000 per acre			

(b) Widening CR 78 from First Bend to Broadway

Proposed ROW			150 ft
Available ROW			75 ft
Required ROW			75 ft
Length of Road	Miles	0.75	3960 ft
Area Required	Sq.ft	297000	6.82 acres
Total ROW Cost			$1,705,000
$250,000 per acre			
Total ROW for CR 78 Widening			$2,273,000

(c) Widening Broadway (north)

Proposed ROW			150 ft
Available ROW			100 ft
Required ROW			50 ft
Length of Road	Miles	0.25	1320 ft
Area Required	Sq.ft	66000	1.52 acres
Total ROW Cost			$38,000
$25,000 per acre			

(d) Widening Broadway (south)

Proposed ROW			150 ft
Available ROW			65 ft
Required ROW			85 ft
Length of Road	Miles	0.15	792 ft
Area Required	Sq.ft	67320	1.55 acres
Total ROW Cost			$39,000
$25,000 per acre			
Total ROW for Broadway Widening			$77,000

CR 78 & BROADWAY WIDENING: SUMMARY COSTS

	Segment Length (miles)	Construction Estimate ($)	Design Estimate (15%) ($)	Construction CEI (10%) ($)	ROW Estimate ($)	Total Const. Estimate ($)	Bridge (1) Env. Mitigation Estimate ($)	Total (2) Structure/Pond Const. Estimate ($)	Total Project Cost ($)	Bridge (1) Env. Mitigation Estimate ($)	DPA Adjusted Structure/Pond Const. Estimate ($)	DPA Adjusted Total Project Cost ($)
WIDEN CR 78	3.25	$7,425,000	$1,114,000	$743,000	$2,273,000	$11,555,000	$0	$3,391,000	$14,946,000	$0	$2,276,000	$13,831,000
WIDEN BROADWAY	0.50	$21,341,000	$3,201,000	$2,134,000	$77,000	$26,753,000	$72,600	$417,400	$27,243,000	$72,600	$280,000	$27,105,600
TOTAL	3.75	$28,766,000	$4,315,000	$2,877,000	$2,350,000	$38,308,000	$72,600	$3,808,400	$42,189,000	$72,600	$2,556,000	$40,936,600

Footnotes:

(1) Environmental Mitigation Costs provided by Boylan Environmental Consultants, Inc.

(2) Stormwater Structures and Ponds Costs provided by Johnson Engineering.

EXHIBIT 10

FLORIDA CITRUS CPA TRAFFIC STUDY
NEW TWO-LANE ROAD

NEW TWO-LANE ROAD: CONSTRUCTION COSTS

New 2 lane construction starting at Kirby Thompson Road/CR 78 intersection and connecting to North River Road 2.8 miles east of SR 31.

(1)	Total Length	+/-	12.1	miles	(Hendry+Lee County)
(2)	Wetlands/Undisturbed lands	+/-	1.1	miles	(Lee County)
(3)	Dirt roads/Farmlands/Open land	+/-	11	miles	(Hendry+Lee County)
(4)	Existing Road segments	+/-	0	miles	(Lee County)

(6)	**New Construction Cost**		12.10	miles	(CR 78/Kirby Thompson Road to CR 78)
	Construction Cost / mile		$1,634,700		
	Construction Cost		$19,779,870		
	Cost for Critter Crossings / Bridges		$0		
	Environmental Mitigation		$0		
	Comm/Business Displacements		$0		
	Signal		$175,000		
		Total Cost in 2002 Dollars	$19,955,000		
(7)	**Widening Construction Cost**		2.80	miles	(New construction end to SR 31)
	Construction Cost / mile		$0		
	Construction Cost		$0		
	Cost for Critter Crossings / Bridges		$0		
	Environmental Mitigation		$0		
	Comm/Business Displacements		$0		
	Signal		$0		
		Total Cost in 2002 Dollars	$0		
	TOTAL COST (2002 DOLLARS)	----->	$19,955,000	**TOTAL COST (2004 DOLLARS)**	-----> $20,671,000

(8) Most of the alignment is on existing dirt roads and open farmland.

NEW TWO-LANE ROAD: RIGHT OF WAY COSTS

(a) New Construction from Kirby Thompson Road to CR 78

Proposed ROW			200 ft
Available ROW			0 ft
Required ROW			200 ft
Length of Road	Miles	9.4	49632 ft
Area Required	Sq.ft	9926400	227.88 acres
Total ROW Cost			$5,697,000
$25,000 per acre			

(b) Widening CR 78 to SR 31

Proposed ROW			0 ft
Available ROW			0 ft
Required ROW			0 ft
Length of Road	Miles	2.8	14784 ft
Area Required	Sq.ft	0	0.00 acres
Total ROW Cost			$0
$25,000 per acre			

Total Right of Way for New Two-Lane Road $5,697,000

NEW TWO-LANE ROAD: SUMMARY COSTS

	Segment Length (miles)	Construction Estimate ($)	Design Estimate (15%) ($)	Construction CEI (10%) ($)	ROW Estimate ($)	Total Const. Estimate ($)	Environmental(1) Mitigation Estimate ($)	Total (2) Structure/Pond Const. Estimate ($)	Total Project Cost ($)	Environmental(1) Mitigation Estimate ($)	DPA Adjusted Structure/Pond Const. Estimate ($)	DPA Adjusted Total Project Cost ($)
NEW TWO-LANE ROAD	12.1	$20,671,000	$3,101,000	$2,067,000	$5,697,000	$31,536,000	$800,000	$11,989,100	$44,325,100	$800,000	$8,046,400	$40,382,400

Footnotes:

(1) Environmental Mitigation Costs provided by Boylan Environmental Consultants, Inc.

(2) Stormwater Structures and Ponds Costs provided by Johnson Engineering.

EXHIBIT 11

FLORIDA CITRUS CPA TRAFFIC STUDY
ROADS IMPACT FEE ESTIMATES

Project: FLORIDA CITRUS PLAN AMENDMENT

		Size	Fee Rate	/Unit	Amount
Residential:	Single-Family - Detached	5,200	$2,971	/d.u.	$15,449,200
	Multiple Family Building	2,226	$2,059	/d.u.	$4,583,334
	Duplex/Two-Family/Townhouse	0	$2,059	/d.u.	$0
	Hotel / Motel Room/Time-share	0	$2,237	/room	$0
	Mobile Home	0	$1,488	/d.u.	$0
	Adult Cong. Living Facility (ACLF)	0	$670	/d.u.	$0
	Recreatinal Vehicle Site	0	$1,488	/site	$0
Office:	General Office (0-99,999 sf)	25,000	$2,336	/1,000 s.f.	$58,400
	General Office (100,000 sf +)	0	$2,336	/1,000 s.f.	$0
	Medical Office	0	$7,716	/1,000 s.f.	$0
	Hospital	0	$3,582	/1,000 s.f.	$0
	Nursing Home	0	$1,004	/1,000 s.f.	$0
	Church	0	$1,476	/1,000 s.f.	$0
	Day Care Center	0	$4,107	/1,000 s.f.	$0
	Elementary / Sec. School (Private)	0	$643	/1,000 s.f.	$0
Industrial:	Industrial Park	0	$2,050	/1,000 s.f.	$0
	Warehouse	0	$1,461	/1,000 s.f.	$0
	Mini-Warehouse	0	$508	/1,000 s.f.	$0
Retail: (GFA)	Shopping Center (0-99,999 sf)	75,000	$5,063	/1,000 s.f.	$379,725
	Shopping Center (100,000-249,999 sf)	0	$5,063	/1,000 s.f.	$0
	Shopping Center (250,000-499,999 sf)	0	$5,063	/1,000 s.f.	$0
	Shopping Center (500,000 sf +)	0	$5,063	/1,000 s.f.	$0
	Bank	0	$8,038	/1,000 s.f.	$0
	Car Wash, Self Service	0	$1,683	/Stall	$0
	Convenience Store w/Gas Sales	0	$11,250	/1,000 s.f.	$0
	Golf Course (open to public)	400.0	$862	/acre	$344,800
	Movie Theater	0	$7,427	/1,000 s.f.	$0
	Restaurant, Fast Food	0	$12,763	/1,000 s.f.	$0
	Restaurant, Standard	0	$6,504	/1,000 s.f.	$0
					$20,815,459

COASTAL ENGINEERING CONSULTANTS INC

A CECI GROUP COMPANY

CECI Group Services
Civil Engineering
Planning Services
Survey & Mapping
Coastal Engineering
Real Estate Services
Website: www.coastalengineering.com

February 25, 2005

RECEIVED
MAR 07 2005
PERMIT COUNTER

Mr. Matt Noble, AICP
Lee County Planning Division
Post Office Box 398
Fort Myers, Florida 33902-0398

-00006

Re: CPA 2004-06, Northeast Lee Rural Village - Sufficiency Response
CEC File No. 04.174

Dear Matt:

I am in receipt of your letter dated November 24, 2004 regarding the subject application. Our client, Florida Citrus Company, and the consulting team have thoroughly read the sufficiency letter submitted to us dated November 24, 2004 and offer the following responses together with revisions to the environmental, economic, and transportation sections of our application which are attached.

Overview

The current agricultural use of the property commenced in 1968 and since that time the profitability of the citrus industry has decreased to the point that profits can no longer be assured. The economic pressure was noted in the attached report from Dr. Fishkind in which he states "There is no economic rationale for continued agricultural use and, at this juncture, agricultural use is not the highest and best use of the property." As has been the case with other citrus producing acreage in Eastern Lee County and Hendry County, the land has become better suited for development than for agriculture. It stands to reason that some or all of the changes currently under consideration at DCA from Hendry County, Glades County, and City of LaBelle, will be approved in some manner. In the past, such a transition has provided for single family residences on one to five acre lots supported by few public services or utilities.

Attached is an Economic Analysis by Fishkind & Associates, Inc., dated February 16, 2005, which confirms that clearly over the last several years there has been a market for rural estate lots/ranchettes. If the subject property develops in this fashion, the opportunity for clustered development, the planning for an alternate east/west corridor, the opportunity to create central sewer and water facilities, and the restoration of an historic flow-way, will diminish. Given the economic discussion on population projection, accommodation and economic benefits, this project will more than offset its' impacts and approval of this application will provide for positive benefits.

The proposed plan is intended to provide for development that allows for clustered housing on suitable land providing for adequate public services, the protection of environmental resources,

and the environmental restoration of an area that has been significantly impacted. This clustered density with supporting commercial centers can be of economic benefit to the county through the provisions of centralized water and sewer and an improved transportation network in northeastern Lee County. The number of units associated with this and other proposed developments will create an increased demand on the transportation network in the eastern Lee County area. With or without the proposed Northeast Lee Rural Village development, an alternate to CR 78 is needed to protect downtown Alva and similar areas as they become developed. The bottom line is that given the demand for rural estate lots and whether the subject property develops within the current rural designation or in accordance with this proposed plan amendment, it is imperative that we work with both Hendry County and Glades County to come up with an alternative to CR 78.

Part I

We are unsure which addresses are causing confusion. However, the applicant is Florida Citrus Corporation, 4511 8th Lane, SW, Vero Beach, FL 32968. In the owner of record section, we elected to use the phrase "Same as applicant" in order to avoid duplication.

While you are correct that there are additional property owners within the plan amendment boundary, our client's attorneys will be submitting a legal opinion under separate cover explaining our position with regard to this matter.

Part II

A. *Please indicate (check) the Text Amendment box as text is proposed to be included in the Lee Plan.*

Response: The text amendment box has been checked off and a new page has been submitted for your review.

B. *Please expand this discussion. Proposed Policy 1.4.7 contains several provisions that could be summarized in this discussion.*

Response: An expanded discussion of the proposal has been included - please refer to the attached Exhibit B and the revised proposed Revised Text Amendment, Policy 1.4.7.

Part III

A.2. *Staff's review of the submitted list is incomplete, additional comments may be forthcoming. Staff suggests that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request.*

Response: A full description of the ownership information is forthcoming from the property owner's attorney.

E. *Please provide a discussion as to how the specific units and square footage was calculated.*

Response: The purpose of commercial development in this rural area is to provide for daily services and to capture internal trips. Commercial square footage was calculated at one-third the suggested rate*, reduced from 90 square feet per residential unit to 30 square feet per residential unit. Locational standards for commercial uses are included within the revised text amendment.

***Assumes a Floor Area Ratio (FAR) of 0.25 with a commercial allocation of 10 acres per 3,000 population (43,560 square feet x 10 acres x .25 FAR/3,000 population = 36.3 square feet/person x 2.5 persons per unit = 90 square feet/unit).**

Part IV

A.1 *Planning staff has previously provided verbal comments concerning the proposed language. These comments included concerns of an identified intensity limitation for the commercial uses and the form of development that could occur. Staff also questions a minimum area for "a Rural Village" of 250 acres. Staff also questions the intent of the fifth numbered paragraph, the requirement to provide "a traffic circulation map." In general the proposal lacks any concrete commitments to provide improvements to the infrastructure in the area as a result of potential project impacts.*

Response: The intent of the language is to create an allowance for residential communities that will retain a rural character. Thus, the commercial development provision was limited in order to capture internal traffic generation. We propose a range of 100,000 square feet to 185,000 square feet of commercial.

The minimum acreage size was intended to avoid multiple rural villages in the County without proper planning and to avoid incompatibility with urban uses. We have proposed raising the minimum acreage size to 500 to alleviate concerns raised by County staff. Additionally, the language in policy 1.4.7 has been revised to include Rural Village Centers and a Rural Town Center.

A traffic circulation analysis was performed in accordance with the guidelines provided in Section IV.B.1 (Traffic Circulation Analysis) of Lee County's Application for a Comprehensive Plan Amendment. Based on these guidelines, future 2020 traffic conditions, both with and without the Plan Amendment, were projected using the Lee County 2020 travel model. These comparative travel model assignments indicated that, with the Plan Amendment, two road segments would be deficient: CR 78 from the Property Entrance to Broadway Street and Broadway Street from CR 78 to SR 80 south of the river.

The traffic study contains a recommendation to construct a new two-lane road from the CR 78/Kirby Thompson Road intersection in Hendry County to CR 78 about three miles east of SR 31. This is in lieu of widening CR 78 and Broadway Street to four lanes. This new road, which would by-pass the Alva community, has two distinct advantages over the

widening the existing roads. First, the new road would provide a more direct east-west route north of the river and, as a result, would help divert east-west traffic off of SR 80 and the Alva Bridge. Second, the new road will help preserve the current character of the Alva community, since both CR 78 and the Alva bridge would remain two-lane facilities, with projected volumes and levels of service that meet County standards.

Finally, development of this property should generate millions of dollars in additional revenues through road impact fees, motor fuel taxes, ad valorem taxes, sales taxes and the like. These additional revenues will offset the additional costs for road improvements due to this proposed amendment. Thus, the proposed amendment is financially feasible.

Our intent with the fifth numbered paragraph was to assure that internal roads are constructed to mitigate adverse impact caused by development. Our revised traffic study contains a recommendation that an east-west corridor be constructed. As you are aware the Land Development Code requires developers to provide adequate transportation facilities (i.e. turn lanes, new lanes, right-of-way) for projects in order to satisfy concurrency provisions. We have revised proposed Policy 1.4.7 to incorporate our recent findings.

A. 6 *Please provide a copy of the deed(s) for the property subject to the requested change.*

Response: Copies of the deeds are forthcoming from the petitioner's attorney.

A.8 *As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.*

Response: Refer to the comments above regarding property owner authorization.

B.1 *Please see attached comments from the Lee County Department of Transportation.*

Response: Please refer to the attached report from David Plummer & Associates.

B.2 *Please provide the required analysis.*

Response: The analysis is included in the original amendment petition. We believe it would be beneficial for development in this area to connect to central water and sewer facilities. To that extent the petitioner has attended several meetings with Lee and Hendry officials and monitored the debate within Hendry County between County and City of LaBelle officials over the territorial service area extending five miles or more west of the City of LaBelle.

It is not unlikely that a regional water and wastewater authority may be formed for this area. If so, it would be in the best interests of the developers to connect to central water and sewer facilities than develop with septic tanks and wells. Central facilities also provide for clustered development. Benefits that can be derived from clustering include the

provision of more usable open space and more flexibility in designing facilities open to the public.

B.3 *Please provide the required letters from the appropriate agencies.*

Response: Attached are our requests for the various letters. They will be submitted as soon as they are available.

C.3 *Staff was unable to locate the required topographic and 100-year flood prone areas map(s) in the application materials.*

Response: These maps are attached for your review.

C.4 *Aquifer recharge areas – no map or discussion was included with the application materials.*

Response: Refer to analysis prepared by Andy Tilton of Johnson Engineering.

C.5 *Environmental Sciences staff provides the following comments:*

The following species are listed in Lee County and have the potential to occur within habitats on this site: Florida Panther; twisted air plant; and Simpson's stopper. Please revise the submittal to include these as potential listed species to occur on the property, and provide an analysis of this listed species in relation to the proposal.

The following listed species were listed as potential to occur on the property, however, no analysis was included for these species Audubon crested caracara; little blue heron; white ibis; woodstork; everglades mink; and Florida black bear.

Response: Refer to the environmental impacts report prepared by Rae Ann Boylan.

E.3 *The submitted application provides that "there are no adjacent local governments that would be affected by this plan amendment." Staff is not convinced of this. Staff believes there could be impacts to adjacent jurisdictions such as Hendry and Glades County. The applicant needs to provide additional data and analysis to support this conclusion.*

Response: We wish to withdraw the statement that "there are no adjacent local governments that would be affected by this plan amendment". As you are aware, since this amendment petition was filed, Hendry and Glades Counties have filed petitions for amendments in quadrants of their respective counties near the subject property. Since that time, several meetings have been conducted with state, regional, and county officials in the surrounding counties to discuss the parameters of each county's amendment. This underscores the importance for Lee County officials to keep lines of communication open with the surrounding jurisdictions.

E.4 *Under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to*

comprehensively plan for the area, including an additional east-west corridor that can relieve state Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Response: Please refer to the revised traffic study prepared by David Plummer and Associates.

Please do not hesitate to contact me at (239) 571-5307 if you require additional information.

Sincerely,

COASTAL ENGINEERING CONSULTANTS, INC.

Vincent A. Cautero, AICP
Vice President
Planning Services

cc: Joe Beale, Florida Citrus Company
Neale Montgomery, Esq., Pavese Law Firm
Andy Tilton, Johnson Engineering
Rae Ann Boylan, Boylan Environmental Consultants, Inc
Ron Talone, David Plummer & Associates
File

Attachments: As noted

NORTHEAST LEE RURAL VILLAGE
COMPREHENSIVE PLAN AMENDMENT

Revised Text Amendment

Policy 1.4.7. Rural Village: The intent of this policy is to include areas that are "rural" in character, and to retain a "rural" character through development, but present opportunities for Lee County to comprehensively plan for large areas of land. Rural Village areas will provide for the establishment of self-supporting communities which will provide residential and service opportunities in harmony with agricultural communities. Agricultural uses of activities that are rural in nature (including equestrian facilities, grazing, and cooperative farming) are permitted within Rural Villages. Development within the Rural Village Land Use Category is subject to the following criteria:

1. Rural Villages will be developed through a planned development process and will comprise a mixture of uses appropriate for a rural environment. The minimum area for a Rural Village will be 500 acres.

2. Residential development is limited to a maximum of two dwelling units per acre.

3. Commercial uses within the Rural Village land Use Category are limited to commercial centers that are intended to serve the population of the rural residential uses and satisfy the internal shopping needs of the rural residential area. The range of allowable commercial shall be 100,000 square feet to 185,000 square feet.

   Commercial areas will be divided into Rural Village Centers and a Rural Town Center.

   a. Rural Village Center:

      Each Village Center is designed to provide for daily commercial needs. The commercial core of the Village Center must be centralized to provide for convenient pedestrian access to adjacent residential development. Village Centers shall have a maximum size of two (2) acres each and shall be separated from each other by a minimum 50' natural landscape buffer. Village Centers should include between two (2) and four (4) residential neighborhoods of approximately five hundred acres apiece.

   b. Rural Town Center:

      The Town Center is designed to provide for office, retail, and residential land uses. The scale of these uses will be higher than those permitted in the Village Centers. The Town Center shall be oriented towards serving the residents of the Rural Village and should not be designed as a tourist destination. The Town Center should include between three (3) and five (5) adjacent residential neighborhoods of approximately one hundred acres apiece. Commercial uses shall be centralized to adjacent residential development and must be designed to provide for pedestrian access. The Town Center shall also have direct access to all Village Centers. Public and civic uses encouraged in the Town Center will be a school, community park, and emergency services. The Town Center shall have a maximum size of 30 acres.

4. Development applications will incorporate land for open spaces around the perimeter, including a minimum 50-foot open space buffer from agricultural land uses. Open space may be dedicated to public use or designated for common use, such as hiking and equestrian trails.

5. Prior to the issuance of a final development order, the developer and the county must enter into an agreement that contains a timeline for the developer's construction of an east-west two lane roadway within the subject property.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

[X] Text Amendment

[X] Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended
Map No. 1

B. SUMMARY OF REQUEST (Brief explanation):
Change Future Land Use Category of subject property from Rural and Open Lands to Rural Village - See attached discussion

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 23351 N RIVER RD , ALVA FL 33920
2. STRAP(s): See Attached List

B. Property Information

Total Acreage of Property: 3,713+/- acres

Total Acreage included in Request: 3,713+/- acres

Area of each Existing Future Land Use Category: Open Lands - 3,030 +/-
Rural - 683 +/-

Total Uplands: 3,619.6

Total Wetlands: 93.4

Current Zoning: AG-2

Current Future Land Use Designation: Rural and Open Lands

Existing Land Use: Citrus Agriculture

EXHIBIT B

The intent of this policy is to include areas that are "rural" in character, and to retain a "rural" character through development, but present opportunities for Lee County to comprehensively plan for large areas of land. The Rural Village areas will provide for the establishment of self-supporting communities which will provide residential and service opportunities in harmony with agricultural communities. Agricultural uses of activities that are rural in nature (including equestrian facilities, grazing, and cooperative farming) will be permitted within Rural Villages. Development within the Rural Village Land Use Category is subject to the following criteria:

Rural Villages will be developed through a planned development process, and will comprise a mixture of uses appropriate for a rural environment. The minimum area for a Rural Village will be 500 acres.

Residential development is limited to a maximum of two dwellings units per acre. Commercial uses within the Rural Village Land Use Category are limited to commercial centers that are intended to serve the population of the rural residential uses and satisfy the internal shopping needs of the rural residential area. The range of allowable commercial will be 100,000 square feet to 185, 000 square feet.

Development applications will incorporate land for open spaces around the perimeter, including a minimum 50 foot open space buffer from agricultural land uses. Open space may be dedicated to public use of designated for common use, such as hiking and equestrian trails.

BACKGROUND

The County Line Drainage District was created about four decades ago for the purpose of internal improvements of drainage for development of a citrus grove. This was done under the auspices of a Chapter 298 District. The primary function of this District was to protect and enhance the land by keeping excess stormwater off of the property. To this end, a dike and canal system was created.

HYDROLOGY

The conditions in this area physically are that the land slopes, generally from north to south, and is near the point where sheet flow is converted into channelized flow. The land slope generally is two feet per mile across this property. The north to south extent of the property in its shortest distance is one (1) mile; longest distance is three (3) miles. There is an old slough system that runs through the middle of the property, east to west, and a smaller system that runs through the western part of the northern tier from north to south. Sheet flow coming from the north and some from the east were blocked by a large dike on the north and water coming in from the east was intercepted by a drainage canal that was constructed along the County line and directed to the Caloosahatchee. Flows from this District were directed to internal canals including a seepage canal along the northern side of the project to its main outfall near the southwest corner of the District. This outfall primarily discharges now to Spanish Creek. Prior to the creation of this District there was some channelization of the upper parts of Spanish Creek where this water is now discharged. Prior to channelization there was some flow of water to the west into Cypress Creek Channel through an east – west tributary with overflow going through a wetland area into Spanish Creek to the south. The pre-1944 channelization into the upper end of Spanish Creek allows a much shorter path for the water to reach the Caloosahatchee than going west through the tributary to Cypress Creek and then south into the river. The storm water discharge from the site will continue to be as permitted plus any bypass received from off-site areas.

HYDRAULICS

The current conditions of this property have inflow from five (5) 48" corrugated metal pipe at the north end of this project. These culverts with their associated risers allow inflow from sheet flow to the north to come directly into the interior canal system. This water is routed west and south to the outfall into Spanish Creek. The amount of water taken in is as required through a permit action by South Florida Water Management District a number of years ago. The original plan of reclamation under the 298 District had no inflow in through that northern dike, which is three (3) miles long east and west. The remaining water discharged out the control structure is from rainfall that is received within the District boundaries. There are presently no connections to County Line Drainage Canal along the eastern boundary.

The proposed system would provide a restoration of flow from north to south across a portion of the District by opening the northern dike in the vicinity of Bush Head. This is a large wetland located along the northern perimeter of the project that intrudes into the District and also exists north of the District's boundary. The proposal would be to open the dike at this location and provide a flow way of variable width between 300' – 500' from the north end to the south end of the project which is approximately 1 mile in length at this location. This route generally follows depressional hydric soils. The ultimate plan for this flow way restoration would be a connection to the south into existing water courses that have been cut off by development of this citrus grove and pasture area to the south. The final connection would be made through other project efforts to the south of this one. The interim connection would be for the water that comes into this system through the flow way to then be routed through the internal canal system of the County Line Drainage District to its present outfall into Spanish Creek. There would need to be adjustments to the outfall structure since additional waters would be incorporated into the system so that the internal system would not be overloaded. The benefit of this return to a more natural flow rate would be a decrease in the amount of water that is blocked by the north dike and diverted around the west end of the dike into the South Lightered Canal which discharges into the north end of Cypress Creek. This water will continue to go to Cypress Creek once the final restoration was made since the tributary south of this

proposed flow way does go into Cypress Creek farther downstream. The flow way restoration would be to provide a flow way at natural grade without an excavated channel in this restoration.

There would need to be two (2) crossings of this flow way for adequate access between the east and west portions of this community. These are needed for traffic flow as well as emergency vehicle access in and out of the project area. The roadway crossings would use a series of culverts to keep the water spread across the flow way.

This flow way would not be part of the internal water management system of the proposed development. It would simply restore flow through the project. For this reason the east – west slough system that has been partially mined is not proposed as a flow through system so that it can be part of the internal water management system providing water quantity storage and quality treatment prior to discharge from the site to the Spanish Creek outfall. The re-establishment of the north – south flow way in the western part of the project can be worked into the overall plan of development and improve the regional water management facilities by providing for restoration of historical flows or the system can be maintained in its present state without restoration and continue to function for the use of the internal lands of the County Line Drainage District.

UTILITIES

The present layout of the parcels within this property provide between 500 – 700 units on the tracts. Under agricultural zoning there is an allowance for building a mother-in-law's quarters on the property, so this number could conceivably double, bringing the number to somewhere between 1,000 – 1,400 units. These units would be supplied utilities using individual private wells and septic tank systems for the water supply and waste water disposal respectively.

This method of supplying utilities is relatively common in rural areas with parcels one acre and larger as would be the case with this project. It is relatively efficient and cost effective. The major factor here would be providing adequate elevation to the drain field.

This is usually accomplished by raising the drain field above the wet season water table as required. Some areas within this project would need very limited elevation of the drain field, as others may require a mound similar to those used in other parts of the County with high ground water tables.

The Alva area which this is part of has historically presented challenges in water supply, not in quantity but in quality. There is a high chloride content evident in many of the areas in the Alva vicinity. This challenge has made home water treatment much more expensive. This can be treated but has to be dealt with differently than simple aeration that removes hydrogen sulfide. The hydrogen sulfide also exists in much of the water supply in this area. One of the environmental challenges of the private water systems, it is allowable to dump the brine from a reverse osmosis treatment process simply onto the ground thus increasing the chloride content of the ground water that otherwise would be relatively fresh.

The use of septic tanks is very widely accepted in the rural areas where the efficiency and cost effectiveness of municipal sewers is poor. The challenge in this area is the receiving waters are on the impaired waters list for nutrients and they are a Class I waterway. A Class I waterway is used for potable water supply and needs to be kept cleaner for maintaining that water classification. Ongoing research will shed additional light on water quality in the receiving waters. The design, operation and maintenance of the treatment system will be very important to making sure the waters downstream are not degraded. The construction of home sites under current regulations will not be impeded by this but will make the cleanup of this area, if necessary, much more challenging in the future due to the low density of development and the long distances to collect and convey wastewater.

The amount of units for this area that make a wastewater treatment plant and collection system economical for this site is somewhere in excess of 5,000 units. This is based on needing a density of a unit and one-half per acre to two units per acre on this property to bring the cost into a reasonable level for a central wastewater collection system. Similar

density is needed for cost-effective water supply facilities also. Densities less than this cause the per unit cost to increase appreciably to the point that it becomes marginal and individual systems become more appealing to the developer and the ultimate land owner. The smaller systems require as much or more maintenance, attention, and operational personnel which increases the cost as well as meeting many of the governmental rules and regulations for treatment facilities. These fixed costs get spread across a much smaller segment of population making treatment costs extremely high.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Diana M. Parker
County Hearing Examiner

CEC RECEIVED MAR 0 8 2005

239-533-0333
Writer's Direct Dial Number:

March 5, 2005

Mr. Robert Andrea
Coastal Engineering Consultants, Inc
3106 S. Horseshoe Drive
Naples, FL 34104-6137

RE: FLORIDA CITRUS PROPERTY

Dear Mr. Andrea:

Lee County Transit has reviewed your letter and supplemental information dated February 14, 2005 in reference to the Comprehensive Plan Amendment Application for the subject area in extreme northeastern Lee County. The closest fixed route bus service we currently provide is daily service along Palm Beach Boulevard (State Road 80) from Fort Myers to Olga Road in Riverdale, which is approximately 8 miles from the subject location. Lee County Transit does not currently provide service to the subject area nor do we have any proposed services or facilities to this location. The Lee County Transit Development Plan, which goes through 2014, proposes expanded services to come no closer than the existing service on SR 80.

If you have any further questions or comments, please call me or e-mail me at mhorsting@leegov.com.

Sincerely,

TRANSIT DIVISION

Michael Horsting
Transit Planner

RECEIVED MAR 1 4 2005

ALVA FIRE CONTROL & RESCUE SERVICE DISTRICT

2660 Styles Road
Alva, Florida 33920

March 10, 2005

Mr. Robert A. Andrea
Coastal Engineering Consultants, Inc.
3106 Horseshoe Drive
Naples, Florida 34104-6137

Re: Florida Citrus Property - Alva, Florida

Dear Mr. Andrea:

Your letter of February 14, 2005, to Captain Tiner with reference to our ability to provide fire and rescue service has been referred to me.

Please be advised that we do **not** have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three times the resources we now have available and, because of the geography, would require a station on site (river and highway access).

We, of course, would need a complete site plan, including the proposed height of buildings, to give you an estimate of the cost to provide the service.

Sincerely,

Paul F. Meloy, Chief

PFM:cb

COASTAL ENGINEERING CONSULTANTS,
3106 South Horseshoe Drive
Naples, Florida 34104
PHONE (239) 643-2324 · FAX (239) 643-1143 · FAX (239) 643-4364

RECEIVED
MAR 15 2005
COMMUNITY DEVELOPMENT

LETTER OF TRANSMITTAL

NAME	Matt Noble
COMPANY	Lee County Planning Division
ADDRESS	
FAX #	*Tel.#*

FROM	Karen Taylor
DIVISION	Planning
DATE	March 14, 2005
CEC #	**04.174**
SUBJECT:	**Florida Citrus Property, CPA; Proposed Rural Village, 23351 North River Road, Sections 1 thru 4 and 11 thru 14, Township 43S, Range 27E, Lee County Florida**

We are transmitting herewith: *US Mail*

QTY	DATE	REF.	DESCRIPTION
1	03/05/05		Letter from Paul F. Meloy, Chief – Alva Fire Control & Rescue Service District

COMMENTS: The enclosed letter (for your file) from Mr. Meloy is in response to our letter dated February 14, 2005, from Robert Andrea. We will send you copies of the remaining response letters once we receive them.

Thank you.

Signed: Karen Taylor

C: Joe Beale
Neale Montgomery
Andy Tilton
Rae Ann Boylan
Ron Talone
Vince Cautero

PAVESE LAW FIRM

NEALE MONTGOMERY
(239) 336-6235
E-mail: NealeMontgomery@paveselaw.com

1833 HENDRY STREET, FORT MYERS, FLORIDA 33901 | P.O. DRAWER 1507, FORT MYERS, FLORIDA 33902-1507 | (239) 334-2195 | FAX (239) 332-2243

March 11, 2005

RECEIVED
MAR 14 2005
PERMIT COUNTER

Mr. Matthew Noble
Principal Planner
Lee County Planning
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: CPA 2004-06, Northeast Lee Rural Village Sufficiency Response

Dear Mr. Noble:

Pursuant to your request for additional information dated November 24, 2004, the following and attached documents provide the ownership information requested. You specifically asked for a letter from the property owners authorizing you and any other consultants to represent them in this matter. In lieu of this request, we have provided a resolution and affidavit signed by the County Line Drainage District ("District") authorizing the District to join as a co-applicants to the Application.

The codification of laws creating the District can be found in 99 Fla. Law Chapter 417 and is attached. The District is an independent water control district and a public corporation of the State pursuant to Chapter 298 of the Florida Statutes, please see attached. As a Chapter 298 District, the County Line Drainage District is authorized to plan and construct infrastructure within the boundaries of the District. Thus, the District had the authority by statute to speak on behalf of the landowners within the district.

In addition to the District resolution and joinder as a co-applicant with Florida Citrus Company, we have also included affidavits signed by the majority of landowners in the District authorizing Florida Citrus Company to bring this Application on their behalf. Please see attached affidavits.

We have also included a copy of all deeds and legal descriptions for the property owned by the applicant, Florida Citrus Company. A booklet is also included outlining the parcel history of the County Line Drainage Districts and maps with the parcels included in the District

highlighted. This booklet shows all the parcels/STRAP numbers within District boundaries. This information is attached and should suffice as the response to Part II A.2.

Should you have any questions regarding the information enclosed or the content of this letter, please feel free to contact me.

Very Truly Yours,

Neale Montgomery

NM/kbs
Encls.

F:\WPDATA\NM\Keri\Florida Citrus - Ltr-MattNoble.wpd

MEMORANDUM
FROM THE
DEPARTMENT OF
PUBLIC WORKS

DATE: March 31, 2005

TO: Matt Noble
Principal Planner

FROM: Michael P. Pavese
Principal Planner

RE: Lee County Comprehensive Plan Amendment# CPA 2004-00006
Northeast Lee Rural Village

Staff has reviewed your request for sufficiency comments relative to the proposed plan amendment referenced above.

Based on the information provided in the application for this request, staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition, the application does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space. Each of the aforementioned insufficiencies are significant relative to an amendment that has the potential to result in an increase of allowable density of almost 600%. Please have the applicant provide the letters required by Part IV.B.3 of the application.

Should you have any questions or require any additional information, please do not hesitate to contact me directly at 479-8762.

cc: Jim Lavender, Director, Department of Public Works
John Yarbrough, Director, Lee County Parks and Recreation
Rick Diaz, Director, Lee County Utilities

Michael P. Pavese/mpp
P:\WPDOCS\CONSTRUCTION & DESIGN\PAVESE\PWCompPlanAmendNorthestLeeRuralVillageMemo.WPD

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 479-8548
Writer's Direct Dial Number:_____

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

April 27, 2005

Ms. Neale Montgomery
c/o Pavese Law Firm
1833 Hendry Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Neale:

The Planning Division has reviewed your application for the above-referenced Lee Plan amendment, and finds that additional information is needed before the application may be found sufficient for review. It has come to our attention that Mr Cautero is no longer the planner of record in this matter. Please provide a letter from the property owners authorizing any other consultants to represent them in this matter. In addition, the amendment Affidavit will have to be modified as it was signed by Mr Delisi.

The following applies to Part I of the application:

Staff had previously noted that the submitted applicant/owner information indicates that the "owner of record" is the same as the "applicant," but the addresses listed are different. The applicant has a listed Vero Beach address while the owner has a listed Iowa address. In addition, the owner of record information appears to be missing a street address. The previous sufficiency letter asked for a clarification.

Staff also noted in the previous sufficiency letter that there are additional property owners within the plan amendment boundary. The sufficiency letter also asked the applicant to provide the owner of record information as well as authorization from each property owner. Staff finds that the resubmittal materials do not fully address these issues. In conjunction with the County Attorney's Office, staff has concluded that the County Line Drainage District's authority over landowners in the district can not reasonably be construed to encompass a change to the future land use classification of district property. The County has no issues with the District becoming a "co-applicant" but this does not substitute for the consent of all property owners of the affected property. Please revise the amendment to provide the owner of record information as well as authorization from each property owner.

The following applies to Part III of the application:

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

The following comments pertain to Part IV of the application:

A. 1. Planning staff has previously provided verbal comments concerning the proposed language. These comments included concerns of an identified intensity limitation for the commercial uses and the form of development that could occur. Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

The first sufficiency letter also questioned the applicants commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish services. Lee County Utilities staff provide that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer should donate this facility to Lee County for ownership and maintenance. Staff assumes an appropriate fifty acre site would be needed for this facility.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary, please provide the owner of record information as well as authorization from each property owner.

B.1. Please see attached comments from the Lee County Department of Transportation.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

B.3a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

B.3b. & e. Please provide the required letters from the appropriate agencies.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

In addition to the above mentioned items, the previous sufficiency letter provided that staff was concerned with the precedential nature of the request, and questioned whether the request could be approved as proposed. Given the issues involved it is impossible to keep this proposal on the same track as the other amendments in the current plan amendment cycle.

If I can be of any assistance or if you have any questions, please do not hesitate to call me at 479-8548.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING

Matthew A. Noble, AICP
Principal Planner

Attachments: LCDOT memo dated April 27, 2005
Public Works memo dated March 31, 2005
Alva Fire Control & Rescue letter dated March 10, 2005

cc: Planning file: CPA2004-06

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning

Date: April 27, 2005

Subject: **CPA 2004-00006 (Florida Citrus Corporation)**
Additional Sufficiency Comments

The Department of Transportation (DOT) has reviewed the revised traffic study for the above-referenced comprehensive plan amendment application, dated February 25, 2005 by David Plummer & Associates, Inc. We also reviewed the related FSUTMS model runs, which were referenced but not included with the resubmittal but which were provided under separate cover to DOT on April 4, 2005. The DOT review of the initial plan amendment submittal was summarized in a memo dated October 26, 2004, in which we concluded that the proposed amendment would create the need for additional roadway improvements beyond those called for in the 2020 Financially Feasible Transportation Plan. We estimated the cost of the needed improvements at $44.5 million (not including any improvements which might be necessary in Hendry County), and suggested that the applicant had to make the commitment to provide the needed improvements in order to avoid a recommendation of denial of the plan amendment request.

Based on our review of the resubmittal, we still have significant questions about the adequacy of the provided information. We request that the applicant provide answers to the following questions and comments:

Traffic Circulation Analysis

1. The applicant attempted to address staff's concern about modeling across the County line and incorporating the new growth forecasts for Hendry County, by use of results from the new Hendry County FSUTMS model. However, the applicant chose to include the difference between the Hendry County external volumes and the Lee County external volumes as added attractions in the ZDATA3 file. The only explanation for this approach was "to allow some of the trips generated by the residential development in the Alva area to be attracted to the east into Hendry County." Why did the applicant feel it was necessary to have some trips attracted to the east? A more detailed explanation is necessary, along with some analysis as to why treating just the differential trips in that manner represents a realistic approach.

Recommended Improvements

2. The applicant notes that his estimate of the cost of widening Broadway and North River Road (CR 78) was $3.6 million less than County staff's estimate, referring to his calculation in Exhibit 9. In comparing the line item cost estimates to the County's estimates, we have a number of questions. First, in regards to the right-of-way costs, the applicant's estimates seem very low. The applicant appears to have mistakenly assumed that the existing right-of-way along North River Road is 75 feet instead of 50 feet. Also, the applicant used $25,000 an acre for his right-of-way cost estimates for part of the North River Road widening (from the County line to the first bend) and for the Broadway widening, and $250,000 an acre for the other portion of the North River Road widening (first bend to Broadway). Why the discrepancy? This results in a total applicant estimate of right-of-way costs of $2,350,000, well less than staff's estimate of $8,812,000. Staff feels the applicant has severely underestimated the expected right-of-way costs.

3. The applicant calculates the construction costs in 2002 dollars, but does not explain the source of the costs per mile. The applicant also shows the construction costs in 2004 dollars, but does not explain how that figure was developed. What is the source of the 2002 construction costs per mile, and how were the 2004 figures developed?

4. Staff's initial estimate of construction costs was based on an internal database of historic unit bid prices, which when done in October, 2004 did not reflect the recent construction cost increases we've experienced. FDOT has since released its 2004 estimate of construction costs, which identifies a four-laning cost of $2,544,000 per mile. Using the latest FDOT estimates, the construction cost estimates (and the related estimates of design, project management and CEI) would be much higher than staff previously assumed, and higher than DPA assumes. The net result, when combined with the higher right-of-way costs assumed by staff, would be a larger total number than the $44.5 million staff previously calculated, and certainly more than the $40.9 million DPA calculated.

5. As part of DPA's construction cost estimate shown on Exhibit 9, there is an adjustment to the total construction cost for something called "Bridge (1) Env. Mitigation Estimate" and for something called "DPA Adjusted Structure/Pond Constr. Estimate". No explanation is provided for those adjustments. Please explain.

6. As an alternative to widening North River Road and Broadway through the Old Alva area, the applicant proposes an alternative two-lane extension of North River Road from the Hendry County intersection with Kirby Thompson Road to a point about 3 miles east of SR 31. Is the applicant proposing to amend the 2020 Financially Feasible Transportation Plan to include this improvement? If so, staff has a number of concerns, beginning with the same concerns noted above about how the cost estimates were developed, which we believe leads to an underestimate of the project cost.

Revenue Projections

7. The applicant suggests the new road project will be financially feasible because of the amount of assumed road impact fees and gas taxes the development will generate ($33 million – much less than the assumed $40+ million project cost) and the assumption that other developments will contribute. First of all, the use of the motor fuel tax credit amount in the road impact fee formula is not a viable means of estimating the amount of local option gas taxes the development will generate, and the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan. To make a new addition to the plan financially feasible, the applicant would have to propose a modification to the revenue forecasts in the plan sufficient to cover the cost of the new project. No such analysis was provided.

8. In addition, the assumption that the revenues generated by the development will be sufficient to cover the cost of the needed road project is not enough to meet the terms of the County's plan amendment process. As noted in Section B.1.e of the plan amendment questionnaire, "(a)n inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." As staff noted in October, to avoid a recommendation of denial, the applicant has the option of making the commitment to cover the full cost of the improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

9. The new section of the alternative roadway is estimated to be over 12 miles long, along an alignment which the applicant notes is very preliminary. Staff is concerned that the the proposed alignment may not be feasible, given the extensive number of properties affected (including some with already-approved development like Argo Ranch) and the potential environmental and conservation area impacts and costs. Did the applicant consider a smaller version of an Old Alva bypass, perhaps connecting from the Ridge Road to the Cemetary Road area, in conjunction with widening a larger portion of North River Road?

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/mlb

MEMORANDUM
FROM THE DEPARTMENT OF PUBLIC WORKS

DATE: March 31, 2005

TO: Matt Noble
Principal Planner

FROM: Michael P. Pavese
Principal Planner

RE: Lee County Comprehensive Plan Amendment# CPA 2004-00006
Northeast Lee Rural Village

Staff has reviewed your request for sufficiency comments relative to the proposed plan amendment referenced above.

Based on the information provided in the application for this request, staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition, the application does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space. Each of the aforementioned insufficiencies are significant relative to an amendment that has the potential to result in an increase of allowable density of almost 600%. Please have the applicant provide the letters required by Part IV.B.3 of the application.

Should you have any questions or require any additional information, please do not hesitate to contact me directly at 479-8762.

cc: Jim Lavender, Director, Department of Public Works
John Yarbrough, Director, Lee County Parks and Recreation
Rick Diaz, Director, Lee County Utilities

Michael P. Pavese/mpp
P:\WPDOCS\CONSTRUCTION & DESIGN\PAVESE\PWCompPlanAmendNorthestLeeRuralVillageMemo.WPD

RECEIVED MAR 1 4 2005

ALVA FIRE CONTROL & RESCUE SERVICE DISTRICT

2660 Styles Road
Alva, Florida 33920

March 10, 2005

Mr. Robert A. Andrea
Coastal Engineering Consultants, Inc.
3106 Horseshoe Drive
Naples, Florida 34104-6137

Re: Florida Citrus Property - Alva, Florida

Dear Mr. Andrea:

Your letter of February 14, 2005, to Captain Tiner with reference to our ability to provide fire and rescue service has been referred to me.

Please be advised that we do **not** have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three times the resources we now have available and, because of the geography, would require a station on site (river and highway access).

We, of course, would need a complete site plan, including the proposed height of buildings, to give you an estimate of the cost to provide the service.

Sincerely,

Paul F. Meloy

Paul F. Meloy, Chief

PFM:cb

COASTAL ENGINEERING CONSULTANTS, INC.
3106 South Horseshoe Drive
Naples, Florida 34104
PHONE (239) 643-2324 · FAX (239) 643-1143 · FAX (239) 643-4364

RECEIVED
MAR 15 2005
COMMUNITY DEVELOPMENT

LETTER OF TRANSMITTAL

NAME	Matt Noble
COMPANY	Lee County Planning Division
ADDRESS	
FAX #	*Tel.#*

FROM	Karen Taylor
DIVISION	Planning
DATE	March 14, 2005
CEC #	**04.174**
SUBJECT:	**Florida Citrus Property, CPA; Proposed Rural Village, 23351 North River Road, Sections 1 thru 4 and 11 thru 14, Township 43S, Range 27E, Lee County Florida**

We are transmitting herewith: *US Mail*

QTY	DATE	REF.	DESCRIPTION
1	03/05/05		Letter from Paul F. Meloy, Chief – Alva Fire Control & Rescue Service District

COMMENTS: The enclosed letter (for your file) from Mr. Meloy is in response to our letter dated February 14, 2005, from Robert Andrea. We will send you copies of the remaining response letters once we receive them.

Thank you.

Signed: Karen Taylor

C: Joe Beale
Neale Montgomery
Andy Tilton
Rae Ann Boylan
Ron Talone
Vince Cautero

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning

Date: April 27, 2005

Subject: **CPA 2004-00006 (Florida Citrus Corporation)**
Additional Sufficiency Comments

The Department of Transportation (DOT) has reviewed the revised traffic study for the above-referenced comprehensive plan amendment application, dated February 25, 2005 by David Plummer & Associates, Inc. We also reviewed the related FSUTMS model runs, which were referenced but not included with the resubmittal but which were provided under separate cover to DOT on April 4, 2005. The DOT review of the initial plan amendment submittal was summarized in a memo dated October 26, 2004, in which we concluded that the proposed amendment would create the need for additional roadway improvements beyond those called for in the 2020 Financially Feasible Transportation Plan. We estimated the cost of the needed improvements at $44.5 million (not including any improvements which might be necessary in Hendry County), and suggested that the applicant had to make the commitment to provide the needed improvements in order to avoid a recommendation of denial of the plan amendment request.

Based on our review of the resubmittal, we still have significant questions about the adequacy of the provided information. We request that the applicant provide answers to the following questions and comments:

Traffic Circulation Analysis

1. The applicant attempted to address staff's concern about modeling across the County line and incorporating the new growth forecasts for Hendry County, by use of results from the new Hendry County FSUTMS model. However, the applicant chose to include the difference between the Hendry County external volumes and the Lee County external volumes as added attractions in the ZDATA3 file. The only explanation for this approach was "to allow some of the trips generated by the residential development in the Alva area to be attracted to the east into Hendry County." Why did the applicant feel it was necessary to have some trips attracted to the east? A more detailed explanation is necessary, along with some analysis as to why treating just the differential trips in that manner represents a realistic approach.

Recommended Improvements

2. The applicant notes that his estimate of the cost of widening Broadway and North River Road (CR 78) was $3.6 million less than County staff's estimate, referring to his calculation in Exhibit 9. In comparing the line item cost estimates to the County's estimates, we have a number of questions. First, in regards to the right-of-way costs, the applicant's estimates seem very low. The applicant appears to have mistakenly assumed that the existing right-of-way along North River Road is 75 feet instead of 50 feet. Also, the applicant used $25,000 an acre for his right-of-way cost estimates for part of the North River Road widening (from the County line to the first bend) and for the Broadway widening, and $250,000 an acre for the other portion of the North River Road widening (first bend to Broadway). Why the discrepancy? This results in a total applicant estimate of right-of-way costs of $2,350,000, well less than staff's estimate of $8,812,000. Staff feels the applicant has severely underestimated the expected right-of-way costs.

3. The applicant calculates the construction costs in 2002 dollars, but does not explain the source of the costs per mile. The applicant also shows the construction costs in 2004 dollars, but does not explain how that figure was developed. What is the source of the 2002 construction costs per mile, and how were the 2004 figures developed?

4. Staff's initial estimate of construction costs was based on an internal database of historic unit bid prices, which when done in October, 2004 did not reflect the recent construction cost increases we've experienced. FDOT has since released its 2004 estimate of construction costs, which identifies a four-laning cost of $2,544,000 per mile. Using the latest FDOT estimates, the construction cost estimates (and the related estimates of design, project management and CEI) would be much higher than staff previously assumed, and higher than DPA assumes. The net result, when combined with the higher right-of-way costs assumed by staff, would be a larger total number than the $44.5 million staff previously calculated, and certainly more than the $40.9 million DPA calculated.

5. As part of DPA's construction cost estimate shown on Exhibit 9, there is an adjustment to the total construction cost for something called "Bridge (1) Env. Mitigation Estimate" and for something called "DPA Adjusted Structure/Pond Constr. Estimate". No explanation is provided for those adjustments. Please explain.

6. As an alternative to widening North River Road and Broadway through the Old Alva area, the applicant proposes an alternative two-lane extension of North River Road from the Hendry County intersection with Kirby Thompson Road to a point about 3 miles east of SR 31. Is the applicant proposing to amend the 2020 Financially Feasible Transportation Plan to include this improvement? If so, staff has a number of concerns, beginning with the same concerns noted above about how the cost estimates were developed, which we believe leads to an underestimate of the project cost.

Revenue Projections

7. The applicant suggests the new road project will be financially feasible because of the amount of assumed road impact fees and gas taxes the development will generate ($33 million – much less than the assumed $40+ million project cost) and the assumption that other developments will contribute. First of all, the use of the motor fuel tax credit amount in the road impact fee formula is not a viable means of estimating the amount of local option gas taxes the development will generate, and the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan. To make a new addition to the plan financially feasible, the applicant would have to propose a modification to the revenue forecasts in the plan sufficient to cover the cost of the new project. No such analysis was provided.

8. In addition, the assumption that the revenues generated by the development will be sufficient to cover the cost of the needed road project is not enough to meet the terms of the County's plan amendment process. As noted in Section B.1.e of the plan amendment questionnaire, "(a)n inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." As staff noted in October, to avoid a recommendation of denial, the applicant has the option of making the commitment to cover the full cost of the improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

9. The new section of the alternative roadway is estimated to be over 12 miles long, along an alignment which the applicant notes is very preliminary. Staff is concerned that the the proposed alignment may not be feasible, given the extensive number of properties affected (including some with already-approved development like Argo Ranch) and the potential environmental and conservation area impacts and costs. Did the applicant consider a smaller version of an Old Alva bypass, perhaps connecting from the Ridge Road to the Cemetary Road area, in conjunction with widening a larger portion of North River Road?

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/mlb

JOHNSON
ENGINEERING

SINCE 1946

September 30, 2005

Mathew Noble, AICP
Principal Planner
Lee County Board of County Commissioners
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Matt:

We have received and reviewed your sufficiency letter dated April 27, 2005. Since the previous resubmittal, there have been numerous changes or proposed changes to the development patterns in the east Lee County, and western Hendry County. There have been some significant rezonings and plan amendments in Hendry County. There has been a lot of media coverage of the proposed changes to the Babcock property, the neighbor to the west. Benderson has submitted for development order approval for Argo Ranch, another neighbor to the west. These are just a few of the changes, and these changes have been taken into account.

When all of the approved and pending changes are taken into consideration, there is a strong indication that the pattern of development in eastern Lee and western Hendry County is evolving into a suburban area. The challenge is to retain some sense of rural flavor in the suburban development, and not duplicate the character of existing planning communities.

In the previous sufficiency response the applicant incorporated the rural village concept adopted to guide development patterns within the subject property. This included a gross residential density at two (2) dwelling units per acre. Commercial opportunities have been retained, previously the level of commercial was limited by reducing the square footage from a generally adopted conversion of 90 square feet per residential dwelling unit to thirty (30) square feet per residential dwelling unit. While the proposed density remains at two (2) dwelling units per gross acre, the proposed commercial square footage has been returned to the generally accepted ninety (90) square feet per residential dwelling unit. The applicant wants to ensure that proper internal capture occurs.

The application has been amended to include information staff has requested and to address recent changes in order to review the proposed amendment.

2158 Johnson Street ▪ Post Office Box 1550 ▪ Fort Myers, Florida 33902-1550
(239) 334-0046 ▪ Fax (239) 334-3661

Part III

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

Response:

The exhibit has been prepared and submitted prior to this resubmittal. There is a difference between the parcels identified by the property appraiser's office and the parcels identified by the county line drainage district.

Part IV

A.1. Planning staff has previously provided verbal comments concerning the proposed language. These comments included concerns of an identified intensity limitation for the commercial uses and the form of development that could occur. Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

The first sufficiency letter also questioned the applicant's commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish services. Lee County Utilities staff submitted that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road, if Lee County Utilities were to be the provider. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer could donate this facility to Lee County for ownership and maintenance, or the developer could create a separate legal entity to operate the utility, or work with an existing utility provider, such as North Fort Myers Utilities. Staff assumes an appropriate fifty acre site would be needed for this facility.

Response:

The application has been revised to include only the subject property under the new title Spanish Creek Community. Development standards for the community have been included within the test amendment.

Water and sewer have also been addressed within the proposed policies. Should the County approve 5,000 or more residential units, the applicant will provide central water and sewer services. The operator of the utilities will be determined by the applicant if there is intent to seek a utility franchise from the State of Florida. Such facilities may or may not be dedicated to Lee County Utilities based upon this decision. The County Line Drainage District has been added to the application as a co-applicant and avoids the possible Bert Harris action due to the fact that, if approved, additional residential density and commercial intensity may be added to the site.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

Response:

Deeds for the subject property have been submitted to the County with a STRAP number map for review prior to this resubmittal.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.

Response:

The County Line Drainage District has joined the application as a co-applicant as permitted by Florida Statutes. The Drainage District includes all property included within this application.

B.1. Please see attached comments from the Lee County Department of Transportation.

Response:

Please see response to comments by Lee County Department of Transportation below.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

Response:

Please see response to comments by Lee County Department of Transportation below.

B.3.a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

Response:

Public facility locations have been identified on the map included within this resubmittal. Possible uses for these locations include a fire department, school sites, water and sewer treatment facilities, or other public facilities as may be determined.

B.3.b. & e Please provide the required letters from the appropriate agencies.

Response:

A letter from Florida Power and Light will be included when it is received.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

Response:

The only issues that could be raised by adjacent local governments would involve drainage, transportation and utilities. Drainage will be addressed through the SFWMD widening of the existing canal on the eastern edge of the property to 330'.

The map submitted with this exhibit also shows the proposed recreation on –site of the historical flowways that transverse the property. One flowway is located on the northwestern portion of the subject property and the second is Spanish Creek, which will flow from the northeast portion of the property to the southwest.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Response:

Two possible roadway locations have been included within this resubmittal that would create an adequate road network and address any possible impacts that this development may cause. Please refer to this exhibit, additional information provided by David Plummer and Associates, as well as responses to Lee County Department of Transportation for further information.

Traffic Circulation Analysis

General Response:

Prior to preparing this sufficiency response, DPA met with the County staff on Monday, June 20, 2005, at 2 pm to review and discuss the staff's Additional Sufficiency Comments and questions. Those in attendance included David Loveland and Lili Wu of the Lee County DOT and Ron Talone and Vijay Kornala of DPA.

The discussion at this meeting is referenced in the specific sufficiency responses below.

1. The applicant attempted to address staff's concern about modeling across the County line and incorporating the new growth forecasts for Hendry County, by use of results from the new Hendry County FSUTMS model. However, the applicant chose to include the difference between the Hendry County external volumes and the Lee County external volumes as added attractions in the ZDATA3 file. The only explanation for this approach was "to allow some of the trips generated by the residential development in the Alva area to be attracted to

the east into Hendry County." Why did the applicant feel it was necessary to have some trips attracted to the east? A more detailed explanation is necessary, along with some analysis as to why treating just the differential trips in that manner represents a realistic approach.

Response:

In DPA's initial 2030 travel model assignment with the Project, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were coded as IE trips in the ZDATA4 file, since this is standard practice. However, this travel model assignment assigned only 1.4% of the Project trips to/from Hendry County. Therefore, 98.6% of the Project trips traveled to/from the west in Lee County.

This seemed very unrealistic, given approved and planned development to the east in Hendry County and Glades County. Here is a summary of the land use changes that have been approved or are in process.

- ***Hendry County has completed the West LaBelle Land Use Study and submitted a Comprehensive Plan Amendment (CPA) that will increase residential densities and associated commercial development both north and south of the Caloosahatchee River west of LaBelle. The CPA is currently under review by the Florida DCA.***

- ***The Glades County Comprehensive Plan is being amended to allow density clustering in the Muse area of southern Glades County. This would allow densities to be increased from 4 to 8 units per acre in some locations. The CPA covers 895 acres for residential development, 68 acres for commercial development, and 198 acres for schools.***

- ***The South LaBelle Community CPA was recently approved by the City of LaBelle. This CPA allows the following uses in recently annexed area south of LaBelle: up to 15,840 residential units; 1,000,000 sq. ft. of retail; 500,000 sq. ft. of office; 350,000 sq. ft. of light industrial; 300 acres of institutional uses (including a college campus and vocational center); and various civic and recreational uses.***

For this reason, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were changed from IE trips in the ZDATA4 file to trip attractions (A+) in the ZDATA3 file. This change increased the trips traveling to/from

Hendry County from 1.4% to 17.2% of the Project trips. This still leaves nearly 83% of the Project trips traveling to/from the west in Lee County.

Here is a summary of the external trips at the Lee/Hendry County line before and after this change in the coding of those external trips.

	MPO Methodology	*DPA Methodology*
CR 78 (TAZ 1143)		
Total Volume	*5,730*	*5,718*
Project Volume	*248*	*1,960*
% of Project Trips	*0.9%*	*7.6%*
SR 80 (TAZ 1133)		
Total Volume	*26,170*	*26,158*
Project Volume	*132*	*2,456*
% of Project Trip	*0.5%*	*9.6%*

2. The applicant notes that his estimate of the cost of widening Broadway and North Rive Road (CR 78) was $3.6 million less than County staff's estimate, referring to his calculation in Exhibit 9. In comparing the line item cost estimates to the County's estimates, we have a number of questions. First, in regards to the right-of-way cost estimates for part of the North River Road widening (from the County line to the first bend) and for the Broadway widening, and $250,000 an acre for the other portion of the North River Road widening (first bend to Broadway). Why the discrepancy? This results in a total applicant estimate of right-of-way costs of $2,350,000, well less than staff's estimate of $8,812,000. Staff feels the applicant has severely underestimated the expected right-of-way costs.

Response:

In DPA's original cost estimates for CR 78, DPA had used Lee County Property Appraiser's records to determine that the existing right-of-way width on this section of CR 78 is approximately 75 feet for much of its length. However, DPA agrees that the right-of-way width drops to nearly 50 feet at one location.

During the meeting with the County staff on June 20, the County staff agreed with DPA's use of Property Appraiser's records to determine the existing right-of-way width. DPA agreed to divide this section of CR 78 into segments to reflect major differences in right-of-way widths.

In DPA's original cost estimates for CR 78, DPA had assumed a four-lane cross section within 150 feet of right-of-way. This was changed to four lanes within 125 feet of right-of-way, as indicated in Mr. Loveland's memo to Mr. O'Connor dated October 26, 2004.

Right-of-way costs were discussed at length during the meeting with the staff on June 20. DPA agreed to research this issue further. The staff agreed to the use of different cost estimates for undeveloped rural land, land along CR 78, and land within the built up Alva community.

After further research on right-of-way costs, DPA increased the cost estimate for right-of-way in undeveloped, rural areas from $25,000 per acre to $40,000 per acre. DPA also used $85,000 per acre for right-of-way adjacent to CR 78, except within the built-up area of Alva. An estimate of $250,000 per acre was used for land in the built-up area of Alva.

Finally, the resultant right-of-way cost estimates were increased by 20% to account for administrative and condemnation costs associated with right-of-way acquisition.

The cost estimates in Exhibits 9 and 10 have been updated to reflect these changes related to the costs for right-of-way.

3. The applicant calculates the construction costs in 2002 dollars, but does not explain the source of the costs per mile. The applicant also shows the construction costs in 2004 dollars, but does not explain how that figure was developed. What is the source of the 2002 construction costs per mile, and how were the 2004 figures developed?

Response:

As suggested by the County staff during the June 20 meeting, DPA has updated the construction cost estimates in Exhibits 9 (Revised) and 10 (Revised) using the most recent FDOT average cost per mile estimates from the FDOT report titled 2004 Transportation Costs, March 2005. These are the most recent average cost per mile estimates now available.

Of course, the increase in construction costs resulted in an increase in the estimated costs for design and construction engineering inspection, which are estimated on a percentage basis from the construction cost estimates.

4. Staff's initial estimate of construction costs was based on an internal database of historic unit bid prices, which when done in October, 2004 did not reflect the recent construction cost increases we've experienced. FDOT has since released its 2004 estimate of construction costs, which identifies a four-laning cost of $2,544,000 per mile. Using the latest FDOT estimates, the construction cost estimates (and the related estimates of design, project management and CEI) would be much higher than staff previously assumed, and higher than DPA assumptions. The net result, when combined with the higher right-of-way costs assumed by staff, would be a larger total number than the $44.5 million staff previously calculated, and certainly more than the $40.9 million DPA calculated.

Response:

As shown in Exhibit 9 (Revised), DPA's updated cost estimate for the widening of CR 78 and Broadway (including the bridge) to four lanes is $45.8 million. As noted above, the FDOT average cost per mile estimate of $2,544,000 per mile was used for the cost of construction, as suggested by the County staff.

In addition, higher right-of-way costs were used as described above. However, these higher costs per acre were offset somewhat by the use of a narrower (125 feet) right-of-way width for the four-lane cross section as suggested by the County staff.

5. As part of DPA's construction cost estimate shown on Exhibit 9, there is an adjustment to the total construction cost for something called "Bridge (1) Env. Mitigation Estimate" and for something called "DPA Adjusted Structure/Pond Constr. Estimate." No explanation is provided for those adjustments. Please explain.

Response:

Additional costs were added to account for environmental mitigation (based on information provided by Boylan Environmental Consultants, Inc.) and additional costs for structures and ponds (based on information provided by Johnson Engineering). Please see Footnotes 2 and 3 on Exhibits 9 (Revised) and 10 (Revised).

6. As an alternative to widening North River Road and Broadway through the Old Alva area, the applicant proposes an alternative two-lane extension of North River Road from the Hendry County intersection with Kirby Thompson Road to a point about 3 miles east of SR 31. Is the applicant proposing to amend the 2020 Financially Feasible Transportation Plan to include this improvement? If so, staff has a number of concerns, beginning with the same concerns noted above about how the cost estimates were developed, which we believe leads to an underestimate of the project cost.

Response:

In conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially-Feasible Plan be amended to include the proposed new two-lane road.

Please note that the length of the new road has been reduced, so that it intersects existing CR 78 near Cemetery Road. The shorter road is now 7.4 miles long. Therefore, it impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development.

As a result, the cost estimate for the new road has also been reduced substantially to a total cost of $31.9 million. This new estimate, which is shown in Exhibit 10 (Revised), reflects the changes in construction and right-of-way costs described above. Exhibit 10 (Revised) also shows that the portion of the new road in Lee County will cost approximately $21.8 million, and the portion of the new road in Hendry County will cost approximately $10.1 million.

It's been estimated that the Florida Citrus CPA will generate an additional $20.8 million in road impact fees based on the current fee schedule. Furthermore, the County is already conducting a study to support an increase in the fees by May, 2006. With these planned fee increases, it's clear that the road impact fees generated by this development alone will be enough to cover the Lee County portion of the cost for this new road within Lee County.

It is recommended that the road impact fees collected from this CPA be "pipelined" to the construction of the Lee County portion of this new road to mitigate the impacts of this new development. For three reasons, this will not adversely affect the County's 2020 Financially-Feasible Plan. First, the County did not anticipate this development. Therefore, the revenues generated by this development were not included in the revenues projections upon which the Plan is based. Second, the 2020 Financially-Feasible Plan does not include any other road projects in this part of the County that would directly mitigate the impacts of this development. Therefore, the proposed, new two-lane road is the logical place to spend these funds. Third, the road impacts fees collected from this development alone will offset the additional costs of this new road in Lee County.

The portion of the road in Hendry County primarily affects two property owners who are receptive to the construction of the new road. The development of these properties in Hendry County under the West LaBelle Land Use CPA, which is now under review by the Florida DCA, will generate additional Hendry County road impact fees and other revenues that can be used to fund the Hendry County portion of this new road. Hendry County has committed to adopt a new road impact fee ordinance on October 1, 2005.

Finally, the travel model assignment of future 2020 traffic conditions with the Project and the new two-lane road has been updated to reflect the shorter road. The updated travel model assignment results are shown in Exhibit 8 (Revised). Exhibit 8 (Revised) shows that all roadway segments in the study area are expected to operate at an acceptable level of service in 2020 with the new road in place.

7. The applicant suggests the new road project will be financially feasible because of the amount of assumed road impact fees and gas taxes the development will generate ($33 million – much less than the assumed $40+ million project cost) and the assumption that other developments will contribute. First of all, the use of the motor fuel tax credit amount in the road impact fee formula is not a viable means of estimating the amount of local option gas taxes the development will

generate, and the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan. To make a new addition to the plan financially feasible, the applicant would have to propose a modification to the revenue forecast in the plan sufficient to cover the cost of the new project. No such analysis was provided.

Response:

DPA used the gas tax credits from the road impact fee support documentation simply to illustrate that substantial additional transportation revenues, besides road impact fees, will be generated by this development. Some of these additional funds will be available to fund additional transportation improvements.

With regard to the statement that ". . . the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan", DPA must respectfully disagree. The development associated with this CPA was not anticipated when the 2020 Financially-Feasible Plan was developed. Therefore, the revenues generated by this development (gas taxes, impact fees and other revenues) were not included in the revenues projections that were considered when it was concluded that the Plan was affordable and thus financially-feasible. In other words, the County's 2020 Financially-Feasible Plan considers neither the cost of the new road, nor the revenues generated by the proposed development.

Furthermore, as noted in the previous response, the road impact fees generated by this new development alone will offset the costs of this new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, the proposed new development will not adversely affect the determination that the Lee County 2020 Financially-Feasible Plan is affordable.

8. In addition, the assumption that the revenues generated by the development will be sufficient to cover the cost of the needed road project is not enough to meet the terms of the County's plan amendment process. As noted in Section B.1.e of the plan amendment questionnaire, "(a)n inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." As staff noted in October, to avoid a recommendation of denial, the applicant has the option of making the commitment to cover the full cost of the improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

Response:

As explained in the two previous responses, the proposed new development, and the modifications in the plan to support it, can be accommodated within the financially feasible limits of the Plan.

The additional transportation revenues generated by this new development will offset the additional costs for the new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, Lee County's 2020 Financially-Feasible Plan will continue to show an appropriate balance between projected revenues and projected costs.

9. The new section of the alternative roadway is estimated to be over 12 miles long, along an alignment which the applicant notes is very preliminary. Staff is concerned that the proposed alignment may not be feasible, given the extensive number of properties affected (including some with already-approved development like Argo Ranch) and the potential environmental and conservation area impacts and costs. Did the applicant consider a smaller version of an Old Alva bypass, perhaps connecting from the Ridge Road to the Cemetery Road area, in conjunction with widening a larger portion of North River Road?

Response:

As noted above, the shorter (7.4 mile) road impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development. This greatly reduces the number of properties affected by the new road and the potential environmental and conservation area impacts. There will be no direct impacts on the regional park.

In response to the staff's question about a smaller version of an Old Alva bypass, DPA examined a smaller version of the Old Alva bypass. DPA performed additional travel model tests of a much shorter bypass that only bypasses the existing sections of CR 78 through the center of Alva. The bypass simply connects the existing sections of CR 78 immediately east and west of Alva. In these tests, CR 78 was widened from two lanes to four lanes from the Project entrance to just west of Alva utilizing the bypass.

This shorter bypass did not take enough traffic off of Broadway to avoid having to expand the Alva bridge to four lanes. The widening of CR 78 to four lanes just encourages more traffic from Alva, the Project and Hendry County to use Broadway

and SR 80 to travel west. In contrast, the proposed new two-lane bypass encourages Alva, Project and Hendry County traffic to continue on CR 78, west to SR 31.

Public Works

1. Based on the information provided in the application for this request staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition the applicant does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space.

Response:

The application is consistent with Objective 2.1 because the property is adjacent to and nearby parcels that are seeking or have obtained increased development entitlements. Because of this activity the area has established itself as a major growth corridor, where the subject property is not on the extreme edge of proposed development but instead located directly in the middle between the South LaBelle Community and east Fort Myers.

The proposed text amendment is also consistent with Objective 2.2 due to the fact the vast majority of residential units and commercial uses with be clustered within portions of the subject property and provided with central public facilities if approved at an adequate density as mentioned in the proposed text.

As previously stated and also included within the proposed text amendment, water and sewer will be provided on-site. If the development is approved with 5,000 or more residential units, a central system will be provided. Other information is generally provided at the time of rezoning.

Alva Fire Control & Rescue Service District

1. Please be advised that we do not have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).

require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).

Response:

Public facility locations have been identified on the map included within this resubmittal. One of the intended uses for these locations is a fire department. The exact location will be determined during the zoning process with coordination from the Alva Fire Control & Rescue Service District..

Very truly yours,

FOR

Patricia Newton

PN/kbs

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O' Connor, Planning Director

From: David Loveland, Manager, Transportation Planning DML

Date: January 27, 2006

Subject: **CPA 2004-00006, Northeast Lee Rural Village (Florida Citrus Corporation) 3rd Round Sufficiency Questions**

The Department of Transportation has reviewed the applicant's September 30, 2005 resubmittal, which attempts to respond to the issues we raised in our memo of April 27, 2005 and a subsequent meeting. Some of the referenced exhibits in the resubmittal were missing, but the applicant did provide revised Exhibits 9 and 10 upon staff request (via a December 13, 2005 e-mail). However, a key premise of the applicant's submittal is that a new east-west extension of CR 78 bypassing "downtown" Alva will mitigate the project's impacts on CR 78 (North River Road) and Broadway. The applicant did not submit any model runs that demonstrated that the alternative road (aka, the "Alva Bypass") in fact relieved the impacted segments and such information is critical to the County's review of the application. The applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the Alva Bypass in place to demonstrate that the relief is in fact realized. The applicant should also submit copies of his model runs for staff review. (There is one reference to a revised Exhibit 8 that might contain this information but that was not included in the submittal to staff.)

As part of the latest submittal, the applicant indicates "(I)n conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially Feasible Plan be amended to include the proposed new two-lane road." Staff has a couple of concerns with this concept. First, the applicant presumes that the impact fees he is expected to generate ($20.8 million) will be enough to cover the Lee County portion of the Alva Bypass ($21.8 million), even though it is actually $1 million short. The presumption is that a future update of the road impact fees will lead to enough of a rate increase that the shortfall will be covered, but the applicant doesn't get the privilege of this beneficial presumption – at this point we don't know what the road impact fee update study will show and what will be approved by the Board of County Commissioners. Under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass.

The Alva Bypass also wouldn't provide the necessary relief without the Hendry County portion, estimated by the applicant to cost another $10.1 million. Lee County couldn't agree to amending the 2020 Financially Feasible Plan to add the Alva Bypass in conjunction with the applicant's requested land use change without a firm commitment by Hendry County to include their portion of the Alva Bypass in their financially feasible plan. The applicant has not provided any evidence that Hendry County is willing to do this. It is worth noting that this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Finally, the applicant makes the argument that, because the County does not assume any significant amount of development on his site by 2020, it would not affect the 2020 Financially Feasible Plan by pipelining the project's road impact fees to build the Lee County portion of the new Alva Bypass. However, the revenue projections used in building the Financially Feasible Plan are not site specific, they are projected based on historic collection trends countywide. Therefore there is not a direct relationship between the assumed level of development on this site and the projection of available impact fees, so you can't necessarily conclude that pipelining the Florida Citrus CPA road impact fees won't affect the future revenue forecasts. The applicant also seems to assume that there are no other competing projects in this part of the County in the plan. The Alva area is part of the North Road Impact Fee District, which includes everything north of the Caloosahatchee River from Pine Island to the Hendry County line. There are in fact a large number of projects within that road impact fee district in the 2020 Plan that could compete for the road impact fees generated by Florida Citrus CPA.

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/llj

(239) 479-8548

February 3, 2006

Ms. Neale Montgomery
c/o Pavese Law Firm
1833 Hendry Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village (Spanish Creek Community)

Dear Neale:

The Planning Division has reviewed your application for the above-referenced Lee Plan amendment, and finds that additional information is needed before the application may be found sufficient for review. This information was relayed to the applicant's representatives at our last meeting held on December 16, 2005.

Staff noted in the previous sufficiency letter that there are additional property owners within the plan amendment boundary. The sufficiency letter also asked the applicant to provide the owner of record information as well as authorization from each property owner. Staff finds that the resubmittal materials do not fully address these issues. In conjunction with the County Attorney's Office, staff has concluded that the County Line Drainage District's authority over landowners in the district can not reasonably be construed to encompass a change to the future land use classification of district property. The County has no issues with the District becoming a "co-applicant" but this does not substitute for the consent of all property owners of the affected property. Please revise the amendment to provide the owner of record information as well as authorization from each property owner.

The following comments pertain to Part IV of the application:

A. 1. Planning staff is not clear, based upon the resubmittal, what language is proposed to be amended into the Lee Plan. Please provide any modifications to the Lee Plan in a strike-thru, underlined format.

Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

##The first sufficiency letter also questioned the applicants commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish services. Lee

County Utilities staff provide that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer should donate this facility to Lee County for ownership and maintenance. Staff assumes an appropriate fifty acre site would be needed for this facility.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary, please provide the owner of record information as well as authorization from each property owner.

B.1. Please see attached comments from the Lee County Department of Transportation (LCDOT). The LCDOT comments, in part, provide that the applicant did not submit any model runs that demonstrated that the applicant proposed alternative road in fact relieved the impacted segments. The memo states that the applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the "Alva Bypass" in place to demonstrate that the relief is in fact realized. The memo also nooted that "under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass." The memo also provides that Lee County would need a firm commitment from Hendry County for the Hendry County portion of the proposed bypass. The memo notes that "this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

B.3a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

B.3b. & e. Please provide the required letters from the appropriate agencies.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

If I can be of any assistance or if you have any questions, please do not hesitate to call me at 479-8548.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING

Matthew A. Noble, AICP
Principal Planner

Attachments: LCDOT memo dated April 27, 2005
Public Works memo dated March 31, 2005
Alva Fire Control & Rescue letter dated March 10, 2005

cc: Planning file: CPA2004-06

DAVID PLUMMER & ASSOCIATES

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

1531 HENDRY STREET
FORT MYERS, FL 33901
239 332-2617 FAX: 239 332-2645
E-mail: dpafm@peganet.net

March 1, 2006

RECEIVED
MAR 1 - 2006
COMMUNITY DEVELOPMENT

Mr. David Loveland
Lee County Department of Transportation
P. O. Box 398
Fort Myers, FL 33902

RE: **Florida Citrus CPA 2004-06, Northeast Lee Rural Village**
DPA #04525

Dear Dave,

Thank you for faxing your January 27, 2006, memo to Paul O'Connor to me on Monday. This was the first chance I've had to review your comments regarding our responses to your second round of sufficiency questions and comments.

I regret that you did not have all of the materials that you needed to complete your review. I am not sure why you did not receive all of the exhibits provided by DPA.

I'm also disappointed that we were not able to provide you with what you needed at the time of your review. When I called you in early December to check on the status of the staff review, I was informed that Exhibits 9 and 10 were missing. I e-mailed those to you immediately on December 13, 2005. If I had realized that you were also missing Exhibit 8 and the travel model assignments, I would have also sent those to you immediately.

To insure that you now have all the materials from our response to your second round of sufficiency questions in September, I'm providing you with DPA's complete sufficiency response. This includes the text, Exhibits 7-10 and the travel model assignments for the Florida Citrus CPA, both with and without the proposed new road.

Exhibit 8 is the level of service spreadsheet for the travel model assignment with the proposed new road. The level of service spreadsheet for the travel model assignment without the proposed new road, which shows level of service deficiencies on CR 78 and on Broadway Avenue, was provided to you as Exhibit 5 in our February 28, 2005, sufficiency response.

We are now in the process of preparing our response to your third round of sufficiency comments and questions. To make sure that you receive all of our materials, DPA will provide our sufficiency response directly to you, as well as through normal channels.

I'm sorry for any inconvenience this may have caused the staff. We will try to make sure it doesn't happen again.

Very truly yours,

Ronald T. Talone

Ronald T. Talone
RTT:sw
04525:Loveland_030106

cc: Lili Wu (w/o CD)
Matt Noble (w/o CD)
John Dulmer (w/o enclosures)
Neale Montgomery (w/o enclosures)
Joe Beale (w/o enclosures)

RECEIVED
MAR 1 - 2006
COMMUNITY DEVELOPMENT

#04525

FLORIDA CITRUS
CPA 2004-06, NORTHEAST LEE RURAL VILLAGE

SUFFICIENCY RESPONSE (9/9/05)
TO
ADDITIONAL SUFFICIENCY COMMENTS IN MEMO DATED APRIL 27, 2005
FROM DAVID LOVELAND, TRANSPORTATION PLANNING MANAGER,
TO PAUL O'CONNOR, PLANNING DIRECTOR

General Response:

Prior to preparing this sufficiency response, DPA met with the County staff on Monday, June 20, 2005, at 2 pm to review and discuss the staff's Additional Sufficiency Comments and questions. Those in attendance included David Loveland and Lili Wu of the Lee County DOT and Ron Talone and Vijay Kornala of DPA.

The discussion at this meeting is referenced in the specific sufficiency responses below.

Comment 1:

The applicant attempted to address staff's concern about modeling across the County line and incorporating the new growth forecasts for Hendry County, by use of results from the new Hendry County FSUTMS model. However, the applicant chose to include the difference between the Hendry County external volumes and the Lee County external volumes as added attractions in the ZDATA3 file. The only explanation for this approach was "to allow some of the trips generated by the residential development in the Alva area to be attracted to the east into Hendry County." Why did the applicant feel it was necessary to have some trips attracted to the east? A more detailed explanation is necessary, along with some analysis as to why treating just the differential trips in that manner represents a realistic approach.

Response:

In DPA's initial 2030 travel model assignment with the Project, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were coded as IE trips in the ZDATA4 file, since this is standard practice. However, this travel model assignment

assigned only 1.4% of the Project trips to/from Hendry County. Therefore, 98.6% of the Project trips traveled to/from the west in Lee County.

This seemed very unrealistic, given approved and planned development to the east in Hendry County and Glades County. Here is a summary of the land use changes that have been approved or are in process.

- Hendry County has completed the West LaBelle Land Use Study and submitted a Comprehensive Plan Amendment (CPA) that will increase residential densities and associated commercial development both north and south of the Caloosahatchee River west of LaBelle. The CPA is currently under review by the Florida DCA.

- The Glades County Comprehensive Plan is being amended to allow density clustering in the Muce area of southern Glades County. This would allow densities to be increased from 4 to 8 units per acre in some locations. The CPA covers 895 acres for residential development, 68 acres for commercial development, and 198 acres for schools.

- The South LaBelle Community CPA was recently approved by the City of LaBelle. This CPA allows the following uses in recently annexed area south of LaBelle: up to 15,840 residential units; 1,000,000 sq. ft. of retail; 500,000 sq. ft. of office; 350,000 sq. ft. of light industrial; 300 acres of institutional uses (including a college campus and vocational center); and various civic and recreational uses.

For this reason, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were changed from IE trips in the ZDATA4 file to trip attractions (A+) in the ZDATA3 file. This change increased the trips traveling to/from Hendry County from 1.4% to 17.2% of the Project trips. This still leaves nearly 83% of the Project trips traveling to/from the west in Lee County.

Here is a summary of the external trips at the Lee/Hendry County line before and after this change in the coding of those external trips.

	MPO Methodology	DPA Methodology
CR 78 (TAZ 1143)		
Total Volume	5,730	5,718
Project Volume	248	1,960
% of Project Trips	0.9%	7.6%
SR 80 (TAZ 1133)		
Total Volume	26,170	26,158
Project Volume	132	2,456
% of Project Trip	0.5%	9.6%

Comment 2:

The applicant notes that his estimate of the cost of widening Broadway and North River Road (CR 78) was $3.6 million less than County staff's estimate, referring to his calculation in Exhibit 9. In comparing the line item cost estimates to the County's estimates, we have a number of questions. First, in regards to the right-of-way costs, the applicant's estimates seem very low. The applicant appears to have mistakenly assumed that the existing right-of-way along North River Road is 75 fee instead of 50 feet. Also, the applicant used $25,000 an acre for his right-of-way cost estimates for part of the North River Road widening (from the County line to the first bend) and for the Broadway widening, and $250,000 an acre for the other portion of the North River Road widening (first bend to Broadway). Why the discrepancy? This results in a total applicant estimate of right-of-way costs of $2,350,000, well less than staff's estimate of $8,812,000. Staff feels the applicant has severely underestimated the expected right-of-way costs.

Response:

In DPA's original cost estimates for CR 78, DPA had used Lee County Property Appraiser's records to determine that the existing right-of-way width on this section of CR 78 is approximately 75 feet for much of its length. However, DPA agrees that the right-of-way width drops to nearly 50 feet at one location.

During the meeting with the County staff on June 20, the County staff agreed with DPA's use of Property Appraiser's records to determine the existing right-of-way width. DPA agreed to divide this section of CR 78 into segments to reflect major differences in right-of-way widths.

In DPA's original cost estimates for CR 78, DPA had assumed a four-lane cross section within 150 feet of right-of-way. This was changed to four lanes within 125 feet of right-of-way, as indicated in Mr. Loveland's memo to Mr. O'Connor dated October 26, 2004.

Right-of-way costs were discussed at length during the meeting with the staff on June 20. DPA agreed to research this issue further. The staff agreed to the use of different cost estimates for undeveloped rural land, land along CR 78, and land within the built up Alva community.

After further research on right-of-way costs, DPA increased the cost estimate for right-of-way in undeveloped, rural areas from $25,000 per acre to $40,000 per acre. DPA also used $85,000 per acre for right-of-way adjacent to CR 78, except within the built-up area of Alva. An estimate of $250,000 per acre was used for land in the built-up area of Alva.

Finally, the resultant right-of-way cost estimates were increased by 20% to account for administrative and condemnation costs associated with right-of-way acquisition.

The cost estimates in Exhibits 9 and 10 have been updated to reflect these changes related to the costs for right-of-way.

Comment 3

The applicant calculates the construction costs in 2002 dollars, but does not explain the source of the costs per mile. The applicant also shows the construction costs in 2004 dollars, but does not explain how that figure was developed. What is the course of the 2002 construction costs per mile, and how were the 2004 figures developed?

Response:

As suggested by the County staff during the June 20 meeting, DPA has updated the construction cost estimates in Exhibits 9 (Revised) and 10 (Revised) using the most recent FDOT average cost per mile estimates from the FDOT report titled 2004 Transportation Costs, March 2005. These are the most recent average cost per mile estimates now available.

Of course, the increase in construction costs resulted in an increase in the estimated costs for design and construction engineering inspection, which are estimated on a percentage basis from the construction cost estimates.

Comment 4:

Staff's initial estimate of construction costs was based on an internal database of historic unit bid prices, which when done in October, 2004 did not reflect the recent construction cost increases we've experienced. FDOT has since released its 2004 estimate of construction cots, which identifies a four-laning cost of $2,544,000 per mile. Using the latest FDOT estimates, the construction cost estimates (and the related estimates of design, project management and CEI) would be much higher than staff previously assumed, and higher than DPA assumes. The net result, when combined with the higher right-of-way costs assumed by staff, would be a larger total number than the $44.5 million staff previously calculated, and certainly more than the $40.9 million DPA calculated.

Response:

As shown in Exhibit 9 (Revised), DPA's updated cost estimate for the widening of CR 78 and Broadway (including the bridge) to four lanes is $45.8 million. As noted above, the FDOT average cost per mile estimate of $2,544,000 per mile was used for the cost of construction, as suggested by the County staff.

In addition, higher right-of-way costs were used as described above. However, these higher costs per acre were offset somewhat by the use of a narrower (125 feet) right-of-way width for the four-lane cross section as suggested by the County staff.

Comment 5:

As part of DPA's construction cost estimate shown on Exhibit 9, there is an adjustment to the total construction cost for something called "Bridge (1) Env. Mitigation Estimate" and for something called "DPA Adjusted Structure/Pond Constr. Estimate". No explanation is provided for those adjustments. Please explain.

Response:

Additional costs were added to account for environmental mitigation (based on information provided by Boylan Environmental Consultants, Inc.) and additional costs for structures and ponds (based on information provided by Johnson Engineering). Please see Footnotes 2 and 3 on Exhibits 9 (Revised) and 10 (Revised).

Comment 6:

As an alternative to widening North River Road and Broadway through the Old Alva area, the applicant proposes an alternative two-lane extension of North River Road from the Hendry County intersection with Kirby Thompson Road to a point about 3 miles east of SR 31. Is the applicant proposing to amend the 2020 Financially Feasible Transportation Plan to include this improvement? If so, staff has a number of concerns, beginning with the same concerns noted above about how the cost estimates were developed, which we believe leads to an underestimate of the project cost.

Response:

In conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially-Feasible Plan be amended to include the proposed new two-lane road.

Please note that the length of the new road has been reduced, so that it intersects existing CR 78 near Cemetery Road. The shorter road is now 7.4 miles long. Therefore, it impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development.

As a result, the cost estimate for the new road has also been reduced substantially to a total cost of $31.9 million. This new estimate, which is shown in Exhibit 10 (Revised), reflects the changes in construction and right-of-way costs described above. Exhibit 10 (Revised) also shows that the portion of the new road in Lee County will cost approximately $21.8 million, and the portion of the new road in Hendry County will cost approximately $10.1 million.

It's been estimated that the Florida Citrus CPA will generate an additional $20.8 million in road impact fees based on the current fee schedule. Furthermore, the County is already conducting a study to support an increase in the fees by May, 2006. With these planned fee increases, it's clear that the road impact fees generated by this development alone will be enough to cover the Lee County portion of the cost for this new road within Lee County.

It is recommended that the road impact fees collected from this CPA be "pipelined" to the construction of the Lee County portion of this new road to mitigate the impacts of this new development. For three reasons, this will not adversely affect the County's 2020 Financially-Feasible Plan. First, the County did not anticipate this development. Therefore, the revenues generated by this development were not included in the revenues projections upon which the Plan is based. Second, the 2020 Financially-Feasible Plan does not include any other road projects in this part of the County that would directly mitigate the impacts of this development. Therefore, the proposed, new two-lane road is the logical place to spend these funds. Third, the road impacts fees collected from this development alone will offset the additional costs of this new road in Lee County.

The portion of the road in Hendry County primarily affects two property owners who are receptive to the construction of the new road. The development of these properties in Hendry County under the West LaBelle Land Use CPA, which is now under review by the Florida DCA, will generate additional Hendry County road impact fees and other revenues that can be used to fund the Hendry County portion of this new road. Hendry County has committed to adopt a new road impact fee ordinance on October 1, 2005.

Finally, the travel model assignment of future 2020 traffic conditions with the Project and the new two-lane road has been updated to reflect the shorter road. The updated travel model assignment results are shown in Exhibit 8 (Revised). Exhibit 8 (Revised) shows that all roadway segments in the study area are expected to operate at an acceptable level of service in 2020 with the new road in place.

Comment 7:

The applicant suggests the new road project will be financially feasible because of the amount of assumed road impact fees and gas taxes the development will generate ($33 million – much less than the assumed $40+ million project cost) and the assumption that other developments will contribute. First of all, the use of the motor fuel tax credit amount in the road impact fee formula is not a viable means of estimating the amount of local option gas taxes the development will generate, and the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan. To make a new addition to the plan financially feasible, the applicant would have to propose a modification to the revenue forecasts in the plan sufficient to cover the cost of the new project. No such analysis was provided.

Response:

DPA used the gas tax credits from the road impact fee support documentation simply to illustrate that substantial additional transportation revenues, besides road impact fees, will be generated by this development. Some of these additional funds will be available to fund additional transportation improvements.

With regard to the statement that ". . . the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan", DPA must respectfully disagree. The development associated with this CPA was not anticipated when the 2020 Financially-Feasible Plan was developed. Therefore, the revenues generated by this development (gas taxes, impact fees and other revenues) were not included in the revenues projections that were considered when it was concluded that the Plan was affordable and thus financially-feasible. In other words, the County's 2020 Financially-Feasible Plan considers neither the cost of the new road, nor the revenues generated by the proposed development.

Furthermore, as noted in the previous response, the road impact fees generated by this new development alone will offset the costs of this new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, the proposed new development will not adversely affect the determination that the Lee County 2020 Financially-Feasible Plan is affordable.

Comment 8:

In addition, the assumption that the revenues generated by the development will be sufficient to cover the cost of the needed road project is not enough to meet the terms of the County's plan amendment process. As noted in Section B.1.e of the plan amendment questionnaire, "(a)n inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." As staff noted in October, to avoid a recommendation of denial, the applicant has the option of making the commitment to cover the full cost of the improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

Response:

As explained in the two previous responses, the proposed new development, and the modifications in the plan to support it, can be accommodated within the financially feasible limits of the Plan.

The additional transportation revenues generated by this new development will offset the additional costs for the new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, Lee County's 2020 Financially-Feasible Plan will continue to show an appropriate balance between projected revenues and projected costs.

Comment 9:

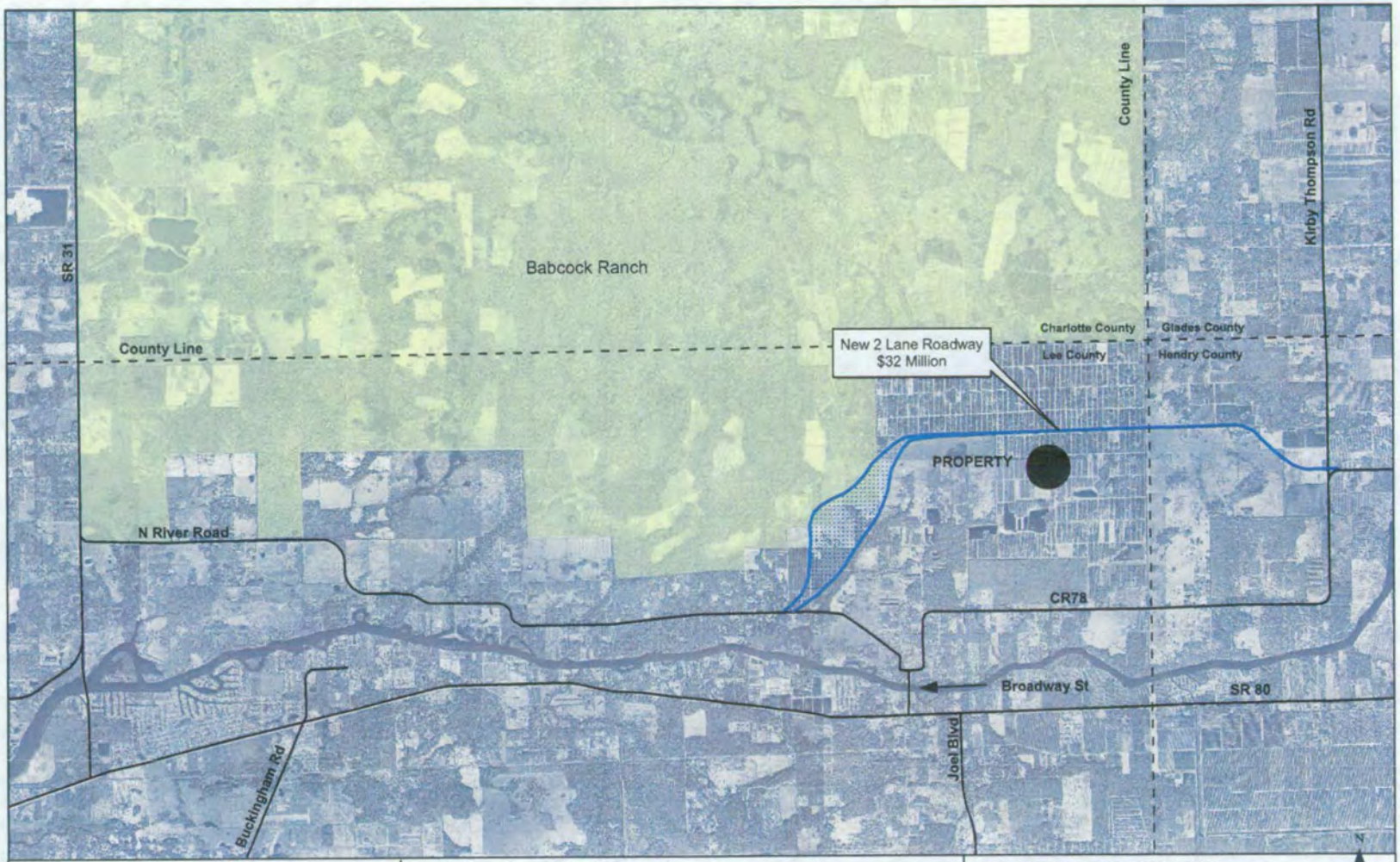
The new section of the alternative roadway is estimated to be over 12 miles long, along an alignment which the applicant notes is very preliminary. Staff is concerned that the proposed alignment may not be feasible, given the extensive number of properties affected (including some with already-approved development like Argo Ranch) and the potential environmental an conservation area impacts and costs. Did the applicant consider a smaller version of an Old Alva bypass, perhaps connecting from the Ridge Road to the Cemetery Road area, in conjunction with widening a larger portion of North River Road?

Response:

As noted above, the shorter (7.4 mile) road impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development. This greatly reduces the number of properties affected by the new road and the potential environmental and conservation area impacts. There will be no direct impacts on the regional park.

In response to the staff's question about a smaller version of an Old Alva bypass, DPA examined a smaller version of the Old Alva bypass. DPA performed additional travel model tests of a much shorter bypass that only bypasses the existing sections of CR 78 through the center of Alva. The bypass simply connects the existing sections of CR 78 immediately east and west of Alva. In these tests, CR 78 was widened from two lanes to four lanes from the Project entrance to just west of Alva utilizing the bypass.

This shorter bypass did not take enough traffic off of Broadway to avoid having to expand the Alva bridge to four lanes. The widening of CR 78 to four lanes just encourages more traffic from Alva, the Project and Hendry County to use Broadway and SR 80 to travel west. In contrast, the proposed new two-lane bypass encourages Alva, Project and Hendry County traffic to continue on CR 78 west to SR 31.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 9/28/05)

Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

Miles
0 0.5 1 2

dpa

04525/06E/0905

EXHIBIT 8 (Revised September 9, 2005)
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH PROPOSED CPA AND NEW 2L ROAD

					TOTAL TRAFFIC															
						(4)			Total	Total Peak Hr Volume		(5) SERVICE VOLUME				LOS		V/C	
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	PSWDT/ AADT Factor	AADT	(4) K100 Factor	Peak Hr Volume	NE	SW	@ LOS C	@ LOS D	@ LOS E	@ STD	NE	SW	NE	SW
BAYSHORE RD.	West	SR 31	2LU	E	15,691	1.100	14,260	0.099	1,410	733	677	760	900	920	920	C	C	0.80	0.74
BROADWAY ST.	North River Rd.	SR 80	2LU	E	19,115	1.193	16,020	0.095	1,520	882	638	760	900	920	920	D	C	0.96	0.69
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	27,110	1.030	26,320	0.104	2,740	1,480	1,260	1,900	1,950	1,950	1,900	B	B	0.78	0.66
	Gunnery Rd.	Orange River Blvd.	2LU	E	7,014	1.030	6,810	0.104	710	383	327	760	900	920	920	C	C	0.42	0.36
	Orange River Blvd.	SR 80	2LU	E	11,114	1.030	10,790	0.104	1,120	605	515	760	900	920	920	C	C	0.66	0.56
JOEL BLVD.	SR 80	12 St.	2LU	E	14,524	1.030	14,100	0.104	1,470	794	676	760	900	920	920	D	C	0.86	0.74
	12 St.	8 St.	4LD	E	14,505	1.030	14,080	0.104	1,460	788	672	1,900	1,950	1,950	1,900	B	B	0.41	0.35
	8 St.	Bell Blvd.	4LD	E	12,568	1.030	12,200	0.104	1,270	686	584	1,900	1,950	1,950	1,900	B	B	0.36	0.31
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	10,730	1.193	8,990	0.095	850	493	357	760	900	920	920	C	C	0.54	0.39
	Project Entrance	County Line	2LU	E	2,252	1.193	1,890	0.095	180	104	76	760	900	920	920	B	B	0.11	0.08
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	13,501	1.193	11,320	0.095	1,080	626	454	760	900	920	920	C	C	0.68	0.49
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	13,203	1.193	11,070	0.095	1,050	609	441	760	900	920	920	C	C	0.66	0.48
	Cypress Creek Ln.	Broadway	2LU	E	3,483	1.193	2,920	0.095	280	162	118	760	900	920	920	B	B	0.18	0.13
	Broadway	Project Entrance	2LU	E	16,538	1.193	13,860	0.095	1,320	766	554	760	900	920	920	D	C	0.83	0.60
	Project Entrance	County Line	2LU	E	2,326	1.193	1,950	0.095	190	110	80	760	900	920	920	B	B	0.12	0.09
PALM BEACH BLVD.	I-75	SR 31	6LD	C	44,758	1.193	37,520	0.095	3,560	2,065	1,495	2,850	2,920	2,920	2,850	B	B	0.72	0.52
(SR 80)	SR 31	Davis Blvd.	4LD	C	33,939	1.193	28,450	0.095	2,700	1,566	1,134	1,900	1,950	1,950	1,900	B	B	0.82	0.60
	Davis Blvd.	Tropic Ave.	4LD	C	32,228	1.193	27,010	0.095	2,570	1,491	1,079	1,900	1,950	1,950	1,900	B	B	0.78	0.57
	Tropic Ave.	Buckingham Rd.	4LD	C	25,985	1.193	21,780	0.095	2,070	1,201	869	1,900	1,950	1,950	1,900	B	B	0.63	0.46
	Buckingham Rd.	South Olga Drive	4LD	B	26,828	1.193	22,490	0.095	2,140	1,241	899	1,900	1,950	1,950	1,630	B	B	0.76	0.55
	South Olga Drive	Hickey Creek	4LD	B	27,264	1.193	22,850	0.095	2,170	1,259	911	1,900	1,950	1,950	1,630	B	B	0.77	0.56
	Hickey Creek	Broadway St.	4LD	B	26,740	1.193	22,410	0.095	2,130	1,235	895	1,900	1,950	1,950	1,630	B	B	0.76	0.55
	Broadway St.	Joel Blvd.	4LD	B	24,536	1.193	20,570	0.095	1,950	1,131	819	1,900	1,950	1,950	1,630	B	B	0.69	0.50
	Joel Blvd.	County Line	4LD	B	25,794	1.193	21,620	0.095	2,050	1,189	861	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

EXHIBIT 9 (Revised August 15, 2005)

FLORIDA CITRUS CPA TRAFFIC STUDY
CR 78 & BROADWAY WIDENING

CR 78 & BROADWAY WIDENING: CONSTRUCTION COSTS

Widening CR 78 to 4 lanes from Florida Citrus Entrance Road to Broadway plus widening Broadway (and bridge).

(1)	Total Length	+/-	3.6 miles	(Lee County)	
(2)	Bridge		0.1 miles		
(3)	Dirt roads/Farmlands/Open land	+/-	0 miles		
(4)	Existing Road segments	+/-	3.6 miles	(Lee County)	
(5)	**New Construction Cost**		0.00 miles		
	Construction Cost / mile		$2,636,100		
	Construction Cost		$0		
	Signal		$0		
		Total Cost in 2004 Dollars	$0		
(7)	**Widening Construction Cost**		3.10 miles	(CR 78 from Project Entrance to Broadway)	
	Construction Cost / mile		$2,544,000		
	Construction Cost		$7,886,400		
	Signal		$175,000		
		Total Cost in 2004 Dollars	$8,061,000		
(8)	**Widening Construction Cost**	0.1 mile Bridge plus	0.40 miles	(0.40 mile widening Broadway from CR 78 to SR 80	
	Construction Cost / mile		$2,544,000	plus 0.1 mile Bridge construction)	
	Construction Cost (0.4 miles)		$1,017,600		
	Cost for Draw Bridge (0.1 mile)		$22,572,000		
	Signal		$175,000		
		Total Cost in 2004 Dollars	$23,765,000		
	TOTAL COST (2004 DOLLARS)	---->	$31,826,000		

CR 78 & BROADWAY WIDENING: RIGHT OF WAY COSTS

(a) Widening CR 78 from Project Access on CR 78 to 68 feet ROW begin

Proposed ROW			125 ft
Available ROW			76 ft
Required ROW			49 ft
Length of Road	Miles	2.05	10824 ft
Area Required	Sq.ft	530376	12.18 acres
Total ROW Cost			$1,035,000
$85,000 per acre			

(b) Widening CR 78 from 68 ROW begin to First Bend

Proposed ROW			125 ft
Available ROW			68 ft
Required ROW			57 ft
Length of Road	Miles	0.3	1584 ft
Area Required	Sq.ft	90288	2.07 acres
Total ROW Cost			$176,000
$85,000 per acre			

(c) Widening CR 78 from First Bend to end of 79 feet ROW

Proposed ROW			125 ft
Available ROW			80 ft
Required ROW			45 ft
Length of Road	Miles	0.45	2376 ft
Area Required	Sq.ft	106920	2.45 acres
Total ROW Cost			$614,000
$250,000 per acre			

(d) Widening CR 78 from end of 79 feet ROW to Center Street

Proposed ROW			125 ft
Available ROW			53 ft
Required ROW			72 ft
Length of Road	Miles	0.2	1056 ft
Area Required	Sq.ft	76032	1.75 acres
Total ROW Cost			$436,000
$250,000 per acre			

(e) Widening CR 78 from Center Street to Broadway

Proposed ROW			125 ft
Available ROW			80 ft
Required ROW			45 ft
Length of Road	Miles	0.1	528 ft
Area Required	Sq.ft	23760	0.55 acres
Total ROW Cost			$136,000
$250,000 per acre			
Total ROW for CR 78 Widening			**$2,397,000**

(f) Widening Broadway (north)

Proposed ROW			125 ft
Available ROW			100 ft
Required ROW			25 ft
Length of Road	Miles	0.15	792 ft
Area Required	Sq.ft	19800	0.45 acres
Total ROW Cost			$114,000
$250,000 per acre			

(g) Widening Broadway (south)

Proposed ROW			125 ft
Available ROW			65 ft
Required ROW			60 ft
Length of Road	Miles	0.25	1320 ft
Area Required	Sq.ft	79200	1.82 acres
Total ROW Cost			$455,000
$250,000 per acre			
Total ROW for Broadway Widening			**$569,000**

CR 78 & BROADWAY WIDENING: SUMMARY COSTS

	Segment Length (miles)	Construction Estimate ($)	Design Estimate (15%) ($)	Construction CEI (10%) ($)	ROW (1) Estimate ($)	Total Const. Estimate ($)	Bridge (2) Env. Mitigation Estimate ($)	Structure/Pond Const. Estimate ($)	Total Project Cost ($)
WIDEN CR 78	3.1	$8,061,000	$1,209,000	$806,000	$2,876,000	$12,952,000	$0	$2,171,000	$15,123,000
WIDEN BROADWAY	0.50	$23,765,000	$3,565,000	$2,377,000	$683,000	$30,390,000	$72,600	$280,000	$30,670,000
TOTAL	3.60	$31,826,000	$4,774,000	$3,183,000	$3,559,000	$43,342,000	$72,600	$2,451,000	$45,793,000

Footnotes:

(1) Right of Way adjusted for 20% Condemnation and Acquisition Costs.

(2) Environmental Mitigation Costs provided by Boylan Environmental Consultants, Inc.

(3) Stormwater Structures and Ponds Costs provided by Johnson Engineering.

EXHIBIT 10 (Revised August 30, 2005)

FLORIDA CITRUS CPA TRAFFIC STUDY
NEW TWO-LANE ROAD

NEW TWO-LANE ROAD: CONSTRUCTION COSTS

New 2 lane construction starting at Kirby Thompson Road/CR 78 intersection and connecting to North River Road at Cemetary Road.

(1)	Total Length	+/-	7.4 miles	(Hendry+Lee County)
(2)	Wetlands/Undisturbed lands	+/-	0.6 miles	(Lee County)
(3)	Dirt roads/Farmlands/Open land	+/-	6.8 miles	(Hendry+Lee County)
(4)	Existing Road segments	+/-	0 miles	(Lee County)

(6)	**New Construction Cost**	2.35	*miles*	(CR 78/Kirby Thompson Road to Lee County Line)
	Construction Cost / mile	$2,636,100		
	Construction Cost	$6,194,835		
	Cost for Critter Crossings / Bridges	$0		
	Environmental Mitigation	$0		
	Comm/Business Displacements	$0		
	Signal	$0		
	Total Cost in 2004 Dollars	**$6,195,000**		
(7)	**New Construction Cost**	5.05	miles	(Lee County Line to Cemetary Road/ CR 78)
	Construction Cost / mile	$2,636,100		
	Construction Cost	$13,312,305		
	Cost for Critter Crossings / Bridges	$0		
	Environmental Mitigation	$0		
	Comm/Business Displacements	$0		
	Signal	$175,000		
	Total Cost in 2004 Dollars	**$13,487,000**		
	TOTAL COST (2004 DOLLARS) ---->	**$19,682,000**		

(8) Most of the alignment is on existing dirt roads and open farmland.

NEW TWO-LANE ROAD: RIGHT OF WAY COSTS

(a) **New Construction from Kirby Thompson Road to Lee County Line**

Proposed ROW			100 ft
Available ROW			0 ft
Required ROW			100 ft
Length of Road	Miles	2.35	12408 ft
Area Required	Sq.ft	1240800	28.48 acres
Total ROW Cost			**$1,139,000**
$40,000 per acre			

(b) **New Construction from Lee County Line to Cemetary Road/CR 78**

Proposed ROW			100 ft
Available ROW			0 ft
Required ROW			100 ft
Length of Road	Miles	5.05	26664 ft
Area Required	Sq.ft	2666400	61.21 acres
Total ROW Cost			**$2,448,000**
$40,000 per acre			

Total Right of Way for New Two-Lane Road **$3,587,000**

NEW TWO-LANE ROAD: SUMMARY COSTS

	Segment Length (miles)	Construction Estimate ($)	Design Estimate (15%) ($)	Construction CEI (10%) ($)	ROW (1) Estimate ($)	Total Const. Estimate ($)	*Environmental* (2) Mitigation Estimate ($)	Total (3) Structure/Pond Const. Estimate ($)	Total Project Cost ($)
New 2-Lane Road (Hendry County)	2.35	$6,195,000	$ 937,000	$ 625,000	$ 1,367,000	$9,124,000	$ 69,000	$ 890,000	$10,083,000
New 2-Lane Road (Lee County)	5.05	$13,487,000	$2,015,000	$1,343,000	$2,937,000	$19,782,000	$149,200	$1,913,100	$21,844,300
NEW TWO-LANE ROAD	**7.40**	**$19,682,000**	**$2,952,000**	**$1,968,000**	**$4,304,000**	**$28,906,000**	**$218,200**	**$2,803,100**	**$31,927,300**

Footnotes:

(1) Right of Way adjusted for 20% Condemnation and Acquisition Costs.
(2) Environmental Mitigation Costs provided by Boylan Environmental Consultants, Inc.
(3) Stormwater Structures and Ponds Costs provided by Johnson Engineering.

Gaither, Wayne

From: Daltry, Wayne E.
Sent: Friday, August 25, 2006 4:30 PM
To: Gaither, Wayne
Subject: RE: Spanish Creek aka Florida Citrus, LLC

Sorry, I should have put the proceeding into quotes so u can attribute the comment to me.

As the LGCPA requires, we must lay out our economic justification BEFORE allocating land use, not come up with a picture desired by a landowner, and go back and manufacture –eerrr—develop the economic justification.

We are holding Babcock/Kitson to that standard, that any growth beyond the nominal amount in the 2030 plan is considered new growth, no credits for building facilities not on the 2030 system. (This is still under discussion with K/P, and that is after we reached closure on preserving 80% of the land and generally performing environmental management mitigation for the development of the 20% on the 20%. (The sales agreement allows mitigation on land before its transfer. We received our 5200 acres that we purchased 2 days after the original sale, so no mitigation for Lee Development is taking place on Lee public land.

Consequently, we should expect to see the economic justification for the change as a predicate to proposing the change.

Wayne Daltry, FAICP
Director, Smart Growth
239-335-2840
fx -335-2262

From: Gaither, Wayne
Sent: Friday, August 25, 2006 4:23 PM
To: Daltry, Wayne E.
Subject: RE: Spanish Creek aka Florida Citrus, LLC

I would tend to agree. As far as I know, the applicant is not ready for that level of discussion, what I sent out represents all the information the applicant came to the table with.

Wayne

From: Daltry, Wayne E.
Sent: Friday, August 25, 2006 4:02 PM
To: Gaither, Wayne
Subject: RE: Spanish Creek aka Florida Citrus, LLC

There does not seem to be an evaluation of how the County's population estimates and distribution of population for 2030, as determined through the MPO, are inadequate to the extent that population growth at this location is justified. Given the nature and expense of transportation expenditures tied to the MPO plan, such an analysis is necessary to even begin any review.

Wayne Daltry, FAICP
Director, Smart Growth
239-335-2840
fx -335-2262

From: Gaither, Wayne
Sent: Friday, August 25, 2006 3:53 PM
To: Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Horner, Bill; Houck, Pamela E.; Jones, Timothy J.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Myers, Steve L.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: Spanish Creek aka Florida Citrus, LLC

Attached, you'll find the latest information we have received concerning Florida Citrus Corporations development, now known as Spanish Creek. From the information they provided, planning staff has come up with an initial set of comments provided as an attachment. Please provide any additional comments relating to the Spanish Creek conceptual layout or the spreadsheet they provided, please provide them in as timely a manner as is possible, we are planning to submit a letter to them by the end of the month.

Thanks,
Wayne

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8548

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

September 8, 2006

Ms. Neale Montgomery
1833 Hendry Street
P.O. Drawer 1507
Fort Myers, FL 33902-1507

Re: CPA2004-00006 / Florida Citrus (Spanish Creek)

Dear Ms. Montgomery:

On **February 27, 2004** an application was submitted for the above referenced project. Our records indicate the last correspondence in regards to the application was on **September 30, 2005**

Please **provide a completed application addressing sufficiency comments** by **September 21, 2006** or the case will be deemed withdrawn.

Please feel free to contact us if you require clarification or additional information.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning Division

Matthew A. Noble
Principal Planner

cc:
Planning File

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8567

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

November 3, 2006

Daniel DeLisi, AICP
DeLisi Fitzgerald, Inc
P.O. Box 6303
Fort Myers, FL 33911-6303

RE: CPA2004-00006 (Map and Text Amendment)
Spanish Creek fka. Florida Citrus

Mr. DeLisi:

The application for a Comprehensive Plan Map/Text Amendment has been reviewed and has been found insufficient for review.

Please make the next Comprehensive Plan Amendment submittal a complete application. There are numerous versions of the Florida Citrus, now know as Spanish Creek Comprehensive Plan Amendment. Staff is requiring the next sufficiency submittal to be a complete, stand-alone application.

The information provide in the Comprehensive Plan Amendment Application appears to meet Development of Regional Impact thresholds. As part of the complete comprehensive plan amendment application being requested above, please respond to the appropriateness of this development being a DRI, be specific in your response.

Please provide authorization that **Daniel Delisi** will be the applicant's representative.

As part of the requirements established in Administrative Code 13-7, the applicant of a map amendment must provide mailing labels of all property owners within 500 feet of the map amendment site. The applicant will also be responsible for the cost of mailing public information notices to those property owners. This must be done within 15 calendar days of finding the application sufficient. Additionally, the applicant is responsible for posting and maintaining signs that provide information about the proposed map amendment, on site (provided by DCD) 15 calendar days before the LPA hearing.

The following applies to Section III of the application

A.2

Please provide all property owners involved in the comprehensive plan amendment. Because of the size of the property, please provide both a tabular version and a map depicting the properties to which the applicant owns or has the authority to represent. Please provide documentation of authorization to represent. Provide this as part of the re-submittal, do not reference it was information previously submitted.

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111
Internet address http://www.lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER
Recycled Paper

C. Joint Planning Agreement Area

How are transportation and water management issues being addressed? Do agreements with Hendry County and/or the South Florida Water Management District exist? Please provide agreements with adjoining jurisdictional areas.

The following applies to Section IV of the application

A.1

All text amendment language will be provided in a strike thru / underline format. All text amendment language will be specific to achieve a new urbanistic form of development. Be specific to avoid any ambiguous language that would result in sprawl development.

A.3

Please describe how the Babcock conservation lands will be impacted or protected through the Spanish Creek project. Please describe how the comprehensive plan amendment will, in general, protect conservation lands and restoration abutting Spanish Creek.

A.6

Please provide a copy of the deeds for the property subject to the comprehensive plan amendment change. Do not reference information previously submitted.

A.8

Please provide documentation that the property owners, other than the applicant, have authorized the applicant to act as their representative in the comprehensive plan amendment process.

Please provide documentation that Daniel DeLisi has been authorized by the applicant / owner to act as their representative in the comprehensive plan amendment process.

Please provide documentation that the County Line Drainage District has joined the application as a co-applicant. Explain how the County Line Drainage District has the authority to act on behalf of the property owners in this comprehensive plan amendment application.

B.2(a)&(b)

The amendment will need to include changes to Maps 6 and 7 if Lee County utilities are going to be providing service to this development.

Lee County Utilities provided comments stating that potable water can be provided to the site if the developer extends the existing water lines. Indicating a site for a potable water plant would not be appropriate.

Lee County Utilities is not in a position to provide central wastewater services. Indicating a site for a wastewater treatment plant would be appropriate.

Lee County Utilities will not initiate these comprehensive plan amendments.

B.2(c)

Please provide all backup on the flow-way commitments made to South Florida Water Management District, be specific about the commitments being proposed for restoration purposes.

B.3.b & e

Letters determining the adequacy / provision of existing /proposed support facilities needs to be provided from Emergency Management (EMS) and the Lee County School District.

E.3

What are the impacts to the surrounding jurisdictions. The comprehensive plan amendment application requires and analysis of how the proposal affects adjacent local governments and their comprehensive plans. Consider the surrounding counties comprehensive plans in this analysis.

There are additional concerns that staff has concerning the Spanish Creek Comprehensive Plan Amendment. These concerns have been addressed through insufficiency comments toward the application and through discussions with the applicant's representatives.

1) Provide an "Open Space Plan" clearly identifying location, acreages, and connectivity to surrounding areas. It is not sufficient to provide a development wide open space acreages. The purpose of the "Open Space Plan" is to ensure adequate and usable space is appropriately allocated throughout this new urbanistic development.

2) Increase the overall green space.

3) Are wetlands and lakes being included in the flow-ways restoration for this area?

4) Flow-way and transportation network conflicts. The transportation network proposed in the conceptual payout shows multiple bridge crossings. Staff is working to ensure protection for these waterways and wants bridges/impacts to flow-ways kept to a minimum. More detailed information about the proposed transportation network and the flow-way network will need to be done.

5) There is no verification that the proposed transportation network will be able to connect to the existing roadway system. This needs to be done.

6) There appears to be little recreational pedestrian and biking facilities. Most appear t to be to be proposed in the transportation network. The bike and pedestrian networks will also be a vital component of any possible connection to the transit network. Identify paths and distances that will allow biking and walking to be an alternate mode of transportation for this development.

7) The middle school location should be moved away from the Babcock Lands.

8) The Town-Center should be moved to the south-east to centralize it to the rest of the development and provide more distance from the Conservation Lands to the north.

9) What are the potential impacts to restoring the natural flow-ways through this development if the South Florida Water Management District continues with the "drainage ditch" to the east of this development in Hendry County?

10) Provide a density / intensity map determining the locations for different types of residential uses and commercial uses.

11) Make a determination of how utilities will be provided to this development.

12) What is the total residential dwelling units being requested for Spanish Creek?

13) What is the total commercial square footage being requested for Spanish Creek?

In addition to the above listed questions/concerns, prepared by the Division of Planning, your application was submitted to various agencies and divisions of Lee County Government responsible for a wide range of public services. Their comments are as follows:

Department of Natural Resources

Natural Resources finds the submittal insufficient regarding surface water management issues. Please provide the details of the flow-way agreement with the SFWMD for review and comment.

Smart Growth

We have adopted the 2030 MPO Plan, which allocates population growth and projected fiscal resources. To what extent is the proposal consistent with the population and road plans of the Federal/State oversight MPO plan? Where will the additional uses and population come from to "populate" this site? If this is "new" growth, where is the evaluation of the problems with the 2030 forecasts?

"Rural village" is by definition a populated area whose rationale is the servicing of the surrounding resource (food, fiber) lands. There is no economic rationale for that terminology for this project, and its densities make it urban (whereas "rural" is dominated by non-built lands).

Additional Comments from Smart Growth

I am unfamiliar with the statement made in the application how land use changes in the last two years makes the project more timely. The biggest land transaction in the vicinity of the project was the purchase of Babcock Ranch to the immediate north and west, which removed development, not increased density. We may need to check with the SWFRPC but I thought we were keeping aware of land use changes along our border, as an affected local government. Perhaps someone else knows of changes? (Please identify any)

An additional point. We should immediately meet with the SFWMD to determine what they are proposing with 4 Corners Drainage District. I was under the impression that ERPs issued for agriculture voided when land uses change, particularly for urban. The

purchase of Babcock eliminates the need to "drain for flood protection" one of the four corners. Should this project site cease to be citrus (estate housing at this magnitude may still require a DRI since I think the Hendry Threshold is 500 and Glades is 250), the drainage needs void and should require a new ERP, and isn't this project the biggest land owner in Lee of that particular district—and is that district in Lee County at any depth? I note they have an assessment that seems to be about $50 an acre, but I don't know how far that writ extends.

Additional Comments from Smart Growth

As the LGCPA requires, we must lay out our economic justification BEFORE allocating land use, not come up with a picture desired by a landowner, and go back and develop the economic justification.

We are holding (other developers) to that standard, that any growth beyond the nominal amount in the 2030 plan is considered new growth, no credits for building facilities not on the 2030 system.

Consequently, we should expect to see the economic justification for the change as a predicate to proposing the change.

Additional Comments from Smart Growth

There does not seem to be an evaluation of how the County's population estimates and distribution of population for 2030, as determined through the MPO, are inadequate to the extent that population growth at this location is justified. Given the nature and expense of transportation expenditures tied to the MPO plan, such an analysis is necessary to even begin any review.

Solid Waste

There is no information as to how the solid waste that will be generated by the commercial and residential units in this project will be handled.

Lee County Utilities

We have reviewed the information provided in your e-mail dated 8/25/06 regarding the plan for the above development. We had noticed that the plan calls for a water and wastewater plant site. Utilities has previously met with representatives from Gulf Citrus regarding water and wastewater service and the developer indicated that they were seeking potable water service from Lee County Utilities (LCU). We had verbally committed to provide potable water capacity to serve the development and we had discussed extension of lines to serve the development. The developer did not commit to extending the required water transmission line. The master plan submitted by the developer indicates that there will be a water plant on-site. This contradicts our understanding that the developer wishes to be served with potable water from LCU. As always, a Lee Plan amendment would be required to include the area in LCU's future service area.

As for wastewater service, we did indicate to the developer that LCU would not be in a position to provide central wastewater service, therefore, indicating a site for a wastewater treatment plant is appropriate.

EMS

On initial review of the concept drawing, it appears to be large and will probably require a ambulance / fire / law enforcement station if it on the County's Eastern periphery. Another consideration will be designating a landing zone for medical helicopter. This could be a value-added amenity for the development and serve the public safety needs.

Transit

It's quite remote in terms of the transit service area; I'm thinking it might have to be "transit ready" for the future to include sidewalks, pedestrian access, streets that will accommodate transit vehicles and ROW preservation for transit amenities. It should even go as far as reserving space for a station, depending on the size of the development.

Should additional comments from the above listed agencies be provided, they will be submitted to you in as timely a manner as possible.

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

Sincerely,

H. Wayne Gaither

H. Wayne Gaither
Planner
(239) 479-8567
wgaither@leegov.com

cc:

Matt Noble
Neale Montgomery
file

Gaither, Wayne

From: Loveland, David M.
Sent: Monday, August 28, 2006 2:00 PM
To: Gaither, Wayne
Cc: Noble, Matthew A.; Wu, Lili
Subject: RE: Spanish Creek aka Florida Citrus, LLC

Wayne, the new information doesn't seem to require any additional transportation analysis at this point, so our previous questions remain. Regarding your comments, please consider the following revisions:

2) Flow-way and Transportation network conflicts. The transportation network proposed in the conceptual layout shows at least 7 bridge crossings. ~~If we are working~~ In order to ensure protection for these waterways, ~~perhaps~~ this number should be reduced. *Statement should be more forceful, or don't bother.*

5) The Town-Center area should be moved to the South-East to centralize it to the rest of the development and provide more distance ~~to~~ from the Conservation Lands to the North.

10) Please verify that the proposed internal transportation network will be able to connect to existing external roadways. Where does the "Proposed New 2 Lane Road" connect to the east and the west, and have rights-of-way been secured? If the proposed new road is intended to be an arterial reliever to CR 78, what is the proposed right-of-way width and driveway spacing? Is buffering from the adjacent land uses proposed?

Hope this helps.

David M. Loveland, AICP
Manager, Transportation Planning
Lee County Dept. of Transportation
1500 Monroe Street
Fort Myers, FL 33901
(239)479-8509
loveladm@leegov.com

From: Gaither, Wayne
Sent: Friday, August 25, 2006 3:53 PM
To: Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Horner, Bill; Houck, Pamela E.; Jones, Timothy J.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Myers, Steve L.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: Spanish Creek aka Florida Citrus, LLC

Attached, you'll find the latest information we have received concerning Florida Citrus Corporations development, now known as Spanish Creek. From the information they provided, planning staff has come up with an initial set of comments provided as an attachment. Please provide any additional comments relating to the Spanish Creek conceptual layout or the spreadsheet they provided, please provide them in as timely a manner as is possible, we are planning to submit a letter to them by the end of the month.

Thanks,
Wayne

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

* Conservation Lands
* DR

SPANISH CREEK aka Florida Citrus LLC

MAP

1) There is no open-space plan. There also appears to be very little open space provided.
2) Flow-way and Transportation network conflicts. The transportation network proposed in the conceptual layout at least 7 bridge crossing. If we are working to ensure protection for these waterways, perhaps this number should be reduced.
3) Bide and Pedestrian Trails. There appears to be little recreational pedestrian and biking facilities, most appear to follow the proposed transportation network. What will they connect with or are they going to be independent?
4) The middle school site should be moved away from the Babcock Lands
5) The Town-Center are should be moved to the South-East to centralize it to the rest of the development
6) The South Florida Water Management District is proposing a large "drainage ditch" to the east of this development within Hendry County. How will this impact the Spanish Creek Development water flow patterns? Shouldn't Spanish Creek be development to accommodate existing water flow patterns. The applicant should identify the potential impacts this could have on water flow patterns.
7) Increase overall green space.
8) Provide a legend determining the locations of density for residential activity.
9) Provide a legend determining the locations of intensity for commercial activities.
10) Please verify that the transportation network will be able to connect to existing roadways.
11) Does the wastewater facility on the eastern most side of the development fit in with Lee County's Utilities expansion plans?
12) Is there adequate buffering from the Babcock Conservation Lands?
13) How will Spanish Creek accommodate surrounding conservation lands?

LAND USE PROGRAM AND ALLOCATIONS (from the top of the spreadsheet provided)

1) What is "Comp Plan Change to Gross DU/AC" and why has it been allocated 2 acres?

PROTECT PROGRAM AND YIELD ANALYSIS (from the bottom of the spreadsheet provided)

1) Breakout commercial activity acres / square feet to show commercial retails, commercial office.
2) What is the **total** residential dwelling units for Spanish Creek?
3) What is the **total** commercial square footage for Spanish Creek?
4) The table appears to read **8,500 total** dwelling units within the Commercial Town Center and Neighborhood Commercial Center, please clarify.

PROTECT PROGRAM AND YIELD ANALYSIS (from the bottom of the spreadsheet provided)

1) Breakout commercial activity acres / square feet to show commercial retails, commercial office.
2) What is the **total** residential dwelling units for Spanish Creek?
3) What is the **total** commercial square footage for Spanish Creek?
4) The table appears to read **8,500 total** dwelling units within the Commercial Town Center and Neighborhood Commercial Center, please clarify.

E.3 Impacts to Surrounding Jurisdictions

The comprehensive plan amendment application requires and analysis of how the proposal affects adjacent local governments and their comprehensive plans. Consider the surrounding counties comprehensive plans in this analysis.

There were also changes to Administrative Code 13-7 that now places requirements that a notification needs to be sent to property owners within **500 feet** of a CPA. To meet this requirement the applicant is now required to obtain a variance report from the Property Appraiser's Office (both hard copy and in

digital format, preferably MS Word) including mailing labels. The applicant is also responsible for prepaying the cost of mailing these notices. This must be done within 15 calendar days of finding the application sufficient.

Additionally, the applicant is responsible for posting a notice (provided by DCD) 15 calendar days before the LPA hearing.

In addition to the above listed questions/concerns, prepared by the Division of Planning, your application was submitted to various agencies and divisions of Lee County Government responsible for a wide range of public services. Their comments are as follows:

Should additional comments from the above listed agencies be provided, they will be submitted to you in as timely a manner as possible.

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

Sincerely,

H. Wayne Gaither
Planner
(239) 479-8567
wgaither@leegov.com

Gaither, Wayne

From: Newman, William T.
Sent: Tuesday, August 29, 2006 8:46 AM
To: Gaither, Wayne
Subject: RE: Spanish Creek aka Florida Citrus, LLC

Wayne:
The developers need to address solid waste concerns, such as commercial container space, and how the residential/multifamily dwelling units will be serviced.

Bill Newman
Operations Manager
Solid Waste Division
(239)338-3302
newmanwt@leegov.com

From: Gaither, Wayne
Sent: Friday, August 25, 2006 3:53 PM
To: Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Horner, Bill; Houck, Pamela E.; Jones, Timothy J.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Myers, Steve L.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: Spanish Creek aka Florida Citrus, LLC

Attached, you'll find the latest information we have received concerning Florida Citrus Corporations development, now known as Spanish Creek. From the information they provided, planning staff has come up with an initial set of comments provided as an attachment. Please provide any additional comments relating to the Spanish Creek conceptual layout or the spreadsheet they provided, please provide them in as timely a manner as is possible, we are planning to submit a letter to them by the end of the month.

Thanks,
Wayne

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

Gaither, Wayne

From: Wegis, Howard S.
Sent: Thursday, August 31, 2006 10:12 AM
To: Gaither, Wayne
Cc: Velez, Sergio I.; Osterhout, Thom
Subject: Spanish Creek aka Gulf Citrus

Wayne, we have reviewed the information provided in your e-mail dated 8/25/06 regarding the plan for the above development. We had noticed that the plan calls for a water and wastewater plant site. Utilities has previously met with representatives from Gulf Citrus regarding water and wastewater service and the developer indicated that they were seeking potable water service from Lee County Utilities (LCU). We had verbally committed to provide potable water capacity to serve the development and we had discussed extension of lines to serve the development. The developer did not commit to extending the required water transmission line. The master plan submitted by the developer indicates that there will be a water plant on-site. This contradicts our understanding that the developer wishes to be served with potable water from LCU. As always, a Lee Plan amendment would be required to include the area in LCU's future service area.

As for wastewater service, we did indicate to the developer that LCU would not be in a position to provide central wastewater service, therefore, indicating a site for a wastewater treatment plant is appropriate.

Howard S. Wegis
Staff Engineer
Lee County Utilities
P.O. Box 398
Fort Myers, FL 33901
Phone#: (239) 479-8163
Fax#: (239) 479-8176

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 479-8548

September 8, 2006

Ms. Neale Montgomery
1833 Hendry Street
P.O. Drawer 1507
Fort Myers, FL 33902-1507

Re: CPA2004-00006 / Florida Citrus (Spanish Creek)

Dear Ms. Montgomery:

On **February 27, 2004** an application was submitted for the above referenced project. Our records indicate the last correspondence in regards to the application was on **September 30, 2005**

Please **provide a completed application addressing sufficiency comments** by **September 21, 2006** or the case will be deemed withdrawn.

Please feel free to contact us if you require clarification or additional information.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning Division

Matthew A. Noble
Principal Planner

cc:
Planning File

JOHNSON
ENGINEERING

SINCE 1946

September 30, 2005

Mathew Noble, AICP
Principal Planner
Lee County Board of County Commissioners
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Matt:

We have received and reviewed your sufficiency letter dated April 27, 2005. Since the previous resubmittal, there have been numerous changes or proposed changes to the development patterns in the east Lee County, and western Hendry County. There have been some significant rezonings and plan amendments in Hendry County. There has been a lot of media coverage of the proposed changes to the Babcock property, the neighbor to the west. Benderson has submitted for development order approval for Argo Ranch, another neighbor to the west. These are just a few of the changes, and these changes have been taken into account.

When all of the approved and pending changes are taken into consideration, there is a strong indication that the pattern of development in eastern Lee and western Hendry County is evolving into a suburban area. The challenge is to retain some sense of rural flavor in the suburban development, and not duplicate the character of existing planning communities.

In the previous sufficiency response the applicant incorporated the rural village concept adopted to guide development patterns within the subject property. This included a gross residential density at two (2) dwelling units per acre. Commercial opportunities have been retained, previously the level of commercial was limited by reducing the square footage from a generally adopted conversion of 90 square feet per residential dwelling unit to thirty (30) square feet per residential dwelling unit. While the proposed density remains at two (2) dwelling units per gross acre, the proposed commercial square footage has been returned to the generally accepted ninety (90) square feet per residential dwelling unit. The applicant wants to ensure that proper internal capture occurs.

The application has been amended to include information staff has requested and to address recent changes in order to review the proposed amendment.

2158 Johnson Street ▪ Post Office Box 1550 ▪ Fort Myers, Florida 33902-1550
(239) 334-0046 ▪ Fax (239) 334-3661

Part III

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

Response:

The exhibit has been prepared and submitted prior to this resubmittal. There is a difference between the parcels identified by the property appraiser's office and the parcels identified by the county line drainage district.

Part IV

A.1. Planning staff has previously provided verbal comments concerning the proposed language. These comments included concerns of an identified intensity limitation for the commercial uses and the form of development that could occur. Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

The first sufficiency letter also questioned the applicant's commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish services. Lee County Utilities staff submitted that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road, if Lee County Utilities were to be the provider. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer could donate this facility to Lee County for ownership and maintenance, or the developer could create a separate legal entity to operate the utility, or work with an existing utility provider, such as North Fort Myers Utilities. Staff assumes an appropriate fifty acre site would be needed for this facility.

Response:

The application has been revised to include only the subject property under the new title Spanish Creek Community. Development standards for the community have been included within the test amendment.

Water and sewer have also been addressed within the proposed policies. Should the County approve 5,000 or more residential units, the applicant will provide central water and sewer services. The operator of the utilities will be determined by the applicant if there is intent to seek a utility franchise from the State of Florida. Such facilities may or may not be dedicated to Lee County Utilities based upon this decision. The County Line Drainage District has been added to the application as a co-applicant and avoids the possible Bert Harris action due to the fact that, if approved, additional residential density and commercial intensity may be added to the site.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

Response:

Deeds for the subject property have been submitted to the County with a STRAP number map for review prior to this resubmittal.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.

Response:

The County Line Drainage District has joined the application as a co-applicant as permitted by Florida Statutes. The Drainage District includes all property included within this application.

B.1. Please see attached comments from the Lee County Department of Transportation.

Response:

Please see response to comments by Lee County Department of Transportation below.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

Response:

Please see response to comments by Lee County Department of Transportation below.

B.3.a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

Response:

Public facility locations have been identified on the map included within this resubmittal. Possible uses for these locations include a fire department, school sites, water and sewer treatment facilities, or other public facilities as may be determined.

B.3.b. & e Please provide the required letters from the appropriate agencies.

Response:

A letter from Florida Power and Light will be included when it is received.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

Response:

The only issues that could be raised by adjacent local governments would involve drainage, transportation and utilities. Drainage will be addressed through the SFWMD widening of the existing canal on the eastern edge of the property to 330'.

The map submitted with this exhibit also shows the proposed recreation on –site of the historical flowways that transverse the property. One flowway is located on the northwestern portion of the subject property and the second is Spanish Creek, which will flow from the northeast portion of the property to the southwest.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Response:

Two possible roadway locations have been included within this resubmittal that would create an adequate road network and address any possible impacts that this development may cause. Please refer to this exhibit, additional information provided by David Plummer and Associates, as well as responses to Lee County Department of Transportation for further information.

Traffic Circulation Analysis

General Response:

Prior to preparing this sufficiency response, DPA met with the County staff on Monday, June 20, 2005, at 2 pm to review and discuss the staff's Additional Sufficiency Comments and questions. Those in attendance included David Loveland and Lili Wu of the Lee County DOT and Ron Talone and Vijay Kornala of DPA.

The discussion at this meeting is referenced in the specific sufficiency responses below.

1. The applicant attempted to address staff's concern about modeling across the County line and incorporating the new growth forecasts for Hendry County, by use of results from the new Hendry County FSUTMS model. However, the applicant chose to include the difference between the Hendry County external volumes and the Lee County external volumes as added attractions in the ZDATA3 file. The only explanation for this approach was "to allow some of the trips generated by the residential development in the Alva area to be attracted to

the east into Hendry County." Why did the applicant feel it was necessary to have some trips attracted to the east? A more detailed explanation is necessary, along with some analysis as to why treating just the differential trips in that manner represents a realistic approach.

Response:

In DPA's initial 2030 travel model assignment with the Project, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were coded as IE trips in the ZDATA4 file, since this is standard practice. However, this travel model assignment assigned only 1.4% of the Project trips to/from Hendry County. Therefore, 98.6% of the Project trips traveled to/from the west in Lee County.

This seemed very unrealistic, given approved and planned development to the east in Hendry County and Glades County. Here is a summary of the land use changes that have been approved or are in process.

- ***Hendry County has completed the West LaBelle Land Use Study and submitted a Comprehensive Plan Amendment (CPA) that will increase residential densities and associated commercial development both north and south of the Caloosahatchee River west of LaBelle. The CPA is currently under review by the Florida DCA.***

- ***The Glades County Comprehensive Plan is being amended to allow density clustering in the Muse area of southern Glades County. This would allow densities to be increased from 4 to 8 units per acre in some locations. The CPA covers 895 acres for residential development, 68 acres for commercial development, and 198 acres for schools.***

- ***The South LaBelle Community CPA was recently approved by the City of LaBelle. This CPA allows the following uses in recently annexed area south of LaBelle: up to 15,840 residential units; 1,000,000 sq. ft. of retail; 500,000 sq. ft. of office; 350,000 sq. ft. of light industrial; 300 acres of institutional uses (including a college campus and vocational center); and various civic and recreational uses.***

For this reason, the additional trips crossing the Hendry County line on CR 78 (TAZ 1143) and on SR 80 (TAZ 1133) were changed from IE trips in the ZDATA4 file to trip attractions (A+) in the ZDATA3 file. This change increased the trips traveling to/from

Hendry County from 1.4% to 17.2% of the Project trips. This still leaves nearly 83% of the Project trips traveling to/from the west in Lee County.

Here is a summary of the external trips at the Lee/Hendry County line before and after this change in the coding of those external trips.

	MPO Methodology	*DPA Methodology*
CR 78 (TAZ 1143)		
Total Volume	*5,730*	*5,718*
Project Volume	*248*	*1,960*
% of Project Trips	*0.9%*	*7.6%*
SR 80 (TAZ 1133)		
Total Volume	*26,170*	*26,158*
Project Volume	*132*	*2,456*
% of Project Trip	*0.5%*	*9.6%*

2. The applicant notes that his estimate of the cost of widening Broadway and North Rive Road (CR 78) was $3.6 million less than County staff's estimate, referring to his calculation in Exhibit 9. In comparing the line item cost estimates to the County's estimates, we have a number of questions. First, in regards to the right-of-way cost estimates for part of the North River Road widening (from the County line to the first bend) and for the Broadway widening, and $250,000 an acre for the other portion of the North River Road widening (first bend to Broadway). Why the discrepancy? This results in a total applicant estimate of right-of-way costs of $2,350,000, well less than staff's estimate of $8,812,000. Staff feels the applicant has severely underestimated the expected right-of-way costs.

Response:

In DPA's original cost estimates for CR 78, DPA had used Lee County Property Appraiser's records to determine that the existing right-of-way width on this section of CR 78 is approximately 75 feet for much of its length. However, DPA agrees that the right-of-way width drops to nearly 50 feet at one location.

During the meeting with the County staff on June 20, the County staff agreed with DPA's use of Property Appraiser's records to determine the existing right-of-way width. DPA agreed to divide this section of CR 78 into segments to reflect major differences in right-of-way widths.

In DPA's original cost estimates for CR 78, DPA had assumed a four-lane cross section within 150 feet of right-of-way. This was changed to four lanes within 125 feet of right-of-way, as indicated in Mr. Loveland's memo to Mr. O'Connor dated October 26, 2004.

Right-of-way costs were discussed at length during the meeting with the staff on June 20. DPA agreed to research this issue further. The staff agreed to the use of different cost estimates for undeveloped rural land, land along CR 78, and land within the built up Alva community.

After further research on right-of-way costs, DPA increased the cost estimate for right-of-way in undeveloped, rural areas from $25,000 per acre to $40,000 per acre. DPA also used $85,000 per acre for right-of-way adjacent to CR 78, except within the built-up area of Alva. An estimate of $250,000 per acre was used for land in the built-up area of Alva.

Finally, the resultant right-of-way cost estimates were increased by 20% to account for administrative and condemnation costs associated with right-of-way acquisition.

The cost estimates in Exhibits 9 and 10 have been updated to reflect these changes related to the costs for right-of-way.

3. The applicant calculates the construction costs in 2002 dollars, but does not explain the source of the costs per mile. The applicant also shows the construction costs in 2004 dollars, but does not explain how that figure was developed. What is the source of the 2002 construction costs per mile, and how were the 2004 figures developed?

Response:

As suggested by the County staff during the June 20 meeting, DPA has updated the construction cost estimates in Exhibits 9 (Revised) and 10 (Revised) using the most recent FDOT average cost per mile estimates from the FDOT report titled 2004 Transportation Costs, March 2005. These are the most recent average cost per mile estimates now available.

Of course, the increase in construction costs resulted in an increase in the estimated costs for design and construction engineering inspection, which are estimated on a percentage basis from the construction cost estimates.

4. Staff's initial estimate of construction costs was based on an internal database of historic unit bid prices, which when done in October, 2004 did not reflect the recent construction cost increases we've experienced. FDOT has since released its 2004 estimate of construction costs, which identifies a four-laning cost of $2,544,000 per mile. Using the latest FDOT estimates, the construction cost estimates (and the related estimates of design, project management and CEI) would be much higher than staff previously assumed, and higher than DPA assumptions. The net result, when combined with the higher right-of-way costs assumed by staff, would be a larger total number than the $44.5 million staff previously calculated, and certainly more than the $40.9 million DPA calculated.

Response:

As shown in Exhibit 9 (Revised), DPA's updated cost estimate for the widening of CR 78 and Broadway (including the bridge) to four lanes is $45.8 million. As noted above, the FDOT average cost per mile estimate of $2,544,000 per mile was used for the cost of construction, as suggested by the County staff.

In addition, higher right-of-way costs were used as described above. However, these higher costs per acre were offset somewhat by the use of a narrower (125 feet) right-of-way width for the four-lane cross section as suggested by the County staff.

5. As part of DPA's construction cost estimate shown on Exhibit 9, there is an adjustment to the total construction cost for something called "Bridge (1) Env. Mitigation Estimate" and for something called "DPA Adjusted Structure/Pond Constr. Estimate." No explanation is provided for those adjustments. Please explain.

Response:

Additional costs were added to account for environmental mitigation (based on information provided by Boylan Environmental Consultants, Inc.) and additional costs for structures and ponds (based on information provided by Johnson Engineering). Please see Footnotes 2 and 3 on Exhibits 9 (Revised) and 10 (Revised).

6. As an alternative to widening North River Road and Broadway through the Old Alva area, the applicant proposes an alternative two-lane extension of North River Road from the Hendry County intersection with Kirby Thompson Road to a point about 3 miles east of SR 31. Is the applicant proposing to amend the 2020 Financially Feasible Transportation Plan to include this improvement? If so, staff has a number of concerns, beginning with the same concerns noted above about how the cost estimates were developed, which we believe leads to an underestimate of the project cost.

Response:

In conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially-Feasible Plan be amended to include the proposed new two-lane road.

Please note that the length of the new road has been reduced, so that it intersects existing CR 78 near Cemetery Road. The shorter road is now 7.4 miles long. Therefore, it impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development.

As a result, the cost estimate for the new road has also been reduced substantially to a total cost of $31.9 million. This new estimate, which is shown in Exhibit 10 (Revised), reflects the changes in construction and right-of-way costs described above. Exhibit 10 (Revised) also shows that the portion of the new road in Lee County will cost approximately $21.8 million, and the portion of the new road in Hendry County will cost approximately $10.1 million.

It's been estimated that the Florida Citrus CPA will generate an additional $20.8 million in road impact fees based on the current fee schedule. Furthermore, the County is already conducting a study to support an increase in the fees by May, 2006. With these planned fee increases, it's clear that the road impact fees generated by this development alone will be enough to cover the Lee County portion of the cost for this new road within Lee County.

It is recommended that the road impact fees collected from this CPA be "pipelined" to the construction of the Lee County portion of this new road to mitigate the impacts of this new development. For three reasons, this will not adversely affect the County's 2020 Financially-Feasible Plan. First, the County did not anticipate this development. Therefore, the revenues generated by this development were not included in the revenues projections upon which the Plan is based. Second, the 2020 Financially-Feasible Plan does not include any other road projects in this part of the County that would directly mitigate the impacts of this development. Therefore, the proposed, new two-lane road is the logical place to spend these funds. Third, the road impacts fees collected from this development alone will offset the additional costs of this new road in Lee County.

The portion of the road in Hendry County primarily affects two property owners who are receptive to the construction of the new road. The development of these properties in Hendry County under the West LaBelle Land Use CPA, which is now under review by the Florida DCA, will generate additional Hendry County road impact fees and other revenues that can be used to fund the Hendry County portion of this new road. Hendry County has committed to adopt a new road impact fee ordinance on October 1, 2005.

Finally, the travel model assignment of future 2020 traffic conditions with the Project and the new two-lane road has been updated to reflect the shorter road. The updated travel model assignment results are shown in Exhibit 8 (Revised). Exhibit 8 (Revised) shows that all roadway segments in the study area are expected to operate at an acceptable level of service in 2020 with the new road in place.

7. The applicant suggests the new road project will be financially feasible because of the amount of assumed road impact fees and gas taxes the development will generate ($33 million – much less than the assumed $40+ million project cost) and the assumption that other developments will contribute. First of all, the use of the motor fuel tax credit amount in the road impact fee formula is not a viable means of estimating the amount of local option gas taxes the development will

generate, and the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan. To make a new addition to the plan financially feasible, the applicant would have to propose a modification to the revenue forecast in the plan sufficient to cover the cost of the new project. No such analysis was provided.

Response:

DPA used the gas tax credits from the road impact fee support documentation simply to illustrate that substantial additional transportation revenues, besides road impact fees, will be generated by this development. Some of these additional funds will be available to fund additional transportation improvements.

With regard to the statement that ". . . the local option gas taxes are the revenue source (along with impact fees) assumed to fund the County's projects in the financially feasible transportation plan", DPA must respectfully disagree. The development associated with this CPA was not anticipated when the 2020 Financially-Feasible Plan was developed. Therefore, the revenues generated by this development (gas taxes, impact fees and other revenues) were not included in the revenues projections that were considered when it was concluded that the Plan was affordable and thus financially-feasible. In other words, the County's 2020 Financially-Feasible Plan considers neither the cost of the new road, nor the revenues generated by the proposed development.

Furthermore, as noted in the previous response, the road impact fees generated by this new development alone will offset the costs of this new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, the proposed new development will not adversely affect the determination that the Lee County 2020 Financially-Feasible Plan is affordable.

8. In addition, the assumption that the revenues generated by the development will be sufficient to cover the cost of the needed road project is not enough to meet the terms of the County's plan amendment process. As noted in Section B.1.e of the plan amendment questionnaire, "(a)n inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." As staff noted in October, to avoid a recommendation of denial, the applicant has the option of making the commitment to cover the full cost of the improvements that go beyond the 2020 Financially Feasible Plan, or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

Response:

As explained in the two previous responses, the proposed new development, and the modifications in the plan to support it, can be accommodated within the financially feasible limits of the Plan.

The additional transportation revenues generated by this new development will offset the additional costs for the new road in Lee County. No additional revenues are needed to fund the Lee County portion of the road. Therefore, Lee County's 2020 Financially-Feasible Plan will continue to show an appropriate balance between projected revenues and projected costs.

9. The new section of the alternative roadway is estimated to be over 12 miles long, along an alignment which the applicant notes is very preliminary. Staff is concerned that the proposed alignment may not be feasible, given the extensive number of properties affected (including some with already-approved development like Argo Ranch) and the potential environmental and conservation area impacts and costs. Did the applicant consider a smaller version of an Old Alva bypass, perhaps connecting from the Ridge Road to the Cemetery Road area, in conjunction with widening a larger portion of North River Road?

Response:

As noted above, the shorter (7.4 mile) road impacts far fewer properties and no longer impacts the Caloosahatchee River Regional Park or the Argo Ranch development. This greatly reduces the number of properties affected by the new road and the potential environmental and conservation area impacts. There will be no direct impacts on the regional park.

In response to the staff's question about a smaller version of an Old Alva bypass, DPA examined a smaller version of the Old Alva bypass. DPA performed additional travel model tests of a much shorter bypass that only bypasses the existing sections of CR 78 through the center of Alva. The bypass simply connects the existing sections of CR 78 immediately east and west of Alva. In these tests, CR 78 was widened from two lanes to four lanes from the Project entrance to just west of Alva utilizing the bypass.

This shorter bypass did not take enough traffic off of Broadway to avoid having to expand the Alva bridge to four lanes. The widening of CR 78 to four lanes just encourages more traffic from Alva, the Project and Hendry County to use Broadway

and SR 80 to travel west. In contrast, the proposed new two-lane bypass encourages Alva, Project and Hendry County traffic to continue on CR 78, west to SR 31.

Public Works

1. Based on the information provided in the application for this request staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition the applicant does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space.

Response:

The application is consistent with Objective 2.1 because the property is adjacent to and nearby parcels that are seeking or have obtained increased development entitlements. Because of this activity the area has established itself as a major growth corridor, where the subject property is not on the extreme edge of proposed development but instead located directly in the middle between the South LaBelle Community and east Fort Myers.

The proposed text amendment is also consistent with Objective 2.2 due to the fact the vast majority of residential units and commercial uses with be clustered within portions of the subject property and provided with central public facilities if approved at an adequate density as mentioned in the proposed text.

As previously stated and also included within the proposed text amendment, water and sewer will be provided on-site. If the development is approved with 5,000 or more residential units, a central system will be provided. Other information is generally provided at the time of rezoning.

Alva Fire Control & Rescue Service District

1. Please be advised that we do not have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).

require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).

Response:

Public facility locations have been identified on the map included within this resubmittal. One of the intended uses for these locations is a fire department. The exact location will be determined during the zoning process with coordination from the Alva Fire Control & Rescue Service District..

Very truly yours,

Patricia Newton

PN/kbs

Gaither, Wayne

From: Ottolini, Roland E.
Sent: Monday, October 09, 2006 5:02 PM
To: Gaither, Wayne
Cc: Karuna-Muni, Anura J.
Subject: RE: CPA2004-00006 Spanish Creek (fka Florida Citrus)

I do not see any back up on the flow-way commitments they have made to the SFWMD. This review may be simpler than I thought!

From: Gaither, Wayne
Sent: Tuesday, September 26, 2006 4:04 PM
To: Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Horsting, Michael S.; Houck, Pamela E.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim ; Velez, Sergio I.; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: CPA2004-00006 Spanish Creek (fka Florida Citrus)

Distribution List:

John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
W. Bergquist, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Michael Horsting, Lee Tran
John Yarbrough, Lee County Parks & Recreation
Ellen Linblad, Lee County School Board
Dave Loveland, Lee County Division of Transportation
Lili Wu, Lee County, Division of Transportation
Rick Joyce, Lee County Division of Planning, Environmental Sciences
Lindsey Sampson, Lee County Solid Waste
William Newman, Lee County Solid Waste
Regina Smith, Lee County Economic Development
Kim Trebatoski, Lee County Division of Planning, Environmental Sciences
Gerald Campbell, Lee County Public Safety, Emergency Management
Jim Lavender, Lee County Public Works
Ivan Velez, Lee County Utilities
Pam Houck, Lee County Zoning
Nettie Richardson, Lee County Zoning
Pete Eckenrode, Lee County Development Services
Michael Pavese, Lee County Public Works
Wayne Daltry, Lee County Smart Growth
Mary Zettel, DCD/Code Enforcement
Rick Roberts, DCD/Code Enforcement
Chief Paul Meloy, Alva Fire and Rescue District
Donna Marie Collins, County Attorney's Office

Gaither, Wayne

From: Horsting, Michael S.
Sent: Tuesday, October 10, 2006 3:23 PM
To: Gaither, Wayne
Subject: RE: CPA2004-00006 Spanish Creek (fka Florida Citrus)

Hi Wayne,

I hope all is well in your part of the world. I just wanted to let you know we have no additional comments to make about Spanish Creek. We will continue monitoring the progression of this project.

Thanks,
Mike

From: Gaither, Wayne
Sent: Tuesday, September 26, 2006 4:04 PM
To: Bergquist, W.; Campbell, George G.; Collins, Donna Marie ; Daltry, Wayne E.; Eckenrode, Peter J.; Hansen, Hans C.; Horsting, Michael S.; Houck, Pamela E.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim; Velez, Sergio I.; Wilson, John; Wu, Lili ; Yarbrough, John H.; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: CPA2004-00006 Spanish Creek (fka Florida Citrus)

Distribution List:

John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
W. Bergquist, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Michael Horsting, Lee Tran
John Yarbrough, Lee County Parks & Recreation
Ellen Linblad, Lee County School Board
Dave Loveland, Lee County Division of Transportation
Lili Wu, Lee County, Division of Transportation
Rick Joyce, Lee County Division of Planning, Environmental Sciences
Lindsey Sampson, Lee County Solid Waste
William Newman, Lee County Solid Waste
Regina Smith, Lee County Economic Development
Kim Trebatoski, Lee County Division of Planning, Environmental Sciences
Gerald Campbell, Lee County Public Safety, Emergency Management
Jim Lavender, Lee County Public Works
Ivan Velez, Lee County Utilities
Pam Houck, Lee County Zoning
Nettie Richardson, Lee County Zoning
Pete Eckenrode, Lee County Development Services
Michael Pavese, Lee County Public Works
Wayne Daltry, Lee County Smart Growth
Mary Zettel, DCD/Code Enforcement
Rick Roberts, DCD/Code Enforcement
Chief Paul Meloy, Alva Fire and Rescue District
Donna Marie Collins, County Attorney's Office

September 26, 2006

Public Service/Review Agencies

RE: CPA2004-00006 – Spanish Creek (Map/Text Amendment)

Planning staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The proposed map amendment would change the Land Use designation from Open Lands and Wetlands to a new land use category of Rural Village Attached is an electronic copy of the application. The applicant is proposing to amend the Future Land Use Map (FLUM), Map 1 to reflect the changes in land use categories and provide a text amendment defining "Rural Village". Additional amendments may be included.

The existing Open Lands land use designation is uplands areas that are located north of Rural and/or sparsely developed areas in Township 43 South. These areas are extremely remote from public services and are characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted in this category in accordance with the standards in the Rural category. The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands.

The Wetlands land use category will permit very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. The maximum density is one dwelling unit per twenty acres (1 du/20 acres).

The proposed land use designation of Rural Village is to be define in the application.

Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, need clarification on the subject matter, or if you find the application sufficient for review, please provide these comments to us by October 10, 2006 (Approximately 2 weeks). A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

A copy of the application is attached to this e-mail. If you have problems opening the attachment or if you have any questions, please contact:

Wayne Gaither
479-8567
wgaither@leegov.com

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

LEE COUNTY
SOUTHWEST FLORIDA

MATT

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8567

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

November 3, 2006

Daniel DeLisi, AICP
DeLisi Fitzgerald, Inc
P.O. Box 6303
Fort Myers, FL 33911-6303

RE: CPA2004-00006 (Map and Text Amendment)
Spanish Creek fka. Florida Citrus

Mr. DeLisi:

The application for a Comprehensive Plan Map/Text Amendment has been reviewed and has been found insufficient for review.

Please make the next Comprehensive Plan Amendment submittal a complete application. There are numerous versions of the Florida Citrus, now know as Spanish Creek Comprehensive Plan Amendment. Staff is requiring the next sufficiency submittal to be a complete, stand-alone application.

The information provide in the Comprehensive Plan Amendment Application appears to meet Development of Regional Impact thresholds. As part of the complete comprehensive plan amendment application being requested above, please respond to the appropriateness of this development being a DRI, be specific in your response.

Please provide authorization that **Daniel Delisi** will be the applicant's representative.

As part of the requirements established in Administrative Code 13-7, the applicant of a map amendment must provide mailing labels of all property owners within 500 feet of the map amendment site. The applicant will also be responsible for the cost of mailing public information notices to those property owners. This must be done within 15 calendar days of finding the application sufficient. Additionally, the applicant is responsible for posting and maintaining signs that provide information about the proposed map amendment, on site (provided by DCD) 15 calendar days before the LPA hearing.

The following applies to Section III of the application

A.2

Please provide all property owners involved in the comprehensive plan amendment. Because of the size of the property, please provide both a tabular version and a map depicting the properties to which the applicant owns or has the authority to represent. Please provide documentation of authorization to represent. Provide this as part of the re-submittal, do not reference it was information previously submitted.

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111
Internet address http://www.lee-county.com
Recycled Paper
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

C. Joint Planning Agreement Area

How are transportation and water management issues being addressed? Do agreements with Hendry County and/or the South Florida Water Management District exist? Please provide agreements with adjoining jurisdictional areas.

The following applies to Section IV of the application

A.1

All text amendment language will be provided in a strike thru / underline format. All text amendment language will be specific to achieve a new urbanistic form of development. Be specific to avoid any ambiguous language that would result in sprawl development.

A.3

Please describe how the Babcock conservation lands will be impacted or protected through the Spanish Creek project. Please describe how the comprehensive plan amendment will, in general, protect conservation lands and restoration abutting Spanish Creek.

A.6

Please provide a copy of the deeds for the property subject to the comprehensive plan amendment change. Do not reference information previously submitted.

A.8

Please provide documentation that the property owners, other than the applicant, have authorized the applicant to act as their representative in the comprehensive plan amendment process.

Please provide documentation that Daniel DeLisi has been authorized by the applicant / owner to act as their representative in the comprehensive plan amendment process.

Please provide documentation that the County Line Drainage District has joined the application as a co-applicant. Explain how the County Line Drainage District has the authority to act on behalf of the property owners in this comprehensive plan amendment application.

B.2(a)&(b)

The amendment will need to include changes to Maps 6 and 7 if Lee County utilities are going to be providing service to this development.

Lee County Utilities provided comments stating that potable water can be provided to the site if the developer extends the existing water lines. Indicating a site for a potable water plant would not be appropriate.

Lee County Utilities is not in a position to provide central wastewater services. Indicating a site for a wastewater treatment plant would be appropriate.

Lee County Utilities will not initiate these comprehensive plan amendments.

B.2(c)

Please provide all backup on the flow-way commitments made to South Florida Water Management District, be specific about the commitments being proposed for restoration purposes.

B.3.b & e

Letters determining the adequacy / provision of existing /proposed support facilities needs to be provided from Emergency Management (EMS) and the Lee County School District.

E.3

What are the impacts to the surrounding jurisdictions. The comprehensive plan amendment application requires and analysis of how the proposal affects adjacent local governments and their comprehensive plans. Consider the surrounding counties comprehensive plans in this analysis.

There are additional concerns that staff has concerning the Spanish Creek Comprehensive Plan Amendment. These concerns have been addressed through insufficiency comments toward the application and through discussions with the applicant's representatives.

1) Provide an "Open Space Plan" clearly identifying location, acreages, and connectivity to surrounding areas. It is not sufficient to provide a development wide open space acreages. The purpose of the "Open Space Plan" is to ensure adequate and usable space is appropriately allocated throughout this new urbanistic development.

2) Increase the overall green space.

3) Are wetlands and lakes being included in the flow-ways restoration for this area?

4) Flow-way and transportation network conflicts. The transportation network proposed in the conceptual payout shows multiple bridge crossings. Staff is working to ensure protection for these waterways and wants bridges/impacts to flow-ways kept to a minimum. More detailed information about the proposed transportation network and the flow-way network will need to be done.

5) There is no verification that the proposed transportation network will be able to connect to the existing roadway system. This needs to be done.

6) There appears to be little recreational pedestrian and biking facilities. Most appear t to be to be proposed in the transportation network. The bike and pedestrian networks will also be a vital component of any possible connection to the transit network. Identify paths and distances that will allow biking and walking to be an alternate mode of transportation for this development.

7) The middle school location should be moved away from the Babcock Lands.

8) The Town-Center should be moved to the south-east to centralize it to the rest of the development and provide more distance from the Conservation Lands to the north.

9) What are the potential impacts to restoring the natural flow-ways through this development if the South Florida Water Management District continues with the "drainage ditch" to the east of this development in Hendry County?

10) Provide a density / intensity map determining the locations for different types of residential uses and commercial uses.

11) Make a determination of how utilities will be provided to this development.

12) What is the total residential dwelling units being requested for Spanish Creek?

13) What is the total commercial square footage being requested for Spanish Creek?

In addition to the above listed questions/concerns, prepared by the Division of Planning, your application was submitted to various agencies and divisions of Lee County Government responsible for a wide range of public services. Their comments are as follows:

Department of Natural Resources

Natural Resources finds the submittal insufficient regarding surface water management issues. Please provide the details of the flow-way agreement with the SFWMD for review and comment.

Smart Growth

We have adopted the 2030 MPO Plan, which allocates population growth and projected fiscal resources. To what extent is the proposal consistent with the population and road plans of the Federal/State oversight MPO plan? Where will the additional uses and population come from to "populate" this site? If this is "new" growth, where is the evaluation of the problems with the 2030 forecasts?

"Rural village" is by definition a populated area whose rationale is the servicing of the surrounding resource (food, fiber) lands. There is no economic rationale for that terminology for this project, and its densities make it urban (whereas "rural" is dominated by non-built lands).

Additional Comments from Smart Growth

I am unfamiliar with the statement made in the application how land use changes in the last two years makes the project more timely. The biggest land transaction in the vicinity of the project was the purchase of Babcock Ranch to the immediate north and west, which removed development, not increased density. We may need to check with the SWFRPC but I thought we were keeping aware of land use changes along our border, as an affected local government. Perhaps someone else knows of changes? (Please identify any)

An additional point. We should immediately meet with the SFWMD to determine what they are proposing with 4 Corners Drainage District. I was under the impression that ERPs issued for agriculture voided when land uses change, particularly for urban. The

purchase of Babcock eliminates the need to "drain for flood protection" one of the four corners. Should this project site cease to be citrus (estate housing at this magnitude may still require a DRI since I think the Hendry Threshold is 500 and Glades is 250), the drainage needs void and should require a new ERP, and isn't this project the biggest land owner in Lee of that particular district—and is that district in Lee County at any depth? I note they have an assessment that seems to be about $50 an acre, but I don't know how far that writ extends.

Additional Comments from Smart Growth

As the LGCPA requires, we must lay out our economic justification BEFORE allocating land use, not come up with a picture desired by a landowner, and go back and develop the economic justification.

We are holding (other developers) to that standard, that any growth beyond the nominal amount in the 2030 plan is considered new growth, no credits for building facilities not on the 2030 system.

Consequently, we should expect to see the economic justification for the change as a predicate to proposing the change.

Additional Comments from Smart Growth

There does not seem to be an evaluation of how the County's population estimates and distribution of population for 2030, as determined through the MPO, are inadequate to the extent that population growth at this location is justified. Given the nature and expense of transportation expenditures tied to the MPO plan, such an analysis is necessary to even begin any review.

Solid Waste

There is no information as to how the solid waste that will be generated by the commercial and residential units in this project will be handled.

Lee County Utilities

We have reviewed the information provided in your e-mail dated 8/25/06 regarding the plan for the above development. We had noticed that the plan calls for a water and wastewater plant site. Utilities has previously met with representatives from Gulf Citrus regarding water and wastewater service and the developer indicated that they were seeking potable water service from Lee County Utilities (LCU). We had verbally committed to provide potable water capacity to serve the development and we had discussed extension of lines to serve the development. The developer did not commit to extending the required water transmission line. The master plan submitted by the developer indicates that there will be a water plant on-site. This contradicts our understanding that the developer wishes to be served with potable water from LCU. As always, a Lee Plan amendment would be required to include the area in LCU's future service area.

As for wastewater service, we did indicate to the developer that LCU would not be in a position to provide central wastewater service, therefore, indicating a site for a wastewater treatment plant is appropriate.

EMS

On initial review of the concept drawing, it appears to be large and will probably require a ambulance / fire / law enforcement station if it on the County's Eastern periphery. Another consideration will be designating a landing zone for medical helicopter. This could be a value-added amenity for the development and serve the public safety needs.

Transit

It's quite remote in terms of the transit service area; I'm thinking it might have to be "transit ready" for the future to include sidewalks, pedestrian access, streets that will accommodate transit vehicles and ROW preservation for transit amenities. It should even go as far as reserving space for a station, depending on the size of the development.

Should additional comments from the above listed agencies be provided, they will be submitted to you in as timely a manner as possible.

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

Sincerely,

H. Wayne Gaither

H. Wayne Gaither
Planner
(239) 479-8567
wgaither@leegov.com

cc:

Matt Noble
Neale Montgomery
file

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8548

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

November 24, 2004

Mr. Vincent A. Cautero, AICP
Coastal Engineering Consultants, Inc.
3106 S. Horseshoe Drive
Naples, Florida 34104

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Vince:

The Planning Division has reviewed your application for the above-referenced Lee Plan amendment, and finds that additional information is needed before the application may be found sufficient for review. Please provide a letter from the property owners authorizing you and any other consultants to represent them in this matter. In addition, the amendment Affidavit will have to be modified as it was signed by Mr Delisi.

The following applies to Part I of the application:

The submitted applicant/owner information indicates that the "owner of record" is the same as the "applicant," but the addresses listed are different. In addition, the owner of record information appears to be missing a street address. Please clarify. Staff also notes that there are additional property owners within the plan amendment boundary. Please provide the owner of record information as well as authorization for each property owner.

The following applies to Part II of the application:

A. Please indicate (check) the Text Amendment box as text is proposed to be included in the Lee Plan.

B. Please expand this discussion. Proposed Policy 1.4.7 contains several provisions that could be summarized in this discussion.

The following applies to Part III of the application:

A.2. Staffs review of the submitted list is incomplete, additional comments may be forthcoming. Staff suggests that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request.

E. Please provide a discussion as to how the specific units and square footage was calculated.

The following comments pertain to Part IV of the application:

A. 1. Planning staff staff has previously provided verbal comments concerning the proposed language. These comments included concerns of an identified intensity

limitation for the commercial uses and the form of development that could occur. Staff also questions a minimum area for "a Rural Village" of 250 acres. Staff also questions the intent of the fifth numbered paragraph, the requirement to provide "a traffic circulation map." In general the proposal lacks any concrete commitments to provide improvements to the infrastructure in the area as a result of potential project impacts.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary, please provide the owner of record information as well as authorization from each property owner.

B.1. Please see attached comments from the Lee County Department of Transportation.

B.2. Please provide the required analysis.

B.3. Please provide the required letters from the appropriate agencies.

C.3. Staff was unable to locate the required topographic and 100-year flood prone areas map(s) in the application materials.

C.4. Aquifer recharge areas - no map or discussion was included with the application materials.

C.5. Environmental Sciences staff provides the following comments:

The following species are listed in Lee County and have the potential to occur within habitats on this site: Florida Panther; twisted air plant; and Simpson's stopper. Please revise the submittal to include these as potential listed species to occur on the property, and provide an analysis of this listed species in relation to the proposal.

The following listed species were listed as potential to occur on the property, however, no analysis was included for these species Audubon crested caracara; little blue heron; white ibis; wood stork; everglades mink; and Florida black bear.

E.3. The submitted application provides that "there are no adjacent local governments that would be affected by this plan amendment." Staff is not convinced of this. Staff believes there could be impacts to adjacent jurisdictions such as Hendry and Glades County. The applicant needs to provide additional data and analysis to support this conclusion.

E.4. Under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

In addition to the above mentioned items, staff is concerned with the precedential nature of the request, and questions whether the request can be approved as proposed.

If I can be of any assistance or if you have any questions, please do not hesitate to call me at 479-8548.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF PLANNING

Matthew A. Noble, AICP
Principal Planner

Attachments: LCDOT memo dated October 26, 2004

cc: Planning file: CPA2004-06

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning DL

Date: October 26, 2004

Subject: **CPA 2004-00006 (Florida Citrus Corporation)**

The Department of Transportation has reviewed the above-referenced application, which proposes changing the land use designation of approximately 3,713 acres from "Rural" and "Open Lands" to a new category called "Rural Village". The County's comprehensive plan amendment application requires applicants to identify whether their proposed changes require modification to the socio-economic data forecasts for the traffic analysis zones where their project is located. If they do, the applicants are required to submit that information to the County so the County can run the FSUTMS model on the current adopted Financially Feasible Plan network to see if network modifications are necessary.

The traffic analysis submitted in the application indicates that the development parameters with the proposed land use change would increase significantly over what is currently assumed for that area. The property in question is located within Traffic Analysis Zone (TAZ) 103, which includes the following socio-economic data forecasts through the year 2020:

Existing TAZ 103 Forecasts

Single-Family	
Dwelling Units	42
Population	101
Multi-Family	
Dwelling Units	13
Population	18
Total	
Dwelling Units	55
Population	119
Industrial Employment	5
Commercial Employment	0
Service Employment	15
Total Employment	20

The application proposes splitting TAZ 103, with 10% of the forecasted development included in a modified TAZ 103 and a new zone created for the applicant's site. The total development parameters for the modified TAZ 103 and the new TAZ are as follows:

	Modified TAZ 103 Forecasts	New Project TAZ Forecasts
Single-Family		
Dwelling Units	4	5,200
Population	10	12,505
Multi-Family		
Dwelling Units	1	2,226
Population	2	3,082
Total		
Dwelling Units	5	7,426
Population	12	15,587
Industrial Employment	1	0
Commercial Employment	0	190
Service Employment	2	180
Total Employment	3	370

The combined effect of the modified TAZ 103 and the new Project TAZ, which encompasses the entire area of the existing TAZ 103, is an increase in dwelling units from 55 to 7,431, an increase in population from 119 to 15,599, and an increase in total employment from 20 to 373. When plugged into the FSUTMS model set for the 2020 Financially Feasible Transportation Plan, the proposed land use change results in the need for improvements beyond those currently identified in the plan.

The negatively-affected roadways in the immediate area are North River Road (CR 78) from Broadway to the Hendry County line and Broadway from SR 80 to North River Road. The 2020 Financially Feasible Transportation Plan network calls for those two road segments to remain two lanes as they exist today, because both are projected to operate at level of service "B" in 2020 with the development parameters currently assumed in existing TAZ 103. The 2020 model volumes are projected to be 2,732 (Peak Season, Daily) on North River Road and 5,966 on Broadway. With the significant increase in growth resulting from the modified TAZ 103 and the new Project TAZ development parameters, those two road segments are projected to operate at level of service "F". The 2020 model volumes increase to 26,110 on North River Road and 22,208 on Broadway. The current model ends at the Hendry County line, but that doesn't necessarily mean the need for widening ends there; this proposed land use change could be reasonably expected to create the need for improvements in the adjacent county, although further analysis would be necessary to determine how far.

The four-laning of Broadway from SR 80 to North River Road (which includes replacing the bridge across the Caloosahatchee River and expansion of the right-of-way from 100 feet to 125

feet) is expected to cost $29.5 million in today's dollars. The four-laning of North River Road from Broadway to the Hendry County line (which includes expansion of the right-of-way from 50 feet to 125 feet) is expected to cost $14 million. As noted, the need for improvements to North River Road could extend into Hendry County for some distance, so there would be additional cost associated with that. These improvement costs could not be accommodated in the current 2020 Financially Feasible Plan without sacrificing other needed projects already in the plan. The County's plan amendment application suggests that if the necessary improvements cannot be accommodated within the financially feasible limits of the plan, the requested land use change should be denied. To avoid a recommendation of denial, the applicant has the option of making the commitment to cover the $44.5 million cost of these improvements that go beyond the 2020 Financially Feasible Plan (plus the cost of additional improvements in Hendry County), or scaling back his proposal to the point that additional improvements to the affected roads are not needed.

One other consideration regarding portions of Broadway and North River Road in the "Old Alva" area – based on the previously submitted but never adopted Alva Community Plan, there is some interest in the community in preserving the "Old Alva" core area and making it more pedestrian-friendly, and four-laning those roads may be contrary to the community's interests in that regard. Acquiring an additional 25 feet of right-of-way along Broadway and an additional 75 feet along North River Road would require the purchase and removal of a significant number of homes in the community. If the County determines that widening is too detrimental to the community, then the project will have to be scaled back to minimize the impacts or alternative improvements will have to be identified and the necessary financial commitments made.

On a related note, the applicant proposes in his submittal a text amendment, which includes the following subparagraph:

> 5. *Planned Developments approved within the Rural Village Land Use Category must provide a traffic circulation map allowing for additional east-west corridors to alleviate traffic from S.R. 78.*

Besides the fact that the North River Road designation is CR 78 not SR 78, there is no data and analysis submitted with the application that supports this language. As noted above, based on staff's analysis, the proposed project will cause the failure of a portion of both North River Road and Broadway. Requiring future planned developments to "allow for" additional east-west corridors does not constitute the necessary financial commitment to make the needed improvements.

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/mlb

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O' Connor, Planning Director

From: David Loveland, Manager, Transportation Planning

Date: January 27, 2006

Subject: **CPA 2004-00006, Northeast Lee Rural Village (Florida Citrus Corporation) 3rd Round Sufficiency Questions**

The Department of Transportation has reviewed the applicant's September 30, 2005 resubmittal, which attempts to respond to the issues we raised in our memo of April 27, 2005 and a subsequent meeting. Some of the referenced exhibits in the resubmittal were missing, but the applicant did provide revised Exhibits 9 and 10 upon staff request (via a December 13, 2005 e-mail). However, a key premise of the applicant's submittal is that a new east-west extension of CR 78 bypassing "downtown" Alva will mitigate the project's impacts on CR 78 (North River Road) and Broadway. The applicant did not submit any model runs that demonstrated that the alternative road (aka, the "Alva Bypass") in fact relieved the impacted segments and such information is critical to the County's review of the application. The applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the Alva Bypass in place to demonstrate that the relief is in fact realized. The applicant should also submit copies of his model runs for staff review. (There is one reference to a revised Exhibit 8 that might contain this information but that was not included in the submittal to staff.)

As part of the latest submittal, the applicant indicates "(I)n conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially Feasible Plan be amended to include the proposed new two-lane road." Staff has a couple of concerns with this concept. First, the applicant presumes that the impact fees he is expected to generate ($20.8 million) will be enough to cover the Lee County portion of the Alva Bypass ($21.8 million), even though it is actually $1 million short. The presumption is that a future update of the road impact fees will lead to enough of a rate increase that the shortfall will be covered, but the applicant doesn't get the privilege of this beneficial presumption – at this point we don't know what the road impact fee update study will show and what will be approved by the Board of County Commissioners. Under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass.

The Alva Bypass also wouldn't provide the necessary relief without the Hendry County portion, estimated by the applicant to cost another $10.1 million. Lee County couldn't agree to amending the 2020 Financially Feasible Plan to add the Alva Bypass in conjunction with the applicant's requested land use change without a firm commitment by Hendry County to include their portion of the Alva Bypass in their financially feasible plan. The applicant has not provided any evidence that Hendry County is willing to do this. It is worth noting that this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Finally, the applicant makes the argument that, because the County does not assume any significant amount of development on his site by 2020, it would not affect the 2020 Financially Feasible Plan by pipelining the project's road impact fees to build the Lee County portion of the new Alva Bypass. However, the revenue projections used in building the Financially Feasible Plan are not site specific, they are projected based on historic collection trends countywide. Therefore there is not a direct relationship between the assumed level of development on this site and the projection of available impact fees, so you can't necessarily conclude that pipelining the Florida Citrus CPA road impact fees won't affect the future revenue forecasts. The applicant also seems to assume that there are no other competing projects in this part of the County in the plan. The Alva area is part of the North Road Impact Fee District, which includes everything north of the Caloosahatchee River from Pine Island to the Hendry County line. There are in fact a large number of projects within that road impact fee district in the 2020 Plan that could compete for the road impact fees generated by Florida Citrus CPA.

Thank you for this opportunity to comment. Please let me know if you have any questions.

DML/llj

CPA 2004-00006

LEXSEE 1999 Fla. Laws 417

FLORIDA ADVANCE LEGISLATIVE SERVICE

STATENET

Copyright © 1999 by Information for Public Affairs, Inc.

FLORIDA 1999 REGULAR SESSION

CHAPTER 99-417

COMMITTEE SUBSTITUTE FOR SENATE BILL 2580

1999 Fl. ALS 417; 1999 Fla. Laws ch. 417; 1999 Fla. SB 2580

BILL TRACKING SUMMARY FOR THIS DOCUMENT

SYNOPSIS: An act relating to the County Line Drainage District, Lee County; amending chapter 67-723, Laws of Florida, as amended; setting out the boundaries of the district; providing powers, duties, and functions of the district and of its board of supervisors; providing for election of board members; providing for severability; providing for construction in cases of conflict; repealing all prior special acts relating to the district; providing an effective date.

NOTICE: [A> UPPERCASE TEXT WITHIN THESE SYMBOLS IS ADDED <A]

To view the next section, type .np* and TRANSMIT.
To view a specific section, transmit p* and the section number. E.g. p*1

Be It Enacted by the Legislature of the State of Florida:

[*1] Section 1. The charter for the County Line Drainage District in Lee County is re-created and reenacted to read:

[A> SECTION 1. INTENT.--PURSUANT TO SECTION 189.429, FLORIDA STATUTES, THIS ACT CONSTITUTES THE CODIFICATION OF ALL SPECIAL ACTS RELATING TO THE COUNTY LINE DRAINAGE DISTRICT. IT IS THE INTENT OF THE LEGISLATURE IN ENACTING THIS LAW TO PROVIDE A SINGLE, COMPREHENSIVE SPECIAL-ACT CHARTER FOR THE DISTRICT WHICH INCLUDES ALL CURRENT LEGISLATIVE AUTHORITY GRANTED TO THE DISTRICT BY ITS SEVERAL LEGISLATIVE ENACTMENTS AND ANY ADDITIONAL AUTHORITY GRANTED BY THIS ACT. <A]

[A> SECTION 2. CODIFICATION.--CHAPTER 67-723, LAWS OF FLORIDA; CHAPTER 81-408, LAWS OF FLORIDA; AND CHAPTER 86-417, LAWS OF FLORIDA; RELATING TO THE COUNTY LINE DRAINAGE DISTRICT, ARE CODIFIED, REENACTED, AMENDED, AND REPEALED AS PROVIDED IN THIS ACT. <A]

[A> SECTION 3. DISTRICT FORMATION RATIFIED, RESTATED, AND APPROVED.--THE DECREE OF THE CIRCUIT COURT IN AND FOR THE TWELFTH JUDICIAL CIRCUIT, LEE COUNTY, FLORIDA, ENTERED IN CIVIL CASE NO. 67-72 WITH RESPECT TO COUNTY LINE DRAINAGE DISTRICT, A PUBLIC CORPORATION OF THIS STATE, AND ALL SUBSEQUENT PROCEEDINGS TAKEN IN THAT COURT CONCERNING THE DISTRICT, INCLUDING PROVISIONS SETTING AND EXTENDING THE BOUNDARIES

OF SUCH WATER CONTROL DISTRICT, ARE RATIFIED, CONFIRMED, AND APPROVED AND ESTABLISHED AS THE BOUNDARIES OF THE COUNTY LINE DRAINAGE DISTRICT. <A]

[A> SECTION 4. STATUS AND BOUNDARIES OF THE DISTRICT.--COUNTY LINE DRAINAGE DISTRICT IS DECLARED TO BE AN INDEPENDENT WATER CONTROL DISTRICT AND A PUBLIC CORPORATION OF THE STATE PURSUANT TO CHAPTER 298, FLORIDA STATUTES, AS IT MAY BE AMENDED FROM TIME TO TIME, HAVING THE FOLLOWING BOUNDARIES IN LEE COUNTY: <A]

[A> IN TOWNSHIP 43 SOUTH, RANGE 27 EAST: SECTIONS 1, 2, 3, AND 12; THAT PART OF SECTION 11 WHICH LIES EASTERLY OF A LINE 1,720 FEET (AS MEASURED ON THE PERPENDICULAR) EASTERLY OF THE WEST LINE OF SECTION 11; THAT PART OF SECTION 14 LYING NORTH OF THE SOUTH 3,160 FEET OF SECTION 14; AND THE NORTH THREE-QUARTERS OF SECTION 13, EXCEPTING FROM ALL THE LANDS DESCRIBED IN THIS SECTION, A PARCEL OF LAND IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: <A]

[A> FROM A 4"X4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 13, BEAR SOUTH 0 DEGREES 13'15" EAST ALONG THE WEST LINE OF SECTION 13 A DISTANCE OF 2,124.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89 DEGREES 36'20" EAST PARALLEL TO THE SOUTH LINE OF SECTION 13 A DISTANCE OF 1,800 FEET; THENCE SOUTH 0 DEGREES 13'15" EAST PARALLEL TO THE WEST LINE OF SECTION 13 A DISTANCE OF 2,360.11 FEET; THENCE NORTH 89 DEGREES 36'20" WEST A DISTANCE OF 562.68 FEET; THENCE NORTH 0 DEGREES 05'00" WEST A DISTANCE OF 524.79 FEET TO AN INTERSECTION THEREOF WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 13; THENCE NORTH 89 DEGREES 47'12" WEST ALONG THE NORTH LINE TO THE WEST LINE OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST; THENCE NORTHERLY ALONG THE WEST LINE OF SECTION 13 TO THE POINT OF BEGINNING. <A]

[A> TOGETHER WITH TRACT 9 AND TRACT 10 OF OFFICIAL RECORD BOOK 2229, PAGE 891 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS: <A]

[A> TRACT 9: THE SOUTH 1/2 OF THE EAST 1/7 OF THE WEST 7/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST; AND <A]

[A> TRACT 10: THAT PORTION OF THE SOUTH 2/3 OF THE EAST 1/2 OF THE EAST 1/6 OF THE WEST 6/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LYING SOUTH OF THE DRAINAGE DITCH. AND ALSO TOGETHER WITH PARCEL I AND PARCEL II OF OFFICIAL RECORD BOOK 2415, PAGE 2563 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS: <A]

[A> PARCEL I: THAT PART OF THE WEST 60 FEET OF THE EAST 1/8 OF THE WEST 8/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LYING SOUTH OF THE CREEK; AND <A]

[A> PARCEL II: THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, TROPICAL RIVER GROVES, MORE PARTICULARLY DESCRIBED AS FOLLOWS: <A]

[A> BEGINNING AT THE SOUTHWEST CORNER OF SECTION 13, THENCE RUN NORTH 90 DEGREES 00'00" EAST ALONG THE SOUTHERLY LINE OF SECTION 13 (SUCH SOUTHERLY LINE BEING ALSO THE CENTERLINE OF STATE ROAD NO. 78) FOR 1,717.71 FEET, THENCE RUN NORTH FOR 33.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM THE POINT OF BEGINNING RUN NORTH 90 DEGREES 00'00" WEST ALONG SUCH NORTHERLY RIGHT-OF-WAY LINE FOR 191.53 FEET; <A]

[A> THENCE RUN NORTH 2 DEGREES 51'45" EAST FOR 116.20 FEET; <A]

[A> THENCE RUN NORTH 18 DEGREES 47'54" EAST FOR 123.32 FEET; <A]

[A> THENCE RUN NORTH 21 DEGREES 18'45" EAST FOR 184.13 FEET; <A]

[A> THENCE RUN NORTH 42 DEGREES 16'54" EAST FOR 112.81 FEET; <A]

[A> THENCE RUN SOUTH 0 DEGREES 22'20" EAST FOR 487.81 FEET TO THE POINT OF BEGINNING. <A]

[A> AND ALSO TOGETHER WITH OFFICIAL RECORD BOOK 1934, PAGE 579 (COUNTY LINE DRAINAGE DISTRICT) BEING DESCRIBED AS FOLLOWS: <A]

[A> THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 27 EAST. <A]

[A> AND ALSO TOGETHER WITH OFFICIAL RECORD BOOK 2121, PAGE 2508 (COUNTY LINE DRAINAGE DISTRICT) BEING DESCRIBED AS FOLLOWS: <A]

[A> A TRACT OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 27 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: <A]

[A> COMMENCING AT THE SOUTHEAST CORNER OF SECTION 15; THENCE RUN NORTH 00 DEGREES 11'01" EAST (BASIS OF BEARINGS IS ASSUMED), ALONG THE EAST LINE OF SECTION 15 A DISTANCE OF 640.86 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 , SOUTHEAST 1/4 , SOUTHEAST 1/4 OF SECTION 15, AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED: <A]

[A> THENCE CONTINUE NORTH 00 DEGREES 11'18" EAST ALONG SAID EAST LINE A DISTANCE OF 751.04 FEET; <A]

[A> THENCE NORTH 89 DEGREES 36'22" WEST A DISTANCE OF 135.00 FEET; <A]

[A> THENCE SOUTH 00 DEGREES 11'18" WEST A DISTANCE OF 752.65 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 , SOUTHEAST 1/4 , SOUTHEAST 1/4 OF SECTION 15; <A]

[A> THENCE NORTH 89 DEGREES 42'46" EAST ALONG THE SOUTH LINE OF SUCH FRACTION A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING. <A]

[A> AND ALSO TOGETHER WITH PART OF OFFICIAL RECORD BOOK 2515, PAGE 3593 (WINDING BROOK CORPORATION) BEING DESCRIBED AS FOLLOWS: <A]

[A> THAT PORTION OF THE SOUTH ONE-QUARTER (1/4) OF SECTION 13 LYING NORTHERLY OF THE CREEK AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: <A]

[A> FROM A 4"X4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 13, BEAR SOUTH 0 DEGREES 13'15" EAST ALONG THE WEST LINE OF SECTION 13 A DISTANCE OF 2,124.00 FEET; <A]

[A> THENCE RUN SOUTH 89 DEGREES 36'20" EAST PARALLEL TO THE SOUTH LINE OF SECTION 13 A DISTANCE OF 1,800.00 FEET TO THE POINT OF BEGINNING OF THE ABOVE REFERENCED LINE; <A]

[A> THENCE SOUTH 0 DEGREES 13'15" EAST PARALLEL TO THE WEST LINE OF SECTION 13 TO THE INTERSECTION WITH THE AFORESAID CREEK. <A]

[A> SECTION 5. MINIMUM CHARTER REQUIREMENTS.--IN ACCORDANCE WITH SECTION 189.404(3), FLORIDA STATUTES, THE FOLLOWING SUBSECTIONS CONSTITUTE THE CHARTER OF THE COUNTY LINE DRAINAGE DISTRICT: <A]

[A> (A) THE DISTRICT IS ORGANIZED AND EXISTS FOR ALL PURPOSES SET FORTH IN THIS ACT AND CHAPTER 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (B) THE POWERS, FUNCTIONS, AND DUTIES OF THE DISTRICT REGARDING AD VALOREM TAXATION, BOND ISSUANCE, OTHER REVENUE-RAISING CAPABILITIES, BUDGET PREPARATION AND APPROVAL, LIENS AND FORECLOSURE OF LIENS, USE OF TAX DEEDS AND TAX CERTIFICATES AS APPROPRIATE FOR NON-AD VALOREM ASSESSMENTS, AND CONTRACTUAL AGREEMENTS SHALL BE AS SET FORTH IN CHAPTERS 170, 189, 197, AND 298, FLORIDA STATUTES, OR ANY OTHER APPLICABLE GENERAL OR SPECIAL LAW, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (C) THE DISTRICT WAS CREATED BY JUDICIAL DECREE IN LEE COUNTY CIRCUIT COURT CIVIL CASE NO. 67-72 AND CONFIRMED BY SPECIAL ACT OF THE LEGISLATURE BY CHAPTER 67-723, LAWS OF FLORIDA, IN ACCORDANCE WITH CHAPTER 298, FLORIDA STATUTES. <A]

[A> (D) THE DISTRICT'S CHARTER MAY BE AMENDED ONLY BY SPECIAL ACT OF THE LEGISLATURE. <A]

[A> (E) IN ACCORDANCE WITH CHAPTER 189, FLORIDA STATUTES, THIS ACT, AND SECTION 298.11, FLORIDA STATUTES, THE DISTRICT IS GOVERNED BY A THREE-MEMBER BOARD OF SUPERVISORS ELECTED ON A 1-ACRE, ONE-VOTE BASIS BY THE LANDOWNERS IN THE DISTRICT. THE MEMBERSHIP AND ORGANIZATION OF THE BOARD SHALL BE AS SET FORTH IN THIS ACT AND CHAPTER 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (F) THE COMPENSATION OF BOARD MEMBERS SHALL BE GOVERNED BY THIS ACT AND CHAPTER 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (G) THE ADMINISTRATIVE DUTIES OF THE BOARD OF SUPERVISORS SHALL BE AS SET FORTH IN THIS ACT AND CHAPTER 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (H) REQUIREMENTS FOR FINANCIAL DISCLOSURE, MEETING NOTICES, REPORTING, PUBLIC RECORDS MAINTENANCE, AND PER DIEM EXPENSES FOR OFFICERS AND EMPLOYEES SHALL BE AS SET FORTH IN CHAPTERS 112, 189, 286, AND 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (I) THE PROCEDURES AND REQUIREMENTS GOVERNING THE ISSUANCE OF BONDS, NOTES, AND OTHER EVIDENCE OF INDEBTEDNESS BY THE DISTRICT SHALL BE AS SET FORTH IN CHAPTER 298, FLORIDA STATUTES, AND OTHER APPLICABLE GENERAL LAWS, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (J) THE PROCEDURES FOR CONDUCTING DISTRICT ELECTIONS AND FOR QUALIFICATION OF ELECTORS SHALL BE PURSUANT TO THIS ACT AND CHAPTERS 189 AND 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (K) THE DISTRICT MAY BE FINANCED BY ANY METHOD ESTABLISHED IN THIS ACT, CHAPTER 298, FLORIDA STATUTES, AND APPLICABLE GENERAL LAWS, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (L) THE METHODS FOR COLLECTING NON-AD VALOREM ASSESSMENTS, FEES, OR SERVICE CHARGES SHALL BE AS SET FORTH IN CHAPTERS 197 AND 298, FLORIDA STATUTES, AND OTHER APPLICABLE GENERAL LAWS, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (M) THE DISTRICT'S PLANNING REQUIREMENTS SHALL BE AS SET FORTH IN CHAPTERS 189 AND 298, FLORIDA STATUTES, AS THEY MAY BE AMENDED FROM TIME TO TIME. <A]

[A> (N) THE DISTRICT'S GEOGRAPHIC BOUNDARY LIMITATIONS ARE SET FORTH IN SECTION 4. <A]

[A> SECTION 6. BOARD OF SUPERVISORS; QUALIFICATIONS.--PURSUANT TO SECTION 298.76(3), FLORIDA STATUTES, IF NO OWNER OF PROPERTY WITHIN THE DISTRICT WHO IS ALSO A RESIDENT OF LEE COUNTY AS REQUIRED BY SECTION 298.11(1), FLORIDA STATUTES, QUALIFIES FOR ELECTION TO THE DISTRICT BOARD OF SUPERVISORS AT AN ANNUAL LANDOWNERS' MEETING, THEN ANY OWNER OF LAND WITHIN THE DISTRICT WHO IS ALSO A CITIZEN OF THE STATE MAY QUALIFY AND STAND FOR ELECTION FOR THE DISTRICT BOARD OF SUPERVISORS. <A]

[A> SECTION 7. IF ANY PROVISION OF THIS ACT OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THE ACT WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS ACT ARE DECLARED SEVERABLE. <A]

[A> SECTION 8. EFFECT OF CONFLICT.--IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF THIS ACT AND THE PROVISIONS OF ANY OTHER ACT, THE PROVISIONS OF THIS ACT SHALL CONTROL TO THE EXTENT OF SUCH CONFLICT. <A]

[*2] Section 2. [A> CHAPTERS 67-723, 81-408, AND 86-417, LAWS OF FLORIDA, ARE REPEALED. <A]

[*3] Section 3. This act shall take effect upon becoming a law.

HISTORY:
Approved by the governor: May 26, 1999
Filed in the Office of the Secretary of State: May 26, 1999

SPONSOR: Saunders

RESOLUTION 2005 - 1

WHEREAS, the Board of Supervisors of the County Line Drainage District (the "District") a political subdivision of the State of Florida, whose address is 12008 N.E. Highway 70, Arcadia, Florida 34266, met in a special meeting of the District Board on March 8th, 2005, at 10:00 a.m. in the offices of the County Line Drainage District located at 23351 N. River Road, Alva, Florida and,

WHEREAS, the landowners of the majority of the acreage within the District provided a further status report to the Board of Supervisors of the their intention to seek an amendment to the Lee County Comprehensive Plan and related approvals by Lee County that would authorize certain urban development within the confines of the District and,

WHEREAS, the majority landowners informed the Board of Supervisors that the County had engaged in discussions involving cluster development, new urbanism design techniques and the provision of green space and flow ways for the purpose of preventing urban sprawl and initiating restoration of portions of the Spanish Creek Basin, and,

WHEREAS, the majority landowners informed the Board of Supervisors of the District that the creation of flow ways and certain other environmental features would involve modification of District rights-of-way and adjacent lands within the District, and,

WHEREAS, the Board of Supervisors determined that it would be appropriate under the specified circumstances for the District to be a co-applicant to Lee County with the majority of landowners for an amendment to the Lee County Comprehensive Plan converting certain lands within the District to a flow-way and related environmental features, and,

WHEREAS, the Board of Supervisors have reviewed the proposal and determined that a Comprehensive Plan Amendment such as described herein would be in the best interest of the District and its landowners.:

1. The request of the majority landowners within the County Line Drainage District for the District to join in the landowners application for a Comprehensive Plan Amendment to the Lee County Comprehensive Plan is hereby approved; and

2. All costs incurred in the process of obtaining the described Comprehensive Plan Amendments and all other costs incurred by the District in the modification or amendment of its water control plan shall be paid by the majority landowners.

DONE AND ORDERED this 8th day of March, 2005.

Edgar Brown, President
Board Of Supervisors
County Line Drainage District
12008 N.E. Highway 70
Arcadia, Florida 34266

ATTEST:

Dana Clement, Secretary

C:\Documents and Settings\Dana\My Documents\clresolutionfortheamendmenttotheleecountycmprehensiveplan.doc

AFFIDAVIT

I, Edgar A. Brown as President of the County Line Drainage District hereby certify that the County Line Drainage District is the 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. The County Line Drainage District also authorizes staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

County Line Drainage District

Edgar G. Brown

March 8, 2005
Date

Edgar A. Brown, President
Printed Name and Title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Edgar A. Brown as President of the County Line Drainage District, who is personally known to me or who has produced _____ as identification.

(SEAL)

Dana A. Clement
MY COMMISSION # DD240592 EXPIRES
November 20, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

Dana A. Clement
Signature of Notary Public

Dana A. Clement
Printed Name of Notary Public

LEGAL DESCRIPTION

PART OF APPENDIX "A"

THAT PORTION OF LAND DESCRIBED IN APPENDIX "A", DESCRIBED AS FOLLOWS:

IN TOWNSHIP 43 SOUTH, RANGE 27 EAST, SECTIONS 1, 2, 3, 12, THAT PART OF SECTION 11 WHICH LIES EASTERLY OF A LINE 1,720 FEET (AS MEASURED ON THE PERPENDICULAR) EASTERLY OF THE WEST LINE OF SAID SECTION 11, THAT PART OF SECTION 14 LYING NORTH OF THE SOUTH 3,160 FEET OF SAID SECTION 14, AND THE NORTH THREE-QUARTERS OF SECTION 13, EXCEPTING FROM ALL THE LANDS HEREIN ABOVE DESCRIBED, A PARCEL OF LAND IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM A 4"x4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 13, BEAR SOUTH 0°13'15" EAST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,124.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1,800 FEET; THENCE SOUTH 0°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,360.11 FEET; THENCE NORTH 89°36'20" WEST A DISTANCE OF 562.68 FEET; THENCE NORTH 0°05'00" WEST A DISTANCE OF 524.79 FEET TO AN INTERSECTION THEREOF WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER (SOUTH 1/2 OF SOUTHWEST 1/4) OF SAID SECTION 13; THENCE NORTH 89°47'12" WEST ALONG SAID NORTH LINE TO THE WEST LINE OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 13 TO THE POINT OF BEGINNING.

TOGETHER WITH TRACT 9 AND TRACT 10 OF OFFICIAL RECORD BOOK 2229 PAGE 891 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

TRACT 9:
THE SOUTH 1/2 OF THE EAST 1/7 OF THE WEST 7/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA
AND
TRACT 10:
THAT PORTION OF THE SOUTH 2/3 OF THE EAST 1/2 OF THE EAST 1/6 OF THE WEST 6/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA LYING SOUTH OF THE DRAINAGE DITCH.

AND ALSO TOGETHER WITH PARCEL I AND PARCEL II OF OFFICIAL RECORD BOOK 2415 PAGE 2563 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

PARCEL I:
THAT PART OF THE WEST 60 FEET OF THE EAST 1/6 OF THE WEST 6/17 OF THE SOUTH 1/4, LYING SOUTH OF THE CREEK, IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.
AND
PARCEL II:
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, TROPICAL RIVER GROVES, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE RUN NORTH 90°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION 13 (SAID SOUTHERLY LINE BEING ALSO THE CENTERLINE OF STATE ROAD NO. 78), FOR 1717.71 FEET; THENCE RUN NORTH FOR 33.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN NORTH 90°00'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 191.53 FEET; THENCE RUN NORTH 2°51'45" EAST FOR 116.20 FEET; THENCE RUN NORTH 18°47'54" EAST FOR 123.32 FEET; THENCE RUN NORTH 21°18'45" EAST FOR 184.13 FEET; THENCE RUN NORTH 42°16'54" EAST FOR 112.81 FEET; THENCE RUN SOUTH 0°22'20" EAST FOR 487.81 FEET TO THE POINT OF BEGINNING.

AND ALSO TOGETHER WITH OFFICIAL RECORD BOOK 1934 PAGE 579 (COUNTY LINE DRAINAGE DISTRICT) BEING DESCRIBED AS FOLLOWS:

THE EAST ONE HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LYING AND BEING IN LEE COUNTY, FLORIDA.

AND ALSO TOGETHER WITH OFFICIAL RECORD BOOK 2121 PAGE 2508 (COUNTY LINE DRAINAGE DISTRICT) BEING DESCRIBED AS FOLLOWS:

A TRACT OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH 00°11'01" EAST (BASIS OF BEARINGS IS ASSUMED), ALONG THE EAST LINE OF SAID SECTION 15, A DISTANCE OF 640.86 FEET, TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHEAST 1/4 OF SECTION 15, AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED:
THENCE CONTINUE NORTH 00°11'18" EAST, ALONG SAID EAST LINE A DISTANCE OF 751.04 FEET; THENCE NORTH 89°36'22" WEST, A DISTANCE OF 135.00 FEET; THENCE SOUTH 00°11'18" WEST, A DISTANCE OF 752.65 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHEAST 1/4 OF SAID SECTION 15; THENCE NORTH 89°42'46" EAST, ALONG THE SOUTH LINE OF SAID FRACTION, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING

AND ALSO TOGETHER WITH PART OF OFFICIAL RECORD BOOK 2515 PAGE 3593 (WINDING BROOK CORPORATION) BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTH ONE-QUARTER (1/4) OF SAID SECTION 13 LYING NORTHERLY OF THE CREEK AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:
FROM A 4"x4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 13, BEAR SOUTH 0°13'15" EAST ALONG THE WEST LINE OF SECTION 13, A DISTANCE OF 2,124.00 FEET, THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 1,800.00 FEET TO THE POINT OF BEGINNING OF THE ABOVE REFERENCED LINE; THENCE SOUTH 0°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13 TO THE INTERSECTION WITH THE AFORESAID CREEK.

PREPARED BY:
AIM ENGINEERING & SURVEYING, INC.

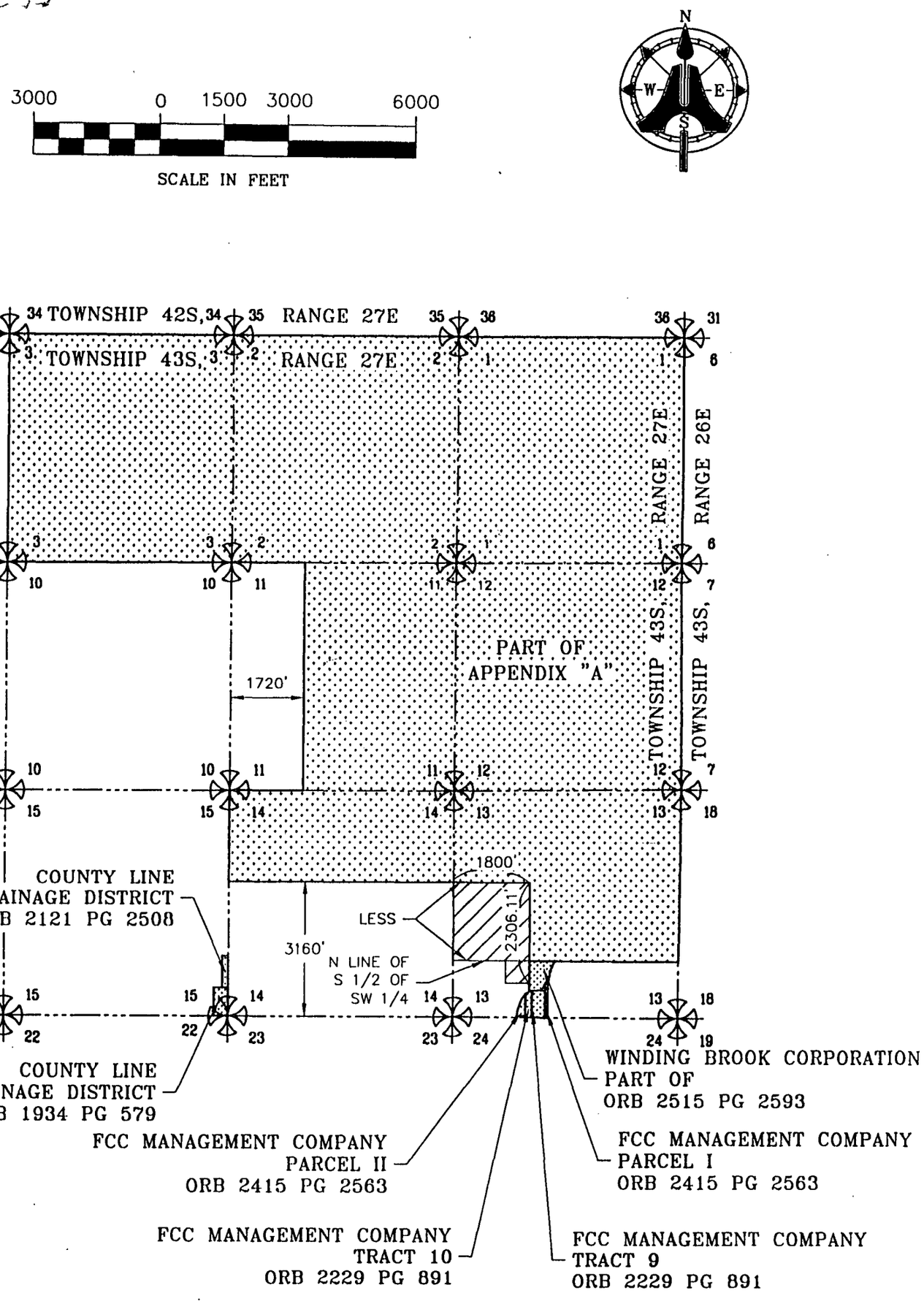
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

MICHAEL J. ZOLTEK, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5751

AIM Engineering & Surveying, Inc.
5300 LEE BLVD.
P.O. BOX 1235
LEHIGH ACRES
FLORIDA. 33970
941/332-4569
FX:941/332-8734

THIS IS NOT A SURVEY

PROJECT NUMBER:	DESCRIPTION:		
5231-301	DESCRIPTION AND SKETCH OF LANDS COMPRISING COUNTY LINE DRAINAGE DISTRICT		
DRAWN BY: LWC	CLIENT: COUNTY LINE DRAINAGE DISTRICT		
DATE: 12/21/98	SEC-TWP-RGE 1-3, 11-15/43/27	FILE: 5231	COUNTY: LEE COUNTY



= COUNTY LINE DRAINAGE DISTRICT DESCRIPTION

= COUNTY LINE DRAINAGE DISTRICT (LESS-OUT)

AIM Engineering & Surveying, Inc.
5300 LEE BLVD.
P.O. BOX 1235
LEHIGH ACRES
FLORIDA 33970
941/332-4569
FX:941/332-8734

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER:	DESCRIPTION:		
5231-301	DESCRIPTION AND SKETCH OF LANDS COMPRISING COUNTY LINE DRAINAGE DISTRICT		
DRAWN BY: LWC	CLIENT: COUNTY LINE DRAINAGE DISTRICT		
DATE: 12/21/98	SEC-TWP-RGE 1-3, 11-15/43/27	FILE: 5231	COUNTY: LEE COUNTY

CPA 2004-00001

AFFIDAVIT

I, Joseph Beale as President of Florida Agri-Management Company certify that I am authorized to speak as the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of Florida Agri-Management Company and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

Florida Agri-Management Company

Joseph Beale — 3/8/05
Date

Joseph Beale President
Printed Name and Title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Joseph Beale as President of Florida Agri-Management Company, who is personally known to me or who has produced _____ as identification.

(SEAL)

Dana A. Clement
MY COMMISSION # DD240592 EXPIRES
November 20, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

Dana A. Clement
Signature of Notary Public

Dana A. Clement
Printed Name of Notary Public

RECEIVED
MAR 14 2005
PERMIT COUNTER

ATTORNEYS' TITLE INSURANCE FUND INC.

Number of pages sent: 8 **including this page**

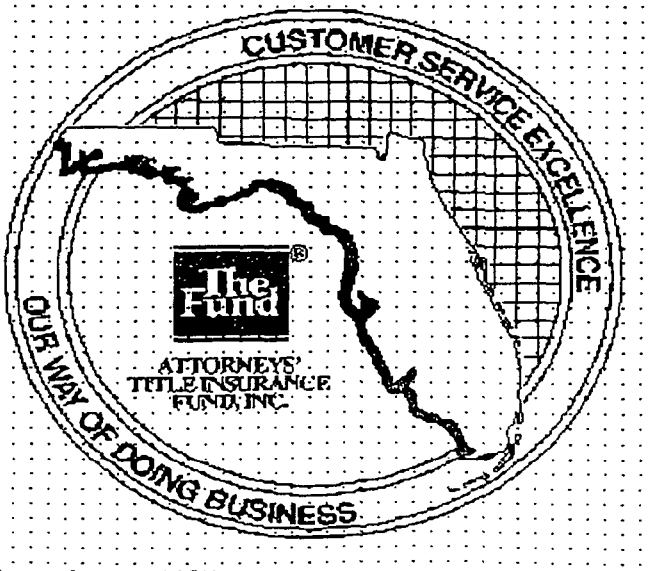
SENT TO

Fax Number: 3322243

SENT BY: ATTORNEYS' TITLE INSURANCE FUND INC, - COPY DEPT.

Date: March 02, 2005 **Time: 4:42:03 PM**

We Appreciate Your Business!



HCPY ABG@ **** ATTORNEYS' TITLE INSURANCE FUND, INC. **** 03/02/2005
HARD COPY REQUEST - PRINT/CONFIRMATION 16:36:31

PAGE : 1
USER ID : 50096 DATE REL : 03/02/2005
CUSTOMER NO : 000156201 DELIVER BY : FAX

REQUEST ID : FL-05-009040
NAME : PAVESE HAVERFIELD HARRISON
ADDRESS : & JENSEN LLP

1833 HENDRY ST
PO BOX 1507
FT MYERS, FL 33902-1507

FILE/ORDER REF : 68731.001 BILL CODE:

ORDER BY : LAVITA LANIER EXT : PHONE : (239) 336-6296
RESPONSIBLE PARTY : NEYSA BORKERT FAX : (239) 332-2243
HARD COPY REQUEST - INFORMATION ONLY

****
* *
* AN INVOICE WILL BE PREPARED FOR THE DOCUMENTS INCLUDED IN THIS ORDER *
* *
****
* *
****

COUNTY : LEE

F	PRIMARY REF	SECONDARY REF	DOF	TOI
OR	2229	891		
OR	2415	2563		

HARD COPY REQUEST SENT TO BRANCH : ATIF - SOUTHWEST FLORIDA BRANC

15.00
+30.00

3042549

OR2229 PG0890

WARRANTY DEED

THIS WARRANTY DEED made as of this 1st day of June, 1991, by ORANGE-CO, INC., a Florida corporation, hereinafter called the Grantor, to PCC MANAGEMENT COMPANY, a Florida corporation, of the State of Florida, whose post office address is: 3245 Okeechobee Road, Ft. Pierce, FL 34947, hereinafter called the Grantee:

WITNESSETH: That the Grantor for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Lee County, Florida, more particularly described on Exhibit A attached hereto and incorporated herein by reference.

Documentary Tax Pd. $ 45.00 Intangible Tax Pd. $ CHARLIE GREEN, CLERK, LEE COUNTY by Deputy Clerk

TOGETHER WITH the following:

1. All the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining;

2. All access easements, mineral rights owned by Grantor, water rights, ditch rights and drainage rights, permits, licenses, approvals, agreements, and any other documents affecting or relating to the full use and enjoyment of the above described real property as citrus grove; and

3. The entire crop of citrus fruit now maturing on the grove trees, emanating from the Spring Bloom of 1990 and known as the 1990-91 fruit crop, and the crop emanating from all subsequent blooms; and

4. All irrigation and drainage equipment, facilities and installations situate upon, and affixed to, the above described citrus grove property.

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

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes and assessments accruing subsequent to December 31, 1990, zoning and other governmental regulations, and those certain matters described on Exhibit B attached hereto and incorporated herein by reference.

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

ATTEST:

ORANGE-CO, INC.,
a Florida corporation

Dale A. Bruvelheide,
Assistant Secretary

By: Erroll L. Fielding,
Sr. Vice President -
Grove Operations

(CORPORATE SEAL)

SEAL

Prepared by and Return to:
Craig A. Minegar, Esquire
DYKEMA GOSSETT
Post Office Box 1050
Tampa, Florida 33602

● RECORD VERIFIED - CHARLIE GREEN, CLERK ● By: Kay Tanner, D.C. ●

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 7th day of June, 1991, by EERROLL L. FIELDING, Sr. Vice President - Grove Operations, [redacted], and Dale A. Bruwelheide, as Assistant Secretary of ORANGE-CO, INC., a Florida corporation, on behalf of the corporation.

Notary Public,
State of Florida at Large

My Commission Expires: NOTARY PUBLIC STATE OF FLORIDA. MY COMMISSION EXPIRES: March 31, 1995. BONDED THRU NOTARY PUBLIC UNDERWRITERS.

OR2229 PG0891

423/RESTATE

EXHIBIT A

LEGAL DESCRIPTION

Office, Barn and Utility Area:

Tract 9: The South 1/2 of the East 1/7 of the West 7/17 of the South 1/4 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

and

Tract 10: That portion of the South 2/3 of the East 1/2 of the East 1/6 of the West 6/17 of the South 1/4 of Section 13, Township 43 South, Range 27 East, Lee County, Florida, lying south of the drainage ditch.

92/RESTATE (ALVA GROVES - 6/6/91)

EXHIBIT B

As to Office, Barn and Utility Area, Tracts 9 and 10:

1. Judgment Creating and Incorporating a Drainage District recorded April 3, 1967, in O.R. Book 402, Page 788, Public Records of Lee County, Florida.

2. Oil, Gas and Mineral rights as set forth in Deed recorded in O.R. Book 369, Page 115, Public Records of Lee County, Florida (No determination has been made as to the current record owner of the oil, gas and mineral interests excepted herein).

3. Ordinance No. 86-14 recorded November 30, 1990, at O.R. Book 2189, Page 3281, as amended by Ordinance No. 86-38 recorded November 30, 1990, at O.R. Book 2189, Page 3334, both of the Public Records of Lee County, Florida (All Tracts).

423/RESTATE

OR2229 PG0892

CHARLIE GREEN LEE CTY FL
91 JUN 21 PM 2:36

15.00
.70
2t

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

3439400

OR2415 PG2563

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURNER, D.C.

WARRANTY DEED

THIS WARRANTY DEED, executed this 4th day of August, 1993, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

Documentary Tax Pd. $ 70
Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
By: Deputy Clerk

FCC MANAGEMENT COMPANY, a Florida corporation
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

PARCEL I:

That part of the West 60 feet of the East 1/8 of the West 8/17 of the South 1/4, lying South of the creek, in Section 13, Township 43 South, Range 27 East, Lee County, Florida.

PARCEL II:

The Southeast 1/4 of the Southwest 1/4 of Section 13, Township 43 South, Range 27 East, TROPICAL RIVER GROVES, Lee County, Florida, more particularly described as follows:

Begin at the Southwest corner of said Section 13, Thence run North 90°00'00" East along the

OR2415 PG2564

Southerly line of said Section 13 (said Southerly line being also the centerline of State Road No. 78), for 1717.71 feet; thence run North for 33.00 feet to a point on the Northerly right-of-way line of said State Road No. 78 and the Point of Beginning of the lands herein described. From said Point of Beginning run North 90°00'00" West along said Northerly right-of-way line for 191.53 feet; thence run North 2°51'45" East for 116.20 feet; thence run North 18°47'54" East for 123.32 feet; thence run North 21°18'45" East for 184.13 feet; thence run North 42°16'54" East for 112.81 feet; thence run South 0°22'20" East for 487.81 feet to the Point of Beginning.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1992.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn E Baird
KATHRYN E BAIRD, Witness
(Print or Type Name)

Carolyn Sikorski
CAROLYN SIKORSKI, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, A Florida General Partnership

By: Joseph B. Beale, Jr., Individually, and as General Partner

By: Edgar A. Brown
Edgar A. Brown, Individually and as General Partner

By: Charles M. Campbell, Jr., Individually and as General Partner

By: John D Campbell
John D. Campbell, Individually and as General Partner

CHARLIE GREEN LEE CTY, FL.

93 AUG 16 PM 4:19

OR2415 PG2565

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 4th day of August, 1993, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION # CC 124736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

Kathryn E. Baird
KATHRYN E. BAIRD NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-95
My Commission No.: CC 124736

CPA2004-00006

AFFIDAVIT

I, Chris M. Hansen, certify that I am the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of me and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

Chris M. Hansen

Chris M. Hansen

03/08/05

Date

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Chris M. Hansen, who is personally known to me or who has produced _____ as identification.

(SEAL)
Dana A. Clement
MY COMMISSION # DD240592 EXPIRES
November 20, 2007
THRU TROY FAIN INSURANCE, INC.

Dana A. Clement

Signature of Notary Public

Dana A. Clement

Printed Name of Notary Public

RECEIVED
MAR 14 2005
PERMIT COUNTER

AFFIDAVIT

I, Susan P. Hansen as President of C.M. Hansen Farms, Inc. certify that I am authorized to speak as the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of C.M. Hansen Farms, Inc. and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

C.M. Hansen Farms, Inc.

Susan P Hansen 03/08/05

Date

SUSAN P HANSEN PRES

Printed Name and Title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Susan P. Hansen as President of C.M. Hansen Farms, Inc., who is personally known to me or who has produced _____ as identification.

(SEAL)
Dana A. Clement
MY COMMISSION # DD240592 EXPIRES
November 20, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

Dana A. Clement

Signature of Notary Public

Dana A. Clement

Printed Name of Notary Public

AFFIDAVIT

I, Susan P. Hansen, certify that I am the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of me and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

Susan P. Hansen

03/08/05
Date

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Susan P. Hansen, who is personally known to me or who has produced _____ as identification.

(SEAL)

Dana A. Clement
MY COMMISSION # DD240592 EXPIRES
November 20, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

Signature of Notary Public

Dana A. Clement
Printed Name of Notary Public

AFFIDAVIT

I, GEORGE E. SCHWAB as SR. VICE PRES. of Winding Brook Corporation certify that I am authorized to speak as the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of Winding Brook Corporation and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

Winding Brook Corporation

George E. Schwab Sr. Vice Pres. 3-8-05
Date

GEORGE E. SCHWAB SR. VICE PRES
Printed Name and Title

STATE OF ~~FLORIDA~~ Texas)
COUNTY OF ~~LEE~~ Kendall)

The foregoing instrument was certified and subscribed before me this 8 day of March, 2005, by GEORGE E. SCHWAB as SR. VICE PRES of Winding Brook Corporation, who is personally known to me or who has produced TEXAS DRIVING LICENSE as identification.

(SEAL)

Signature of Notary Public

Printed Name of Notary Public

MELINDA INGRAM
Notary Public
State of Texas
Comm. Exp. 02-16-2008

MELINDA INGRAM
Notary Public
State of Texas
Comm. Exp. 02-16-2008

RECEIVED
MAR 14 2005
PERMIT COUNTER

CPA 2004-00006

AFFIDAVIT

I, Michael F. Beale as President of Broco of Jacksonville, L.L.C. certify that I am authorized to speak as the owner of record for the property described in attached Exhibit "A", 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 authorize Florida Citrus Company to bring this application on behalf of Broco of Jacksonville, L.L.C. and to act as the authorized agent in this application. I also authorize staff of Lee County Community Development to enter upon the property during normal working hours with notice, since this is an active agricultural property with a gated entrance, for the purpose of investigating and evaluating the request made through this application.

Broco of Jacksonville, L.L.C

Michael F. Beale 3-8-05
Date

Michael F. Beale
Printed Name and Title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 8th day of March, 2005, by Michael F Beale as President of Broco of Jacksonville, L.L.C., who is personally known to me or who has produced _____ as identification.

(SEAL)

Terri Kimball
My Commission DD360735
Expires October 18, 2008

Signature of Notary Public

Terri Kimball
Printed Name of Notary Public

RECEIVED
MAR 14 2005
PERMIT COUNTER

CPA 2004-00001

2865542 CP#2004-00006

OR2157 PG3807

SUPPLEMENTAL QUIT-CLAIM DEED

THIS SUPPLEMENTAL QUIT-CLAIM DEED, executed this 14th day of June, 1990, by GEORGE K. NOGA, DELTON L. HAYNES, JOSEPH F. BERT and CERTIFIED FINANCIAL SERVICES, INC., as Trustees for DOUBLE Z GROVES TRUST (the "Grantor"), to FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida 34954 (the "Grantee").

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the Grantee forever, all the right, title, interest, claim and demand which the Grantor has, or claims to have, in and to the following described lands, situate, lying and being in the County of Lee, State of Florida, to-wit:

All of Sections 1, 2, 3, 11, 12, 13 and 14, Township 43 South, Range 27 East, Lee County, Florida

This Quit-Claim Deed supplements and confirms a certain Warranty Deed delivered simultaneously herewith given by the Grantor in favor of Grantee, and is made and executed in order to provide advance cure to any and all errors of description made, or appearing to have been made in such Warranty Deed.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor either in law or in equity, to the only proper use, benefit and behoof of the Grantee forever.

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

Signed, Sealed and Delivered in the presence of:

DOUBLE Z GROVES TRUST

By: _____
George K. Noga, Trustee

By: _____
Delton L. Haynes, Trustee

By: _____
Joseph F. Bert, Trustee

Documentary Tax Pd. $ 45.50

$ _____ Intangible Tax Pd.

CHARLIE GREEN, CLERK, LEE COUNTY

By: _____ Deputy Clerk

RECEIVED
MAR 14 2005

CERTIFIED FINANCIAL SERVICES, INC.,
a Florida corporation, Trustee

By: _____
Delton L. Haynes, President

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Orange

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by George K. Noga, as Trustee of the Double Z Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: DEC. 2, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA
COUNTY OF Seminole

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by Delton L. Haynes, Individually and as President of Certified Financial Services, Inc. a Florida corporation, as Trustees of the Double Z Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: JAN. 7, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA
COUNTY OF Seminole

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by Joseph F. Bert, as Trustee of the Double Z Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: JAN. 7, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Bryan & Kobleqard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

OR2157P03608

90 JUN 25 AM 11:14
CHARLIE GREEN LEE CTY FL

2865541

OR2157 PG3805

SUPPLEMENTAL QUIT-CLAIM DEED

THIS SUPPLEMENTAL QUIT-CLAIM DEED, executed this 14th day of June, 1990, by GEORGE K. NOGA, DELTON L. HAYNES, JOSEPH F. BERT and CERTIFIED FINANCIAL SERVICES, INC., as Trustees for CALOOSA GROVES TRUST (the "Grantor"), to FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida 34954 (the "Grantee").

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the Grantee forever, all the right, title, interest, claim and demand which the Grantor has, or claims to have, in and to the following described lands, situate, lying and being in the County of Lee, State of Florida, to-wit:

> All of Sections 1, 2, 3, 11, 12, 13 and 14, Township 43 South, Range 27 East, Lee County, Florida
>
> This Quit-Claim Deed supplements and confirms a certain Warranty Deed delivered simultaneously herewith given by the Grantor in favor of Grantee, and is made and executed in order to provide advance cure to any and all errors of description made, or appearing to have been made in such Warranty Deed.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor either in law or in equity, to the only proper use, benefit and behoof of the Grantee forever.

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

Signed, Sealed and Delivered in the presence of:

CALOOSA GROVES TRUST

By: _____
George K. Noga, Trustee

By: _____
Delton L. Haynes, Trustee

By: _____
Joseph F. Bert, Trustee

Documentary Tax Pd $ _____

$ _____ Intangible Tax Pd

CHARLIE GREEN, CLERK LEE COUNTY

By _____ Deputy Clerk

CERTIFIED FINANCIAL SERVICES, INC.,
a Florida corporation, Trustee

By: _____
Delton L. Haynes, President

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Orange

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by George K. Nega, as Trustee of the Caloosa Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: DEC. 2, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF FLORIDA
COUNTY OF Seminole

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by Delton L. Haynes, Individually and as President of Certified Financial Services, Inc. a Florida corporation, as Trustees of the Caloosa Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: JAN. 7, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA
COUNTY OF Seminole

I HEREBY CERTIFY that the foreging instrument was acknowledged before me this 14th day of June, 1990, by Joseph F. Bert, as Trustee of the Caloosa Groves Trust.

_____
NOTARY PUBLIC, State of Fla. at Large
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: JAN. 7, 1993.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, FL 34954

OR 2157 PG 3806

CHARLIE GREEN CLK CTY FL
90 JUN 25 AM 11:14

File TC 3486/40
This Instrument Prepared by:
Linda J. Orth
TRI COUNTY TITLE INSURANCE AGENCY, INC.
13012 PALM BEACH BOULEVARD
FORT MYERS, FLORIDA 33905

2912828

Documentary Tax Pd. $ 390.50 Intangible Tax Pd. $ _____
CHARLIE GREEN, CLERK, LEE COUNTY
By _____ Deputy Clerk

OR2176 PG4062

$390.50 DS
10.50 Rec
$401.00

WARRANTY DEED

This Indenture made this 21st day of September, 1990 BETWEEN TERRY N. WARD and BETTY JEAN WARD, Husband and Wife, , of the County of Lee, State of FL, grantor*, and FLORIDA CITRUS COMPANY a Florida General Partnership, whose post office address is P.O. Box 490, Dunnellon, FL 34954 of the County of _____, State of , grantee*.

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars 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 grantee and grantee's heirs and assigns forever the following described and situate, lying and being in LEE County, Florida, to-wit:

The Southeast 1/4 of the Southwest 1/4 of Section 13, Township 43 South, Range 27 East, TROPICAL RIVER GROVES, Lee County, Florida, more particularly described as follows:

Begin at the Southwest corner of said Section 13, thence run North 90 degrees 00'00" East along the Southerly line of said Section 13, (said Southerly line being also the centerline of State Road No. 78), for 1717.71 feet; thence run North for 33.00 feet to a point on the Northerly right-of-way line of said State Road No. 78 and the Point of Beginning of the lands herein described. From said Point of Beginning run North 90 degrees 00'00" West along said Northerly right-of-way line for 191.53 feet; thence run North 2 degrees 51'45" East for 116.20 feet; thence run North 18 degrees 47'54" East for 123.32 feet; thence run North 21 degrees 18'45" East for 184.13 feet; thence run North 42 degrees 16'54" East for 112.81 feet; thence run South 0 degrees 22'20" East for 487.81 feet to the Point of Beginning.

SUBJECT TO easements, restrictions and reservations of record, if any, and taxes for the calendar year 1990 and subsequent years.

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

TO HAVE AND TO HOLD, the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in FEE SIMPLE; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990.

*Singular and plural are interchangeable as context requires.

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

Signed, sealed and delivered in our presence:

Linda J. Orth
Terry N. Ward
TERRY N. WARD
Betty Jean Ward
BETTY JEAN WARD

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: J. TURNER, D.C.

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared: TERRY H. WARD and BETTY JEAN WARD, Husband and Wife and to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 21st day of Sept, 1990.

(seal)

Notary Public
My Commission Expires: 10-2-90

OR2176 PG4063

CHARLIE GREEN LEE CTY FL
90 SEP 25 AM 11:28

Return to: (enclose self-addressed stamped envelope)

Name: 90-10-0076

Address: 6.00 22.00

This instrument Prepared by: DIANNE E. FENSKE
STEWART TITLE OF FT. MYERS, INC.
Address: 6238-6 PRESIDENTIAL COURT
FT. MYERS, FLORIDA 33919

Property Appraisers Parcel Identification (Folio) Number(s):
01-43-27-00-00001.044A
Grantee(s) S.S. #(s):

WARRANTY DEED
STATUTORY
F. S. 689.02

CHARLIE GREEN LEE CTY FL

90 NOV -5 PM 1:42

2933019

RAMCO FORM 4W

Documentary Tax Pd. $ 22.00
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By C. Horne Deputy Clerk

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

OR2185

PG0270

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

This Indenture, *Made this* 1st *day of* November *, A. D. 19* 90

Between SHIRLEY K. LUCAS ,
a married woman,

of the County of Lee *, in the State of* FLORIDA *, part* y *of the first part, and*
FLORIDA CITRUS COMPANY, a Florida General Partnership,
of the County of *, in the State of* FLORIDA *, whose post office address is*
P.O. BOX 490 FT. PIERCE, FL
part y *of the second part.*

Witnesseth, *That the said part* y *of the first part, for and in consideration of the sum of* Dollars,
TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS ~~to ~~ *of the second part, the receipt whereof is hereby acknowledged* ~~it~~ *granted, bargained, and sold to* ~~the~~ *said part* his *of the second part, heirs and assigns forever, the following described land, situate, and being in the County of* LEE *State of* FLORIDA *, to-wit:*

The North 1/2 of the North 1/2 of the East 1/8 of the West 8/17 of the North 1/2 of the South 1/2 in Section 1, Lee County, Florida.

Property is not homestead of Grantor.

Subject to easements, restrictions and reservations of record if any, and taxes for the year 1990 and subsequent years.

And the said part *of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.*

In Witness Whereof, *The said part* *of the first part ha* s *hereunto set hand and seal the day and year first above written.* his

Signed, sealed and delivered in the presence of:

[illegible] (L.S.)

[illegible] (L.S.)

RECORDERS MEMO: SHIRLEY K. LUCAS (L.S.)
COLOR OF INK USED TO SIGN/PREPARE DOCUMENT UNSATISFACTORY FOR REPRODUCTION FROM FILM

Shirley K. Lucas (L.S.)

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

SHIRLEY K. LUCAS

to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that (t)he(y) executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of November A. D. 19 90

Diane E. Fenske

My Commission Expires: 9-10-91

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: C. HORNE, D.C.

Return to: (enclose self-addressed stamped envelope)

Name: 90-09-0046

Address:

10:50
8:30

This Instrument Prepared by: VONNIE I. BLAKELY
STEWART TITLE OF FT. MYERS
Address: 6238 PRESIDENTIAL COURT, Suite 6
FT. MYERS, FL. 33919
(813)482-3800

Property Appraisers Parcel Identification (Folio) Number(s):
12-43-27-00-00001.049A

Grantee[s] S.S. #[s]:

WARRANTY DEED
STATUTORY
F. S. 689.02

RAMCO FORM 4B

2933035

Documentary Tax Pd. $ 82.50

$ _____ Intangible Tax Pd.

CHARLIE GREEN, CLERK, LEE COUNTY

By C. Horn Deputy Clerk

OR 2185 PG 0306

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

This Indenture, *Made this* 15th *day of* October *, A. D. 19* 90

Between D.J. MUNROE, an undivided 50%, and an undivided 50% to FRANCES E. BRINDLEY, ROSEMARIE MUNROE AND KENNETH S. MUNROE

of the County of LEE *, in the State of* FLORIDA *, part* y *of the first part, and*

FLORIDA CITRUS COMPANY
of the County of LEE *, in the State of* FLORIDA *, whose post office address is*
P.O. BOX 490, FT. PIERCE, FLORIDA 34954

part y *of the second part.*

Witnesseth, *That the said part* y *of the first part, for and in consideration of the sum of* TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS *Dollars, to* him *in hand paid by the said part* y *of the second part, the receipt whereof is hereby acknowledged, ha* s *granted, bargained, and sold to the said part* y *of the second part,* his *heirs and assigns forever, the following described land, situate, and being in the County of* Lee *, State of* Florida *, to-wit:*

The North 1/2 of the East 1/3 of the West 3/17 of the North 1/2 of the South 1/2 of Section 12, Township 43 South, Range 27 East, in Lee County, Florida.

Subject to easements, restrictions and reservations of record if any, and taxes for the year 1990 and subsequent years.

THIS IS NOT THE HOMESTEAD OF THE GRANTORS

And the said part y *of the first part do* s *hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.*

In Witness Whereof, *The said part* y *of the first part ha* s *hereunto set* his *hand and seal the day and year first above written.*

Signed, sealed and delivered in the presence of:

V. Blakely
1st witness as to D.J. MUNROE and FRANCES E. BRINDLEY

D.J. Munroe (L.S.)
D.J. MUNROE

(L.S.)

O Kilpatrick
2nd. witness as to D.J. MUNROE and FRANCES E. BRINDLEY

(L.S.)

Frances E. Brindley (L.S.)
FRANCES E. BRINDLEY

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared D.J. MUNROE, an undivided 50% and 1/3 interest in an undivided 50% to FRANCES E. BRINDLEY

to me known to be the person described in and who executed the foregoing instrument and (t)he acknowledged before me that (t)he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of October A. D. 19 90

My Commission Expires: 8-13-94

V. Blakely

NOTARY PUBLIC STATE OF FLORIDA

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: C. HORN, D.C.

OR2185 PG0307

Signed, sealed and delivered in the presence of:

1st. witness as to KENNETH S. MUNROE and ROSEMARIE MUNROE

KENNETH S. MUNROE (L.S.)

2nd. witness as to KENNETH S. MUNROE and ROSEMARIE MUNROE

ROSEMARIE MUNROE (L.S.)

(L.S.)

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared KENNETH S. MUNROE and ROSEMARIE MUNROE as to 2/3 of an undivided 50% interest

to me known to be the person S described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of October A. D. 1990

NOTARY PUBLIC

My commission expires: Notary Public, State of Florida My Commission Expires May 11, 1993 Bonded Thru Troy Fain-Insurance Inc.

CHARLIE GREEN LEE CTY FL
90 NOV -5 PM 2:18

6.00
192.50
198.50

CHARLIE GREEN LEE CTY FL
90 NOV 13 PM 1:50

2936481

OR2186 PG2027

THIS WARRANTY DEED

FTC-16917-LJS

Made the 9TH day of NOVEMBER, A.D. 1990
by
B & B GROVES, A General Partnership
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A General Partnership
whose post office address is:
P.O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE NORTH HALF OF THE SOUTH HALF OF THE WEST 1/3 OF THE EAST 3/17 OF THE SOUTH HALF OF THE NORTH HALF, IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 27 EAST, (ALSO KNOWN AS 02-12-32EF) AND THE SOUTH 1/4 OF THE WEST 1/8 OF THE EAST 8/17 OF THE NORTH 1/2 OF THE NORTH 1/2 IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 27 EAST, A/K/A 02-12-08D, #727008.

Documentary Tax Pd. $ 192.50 Intangible Tax Pd $ CHARLIE GREEN, CLERK, LEE COUNTY By C. Green Deputy Clerk

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1989. Subject to easements, restrictions, reservations, conditions and limitations of record in the Public Records of LEE, County, Florida.

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

Signed, sealed and delivered in our presence:

Witness

Witness

B & B GROVES

L.S.

BY:ELBERT E. SMITH, 1/2 OWNER

STATE OF FLORIDA
COUNTY OF HENDRY

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared ELBERT E. SMITH, 1/2 OWNER for B & B GROVES, A General Partnership, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 9TH day of NOVEMBER, A.D. 1990.

(Notary Seal)

Notary Public
My Commission Expires:

JAMES G. REGAS
State of Florida
My Comm. Exp. June 1, 1994

This Instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105
X-02

RECORD VERIFIED - CHARLIE GREEN, CLERK

Return to: (enclose self-addressed stamped envelope)

90-09-0046

10:50 1030 ReRec.

This Instrument Prepared by: VONNIE I. BLAKELY
STEWART TITLE OF FT. MYERS
Address: 6238 PRESIDENTIAL COURT, Suite 6
FT. MYERS, FL. 33919
(813)482-3800

Property Appraiser's Parcel Identification (Folio) Number(s):
12-43-27-00-00001.049A

Grantee(s) S.S. #(s):

WARRANTY DEED
STATUTORY
F. S. 689.02

OR2187 PG1959

RAMCO FORM 49

2938997

2933035

Documentary Tax Pd. $ 82.50

$ _____ Intangible Tax Pd.

CHARLIE GREEN, CLERK, LEE COUNTY

By C. Horn Deputy Clerk

R2185 PG0306

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: MARTHA C. PALMER, D.C.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: C. HORN, D.C.

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

This Indenture, *Made this* 15th *day of* October , 90 *A. D. 19*

Between D.J. MUNROE, an undivided 50%, and an undivided 50% to FRANCES E. BRINDLEY, ROSEMARIE MUNROE AND KENNETH S. MUNROE

of the County of LEE *in the State of* FLORIDA *part* y *of the first part, and*

FLORIDA CITRUS COMPANY, a Florida General Partnership,

of the County of LEE *in the State of* FLORIDA *whose post office address is*

P.O. BOX 490, FT. PIERCE, FLORIDA 34954

part y *of the second part.*

Witnesseth, *That the said part* y *of the first part, for and in consideration of the sum of* TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS *Dollars, to* him *in hand paid by the said part* y *of the second part, the receipt whereof is hereby acknowledged, ha* s *granted, bargained, and sold to the said part* y *of the second part,* his *heirs and assigns forever, the following described land, situate, and being in the County of* Lee *State of* Florida *, to-wit:*

The North 1/2 of the East 1/3 of the West 3/17 of the North 1/2 of the South 1/2 of Section 12, Township 43 South, Range 27 East, in Lee County, Florida.

THIS DEED IS BEING RE-RECORDED TO REFLECT CORRECT GRANTEE NAME.

Subject to easements, restrictions and reservations of record if any, and taxes for the year 1990 and subsequent years.

THIS IS NOT THE HOMESTEAD OF THE GRANTORS

And the said part y *of the first part do* es *hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.*

In Witness Whereof, *The said part* y *of the first part ha* s *hereunto set* his *hand and seal the day and year first above written.*

Signed, sealed and delivered in the presence of:

V. Blakely
1st witness as to D.J. MUNROE and FRANCES E. BRINDLEY

D.J. MUNROE (L.S.)

Q Kilpatrick
2nd. witness as to D.J. MUNROE and FRANCES E. BRINDLEY

Frances E. Brindley (L.S.)
FRANCES E. BRINDLEY

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared D.J. MUNROE, an undivided 50% and 1/3 interest in an undivided 50% to FRANCES E. BRINDLEY

to me known to be the person described in and who executed the foregoing instrument and (t)he acknowledged before me that (t)he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of October A. D. 19 90

My Commission Expires: 8-13-94

V. Blakely

OR2187 PG1960 CHARLIE GREEN LEE CTY FL
98 NOV 19 PM 1:41

OR2185 PG0307

Signed, sealed and delivered in the presence of:

1st. witness as to KENNETH S. MUNROE and ROSEMARIE MUNROE	KENNETH S. MUNROE	L.S.
		L.S.
2nd. witness as to KENNETH S. MUNROE and ROSEMARIE MUNROE	ROSEMARIE MUNROE	L.S.
		L.S.

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared KENNETH S. MUNROE and ROSEMARIE MUNROE as to 2/3 of an undivided 50% interest

to me known to be the person S described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of October A. D. 1990

NOTARY PUBLIC

My commission expires: Notary Public, State of Florida My Commission Expires: May 11, 1993 Bonded Thru Tro, Fain - Insurance Inc.

CHARLIE GREEN LEE CTY FL
90 NOV -5 PM 2:18

Return to: (enclose self-addressed stamped envelope)

Name 90-10-0054

Address:

105.00 82.50

This Instrument Prepared by: Peggy Burt
STEWART TITLE OF FT. MYERS
Address: 6238 PRESIDENTIAL COURT, Suite 6
FT. MYERS, FL. 33919
(813)482-3800

Property Appraisers Parcel Identification (Folio) Number(s):
12-43-27-00-00001.040C

Grantee(s) S.S. #(s):

WARRANTY DEED
STATUTORY
F. S. 689.02

RAMCO FORM 4b

2968054

OR2199 PG1150

Documentary Tax Pd. $ 82.50

$ — Intangible Tax Pd.

CHARLIE GREEN, CLERK, LEE COUNTY

By: Deputy Clerk

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURNER, D.C.

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

This Indenture, *Made this* 4th *day of* January , *A. D. 19* 91

Between D. J. Munroe, as to an undivided 70% interest, Rosemarie as to an undivided 10% interest, Kenneth S. Munroe as to an undivided 10% interest, and Frances E. Brindley

of the County of , *in the State of* FLORIDA , *part* y *of the first part, and*

FLORIDA CITRUS COMPANY, a Florida General Partnership

of the County of P.O. Box 490 Ft. Pierce, *in the State of* FLORIDA 33454 , *whose post office address is*

part y *of the second part.*

Witnesseth, *That the said part* y *of the first part, for and in consideration of the sum of* Dollars,

TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS

to him *in hand paid by the said part* y *of the second part, the receipt whereof is hereby acknowledged, ha* s *granted, bargained, and sold to the said part* y *of the second part,* his *heirs and assigns forever, the following described land, situate, and being in the County of* LEE , *State of* FLORIDA , *to-wit:*

The South 1/2 of the West 1/6 of the East 6/17 of the North 1/2 of the South 1/2 of Section 11, Township 43 South, Range 27 East, in Lee County, Florida.

Subject to easements, restrictions and reservations of record if any, and taxes for the year 1990 and subsequent years.

THIS IS NOT THE HOMESTEAD OF THE GRANTORS

And the said part y *of the first part do* e *hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.*

In Witness Whereof, *The said part* y *of the first part ha* s *hereunto set* his *hand and seal the day and year first above written.*

Signed, sealed and delivered in the presence of:

M J Burt
1st Witness

Barbara Dennis

2nd Witness

D. J. Munroe L.S.

D. J. Munroe L.S.

L.S.

Frances E. Brindley L.S.

Frances E. Brindley

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared D.J. MUNROE, as to an undivided 70% interest and FRANCES E. BRINDLEY, as to an undivided 10% interest to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4 day of January A. D. 19 91

My Commission Expires: 5-10-93

(NOTARY SEAL)

Margaret D. Burt
NOTARY PUBLIC, STATE OF FLORIDA

FURTHER EXECUTION AND NOTARIZATION ON NEXT PAGE

In Witness Whereof, *The said part y of the first part ha s hereunto set* his *hand and seal the day and year first above written.*

Signed, sealed and delivered in the presence of:

Mary L Brook
1st Witness

Bonnie S. Gilmore
2nd Witness

Rosemarie Munroe L.S.

Rosemarie Munroe L.S.

Kenneth S. Munroe L.S.

Kenneth S. Munroe L.S.

STATE OF FLORIDA,
COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared ROSEMARIE MUNROE, as to an undivided 10% interest and KENNETH S. MUNROE, as to an undivided 10% interest to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 31 day of January December A. D. 1990

My Commission Expires:

Notary Public, State of Florida
My Commission Expires May 11, 1993
Bonded Thru [illegible] Insurance Inc.

(NOTARY SEAL)

Mary L Brook
NOTARY PUBLIC, STATE OF FLORIDA

OR2199 PG1151

CHARLIE GREEN LEE CTY FL

91 JAN 24 AM 10:22

D: 6.00
12.90
1990
DE 48.90

THIS WARRANTY DEED IS BEING RERECORDED TO REFLECT THE YEAR AS NOT 1991.

2970566

2966213

THIS WARRANTY DEED

FTC-17362-LJS

Made the 29 day of Dec. , A.D. 1990
by
ANTHONY D. HITCHCOX and BARBARA E. HITCHCOX, Husband and Wife
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A Florida General Partnership
whose post office address is:
P.O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

CHARLIE GREEN LEE CITY FL
91 JAN 30 AM 10:36

Documentary Tax Pd. $ 42.90
$
CHARLIE GREEN, CLERK LEE COUNTY
By M Robinson

OR2198 PG2470

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE EAST 1/7 OF THE WEST 7/17 OF THE NORTH 1/2 OF THE SOUTH 1/2, IN SECTION 02, TOWNSHIP 43 SOUTH, RANGE 27 EAST, CONSISTING OF 1-1/4 ACRES, MORE OR LESS. (A/K/A 02-02-45C, #39600-2)

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

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY J. [illegible] D.C. ●

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990. Subject to easements, restrictions, reservations, conditions and limitations of record in the Public Records of LEE, County, Florida.

CHARLIE GREEN LEE CITY FL
91 JAN 18 PM 3:55

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

Signed, sealed and delivered in our presence:

Patricia A. Schubert
Witness

Anthony D. Hitchcox LS
ANTHONY D. HITCHCOX

Sherri A. Cohn
Witness

Barbara E. Hitchcox LS
BARBARA E. HITCHCOX

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: M. J. ROBINSON, D.C. ●

STATE OF OHIO
COUNTY OF Summit

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared ANTHONY D. HITCHCOX and BARBARA E. HITCHCOX, Husband and Wife, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

OR2200 PG1084

WITNESS my hand and official seal in the County and State last aforesaid this 29th day of Dec. , A.D. 1990.

Patricia A. Schubert
Notary Public
My Commission Expires:

(Notary Seal)

PATRICIA A. SCHUBERT, Notary
Residence Co. - Summit
State of Ohio
My Commission Exp. June 14, 1995

This Instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105
X-02

6.00
30.25
36.25

CHARLIE GREEN LEE CTY FL

91 FEB -5 PM 12:01

THIS WARRANTY DEED

FTC-17595-LJS

Made the 1ST day of February, A.D. 1991
by
W. MICHAEL LITVANY,
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A Florida General Partnership
whose post office address is:
P.O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

2973304

OR2201 PG1721

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE S 1/4 OF THE EAST 1/17 OF THE N 1/4, SECTION 01, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA. (A/K/A 02-01-01-D)

Documentary Tax Pd. $ 30.25 Intangible Tax Pd. $ CHARLIE GREEN, CLERK, LEE COUNTY By Deputy Clerk

SUBJECT property is not now, nor has it ever been the homestead property of the grantor.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990. Subject to easements, restrictions, reservations, conditions and limitations of record in the Public Records of LEE, County, Florida.

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

Signed, sealed and delivered in our presence:

Lawrence W. Schneider
Witness

W. MICHAEL LITVANY LS

Rhonda J. Lessard
Witness

RECORDERS MEMO:
COLOR OF INK USED TO SIGN/PREPARE DOCUMENT UNSATISFACTORY FOR REPRODUCTION FROM FILM.

STATE OF FLORIDA
COUNTY OF HENDRY

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared W. MICHAEL LITVANY, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1ST day of February, A.D. 1991.

Lawrence W. Schneider
Notary Public
My Commission Expires Notary Public, State of Florida at Large My Commission Expires Nov. 2, 1991

(Notary Seal)

This Instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105
X-02

RECORD VERIFIED - CHARLIE GREEN, CLERK D.C.

4.00
96.25
102.25

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: J. TURNER, D.C ●

THIS WARRANTY DEED

FTC-17594-LJS

2978175

Made the 5th day of FEBRUARY, A.D. 1991
by
C.R. JOYNER and PATSY B. JOYNER, Husband and Wife
whereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A Florida General Partnership
whose post office address is:
P.O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Documentary Tax Pd $ 96.25
By: D.C.

OR2203 PG0962

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/3 OF THE EAST 3/17 OF THE NORTH 1/2 OF THE NORTH 1/2 OF SECTION 11, TOWNSHIP 43 SOUTH, RANGE 27 EAST, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; ALSO KNOWN AS 02-11-3B, #72702-4.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990. Subject to easements, restrictions, reservations, conditions and limitations of record in the Public Records of LEE, County, Florida.

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

Signed, sealed and delivered in our presence:

Witness

Witness

C.R. JOYNER LS

PATSY B. JOYNER LS

CHARLIE GREEN LEE CTY FL
91 FEB 14 PM 12:00

STATE OF FLORIDA
COUNTY OF Polk

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared C.R. JOYNER and PATSY B. JOYNER, Husband and Wife, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 5 day of February, A.D. 1991.

Notary Public (Notary Seal)
My Commission Expires:

DONNA SPURLOCK, NOTARY PUBLIC
THE STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES 2-18-91

This Instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105
X-02

10.50R
17.50PS

TAX DEED
SEC. 197 FS

Return to:

TAX DEPT.

This instrument prepared by: Tax Department
Charlie Green, Clerk of Circuit Court
P.O. Box 2278, Ft. Myers, FL 33902

2986442

OR2206 PG2356

Property Identification Number:

02-43-27-00-00001.005B

Tax Deed File Number:

90-424790

STATE OF FLORIDA
COUNTY OF LEE

Documentary Tax Pd $ 17.05
$ ____
B. L Tolan

The following Tax Sale Certificate Numbered 01093 issued on 1986 was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 05th day of March , 1991, offered for sale as required by law for cash to the highest bidder and was sold to:

FLORIDA CITRUS COMPANY

P.O. BOX 490
FT. PIERCE FL 34954

being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

NOW, this 05th day of March , 1991, the County of Lee, State of Florida, in consideration of the sum of ($ 3100.00) 003 THOUSAND 100 DOLLARS AND 00 CENTS ********** being the amount paid pursuant to the Laws of Florida does hereby sell the following lands situated in the County and State and described as follows:

S 1/2 OF THE N1/2 OF THE W 1/5 OF THE E 5/17
OF THE N 1/2 IN SECTION 2,CONSISTING OF 2.5 ACRES,
MORE OR LESS (AKA 02-02-05B,#66990-3),TRACT 5B,
OR 1916 PG 4424,OR 1139 PG 0947

STRAP: 02-43-27-00-00001.005B

Charlie Green (SEAL)
Clerk of Circuit Court
Lee County, Florida.

Witness:
Lynn L. Tolan
Valerie D. Pitts

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY, D. DALONE, D.C. ●

STATE OF FLORIDA
COUNTY OF LEE

On this 5TH day of MARCH, 1991, before me a notary personally appeared Charlie Green, Clerk of the Circuit Court in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid.

Suzanne K. Tolone

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. OCT. 5,1994
BONDED THRU GENERAL INS. UND.

OR2206 PG2357

CHARLIE GREEN LEE CTY FL
91 MAR -5 AM 11:10

Name
Florida Citrus Company

Address:
P. O. Box 490
Fort Pierce, Florida
34954

This Instrument Prepared by:
D. J. Munroe

Address:
13032 Caribbean Blvd.
Olga, Florida
33905

OR2214 PG2620

3006991

91 APR 12 PM 4:39
CHARLIE GREEN LEE CTY FL

600
56.65

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

This Quit-Claim Deed, *Executed this* 12th *day of* April , *A. D.* 1991 , *by*

~~Husband and wife~~ Marie Keohane, also known as M. Keohane, first party, to Florida Citrus Company, a Florida general partnership, P.O. Box 490, Ft. Pierce, Fl 34954
whose postoffice address is ~~13099 Caribbee Drive, Ft. Myers Beach, Fl. 33931~~

second party: ~~Florida Citrus Company~~

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, *That the said first party, for and in consideration of the sum of* $ 10,300.00 *in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of* Lee *State of* Florida , *to-wit:*

S/2 W 1/5 E 5/17 N/2 S/2 Sec. 11-T43S-R27E

A. K. A. Tract 11-39CD

STRAP # 11-43-27-00-00001.039C

Grantor represents that above real property is not the residence or homestead of grantor.

Documentary Tax Pd. $ 56.65
$ — Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Deputy Clerk

RECORDERS MEMO:
COLOR OF INK USED TO PREPARE
DOCUMENT UNSATISFACTORY FOR REPRODUCTION
FROM FILM

To Have and to Hold *the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.*

In Witness Whereof, *The said first party has signed and sealed these presents the day and year first above written.*
Signed, sealed and delivered in presence of:

Marie Keohane L.S.

L.S.

STATE OF FLORIDA,
COUNTY OF

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this day of
A. D. 19

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURNER, D.C.

4.00 R
210.00 D.S
216.00

ROB

CHARLIE GREEN LEE CTY FL

THIS WARRANTY DEED

91 JUN -4 PM 2:16

3033166

FIC-18684-MJR

Made the 31st day of May, A.D. 1991
by
ERNEST KARDOS and IRENE KARDOS, HUSBAND AND WIFE
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A FLORIDA GENERAL PARTNERSHIP
whose post office address is:
P O BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Documentary Tax Pd $ 210.00
$ -0- Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Martha Palmer Deputy Clerk

OR2225 PG1912

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE SOUTH 1/2 OF THE WEST 1/3 OF THE EAST 3/17 OF THE NORTH 1/2 OF THE NORTH 1/2 OF SECTION 14, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, CONSISTING OF 5 ACRES, MORE OR LESS.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE, County, Florida.

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

Signed, sealed and delivered in our presence:

Witness — ERNEST KARDOS LS

Witness — IRENE KARDOS LS

STATE OF OHIO
COUNTY OF Cuyahoga

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared ERNEST KARDOS and IRENE KARDOS, HUSBAND AND WIFE, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 31st day of May, A.D. 1991.

Notary Public — (Notary Seal)
My Commission Expires: SUSAN M. PELLETTIERE, Notary Public State of Ohio, Geauga County My commission expires June 11, 1995

This instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: MARTHA C. PALMER, D.C. ●

10.50
30.00

Documentary Tax Pd. $ 30.00
$ ____ Intangible Tax Pd.
CHARLIE CREEN, CLERK, LEE COUNTY
By S. Thompson Deputy Clerk

WARRANTY DEED

THIS INDENTURE, Made this 26 day of June A.D., 1991 between
MARY M. KEIRNS

hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
P. O. Box 475, Fort Pierce, Florida 34954

3056920

OR2235 PG0341

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in ~~DeSoto~~ LEE County, Florida, to-wit:

The N 1/8 of W 1/5 of E 5/17 of S 1/4 of Section 11, Township 43 South, Range 27 East (a/k/a 02-11-64A), Lee County, Florida.

Grantor hereby warrants that the foregoing described property is not the homestead of the Grantor nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 11-43-27-00-00001.064A

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Nancy Maund

Lori M Wright

Mary M Keirns
MARY M. KEIRNS

STATE OF OHIO : COUNTY OF Cuyahoga

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared
MARY M. KEIRNS

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 26 day of June , A.D., 1991.

(NOTARIAL SEAL)

Toni M. Weigand
Notary Public
Toni M. Weigand

My commission expires: May 3, 1996

Instrument prepared by: DeSoto Abstract Company (15237T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2235 PG0342

CHARLIE GREEN LEE CTY FL
91 JUL 22 AM 9:02

10.50
46.00

Documentary Tax Pd. $ 66.00
$ ——— Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By S. Thompson Deputy Clerk

WARRANTY DEED

THIS INDENTURE, Made this 1 day of ~~June~~ July A.D., 1991 between CHARLOTTE P. DAVIDSON, widow

hereinafter called the Grantor, and

3056919

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 475, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in ~~DeSoto~~ Lee County, Florida, to-wit:

The S 1/2 of N 1/2 of W 1/6 of E 6/17 of N 1/4 of Section 11, Township 43 South, Range 27 East (a/k/a 02-11-06B), Lee County, Florida.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON

OR2235 PG0339

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 11-43-27-00-00001.006B

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Charlotte P. Davidson
CHARLOTTE P. DAVIDSON

Cathy A. McGowan

STATE OF PENNSYLVANIA : COUNTY OF Beaver

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared CHARLOTTE P. DAVIDSON, widow

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 11 day of ~~June~~ July, A.D., 1991.

(NOTARIAL SEAL)

Susanne L. Baden
Notary Public

My commission expires: Oct 29, 1994

NOTARIAL SEAL
SUSANNE L. BADEN, NOTARY PUBLIC
ROCHESTER, BEAVER COUNTY
MY COMMISSION EXPIRES OCT. 29, 1994

Instrument prepared by: DeSoto Abstract Company (15275T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2235 PG0340

CHARLIE GREEN LEE CTY FL
91 JUL 22 AM 9:02

10.50
60.00

3081437

WARRANTY DEED

THIS INDENTURE, Made this 27th day of August A.D., 1991 between CHARLES E. CLASS and MURRIEL E. CLASS, husband and wife

whose address is:
498 Rossford Avenue, Fort Thomas, Kentucky 41075
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

Documentary Tax Pd. $ 60.00 Intangible Tax Pd. $ [illegible] CHARLIE GREEN, Lee County Clerk By [illegible]

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in ~~Desoto~~ LEE County, Florida, to-wit:

The N 1/4 of W 1/5 of E 5/17 of S 1/2 of N 1/2 of Section 12, Township 43 South, Range 27 East (02-12-30A), Lee County, Florida.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

OR2215 PG2693

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY T.R. BATTLE, D.C.

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 12-43-27-00-00001.030A

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Jann Seidenfaden
Signature

JANN SEIDENFADEN
Printed Signature

Judith A. Crail
Signature

JUDITH A. CRAIL
Printed Signature

Charles E. Class
CHARLES E. CLASS

Murriel E. Class
MURRIEL E. CLASS

STATE OF KENTUCKY : COUNTY OF CAMPBELL

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared
CHARLES E. CLASS and MURRIEL E. CLASS, husband and wife

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of August , A.D., 1991.

(NOTARIAL SEAL)

Lynda Tucker
Notary Public

Lynda Tucker
(Notary Public Printed Signature)

My commission expires: 1-22-93

Instrument prepared by: DeSoto Abstract Company (15462T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2245 PG2694

91 SEP 10 AM 9:29

CHARLIE GREEN LEE CTY FL

10.50
360.00

3081436

WARRANTY DEED

THIS INDENTURE, Made this 29TH day of August A.D., 1991 between T. LAWRENCE FLEISHER and EVANGELINA FLEISHER, husband and wife

whose address is:
Kings Court #51, Apt. 3B, Santurce, Puerto Rico 00911
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
P. O. Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

OR2245 PG2691

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in ~~DeSoto~~ LEE County, Florida, to-wit:

The East 1/6 of the West 6/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East (02-01-23), Lee County, Florida.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

© RECORD VERIFIED - CHARLIE GREEN, CLERK ©
© BY T.R. BATTLE, D.C. ©

Documentary Tax Pd. $ 360.00
Intangible Tax Pd $

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 01-43-27-00-00001.0230

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto ~~set his hand and~~ seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Signature

T. LAWRENCE FLEISHER

Ernesto C. Martinez M.D.
Printed Signature

Signature

EVANGELINA FLEISHER

Ana M. Flores Rivera
Printed Signature

COUNTRY OF PUERTO RICO: CITY OF SAN JUAN :

I HEREBY CERTIFY, that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared T. LAWRENCE FLEISHER and EVANGELINA FLEISHER, husband and wife to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 24th day of August, A.D., 1991.

CARLOS ROBERTO ALVARADO VELEZ (SEAL)
NOTARIO PUBLICO
PUERTO RICO

Notary Public

Notary Public Printed Signature

My commission expires: Is for life.

Instrument prepared by:
DeSoto Abstract Company (15463T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2145 PG2692

CHARLIE GREEN LEE CTY FL
91 SEP 10 AM 9:28

10.50
210.00

3081435

OR2215 PG2689

WARRANTY DEED

THIS INDENTURE, Made this 27th day of August A.D., 1991 between
ROY L. JEWELL and LOLA MAE JEWELL

whose address is:
200 Kinkaid Court, Des Plaines, Illinois 60016
hereinafter called the Grantor, and

Documentary Tax Pd. $ 210.00
Intangible Tax Pd $ _____
CHARLIE GREEN, CLERK, LEE COUNTY
By J. Battle D.C.

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in ~~Broward~~ LEE County, Florida, to-wit:

S 1/2 of E 1/7 of W 7/17 of N 1/4 of Section 14, Township 43 South, Range 27 East (a/k/a 02-14-11CD) AND, the S 1/2 of E 1/7 of W 7/17 of N 1/2 of S 1/2 of Section 13, Township 43 South, Range 27 East (a/k/a 02-13-45CD, Lee County, Florida.

Grantors hereby warrant that the foregoing described property are not the homestead of the Grantors nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 13-43-27-00-01001.045C & 14-43-27-00-01001.011C

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN
THE PRESENCE OF:

Larry J. Gignac
Signature

Larry J. Gignac
Printed Signature

Roy L Jewell
ROY L. JEWELL

Gloria J. Gignac
Signature

GLORIA J. GIGNAC
Printed Signature

Lola Mae Jewell
LOLA MAE JEWELL

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY T.B. BATTLE, D.C.

STATE OF ILLINOIS : COUNTY OF Cook.

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared ROY L. JEWELL and LOLA MAE JEWELL

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of August , A.D., 1991.

(NOTARIAL SEAL)
OFFICIAL SEAL
MICHELLE L. GIGNAC
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. MAR. 28,1994

Michelle L. Gignac
Notary Public

Michelle L. Gignac
(Notary Public Printed Signature)

My commission expires: March 28, 1994

Instrument prepared by: DeSoto Abstract Company (15412T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2245 PG2690

CHARLIE GREEN LEE CTY FL
91 SEP 10 AM 9:28

Rec 6.00
Doc .60
6.60

RECORD VERIFIED - CHARLIE GREEN CLERK
BY J. TURNER, DC

Documentary Tax Pd. $ .60

3084335

QUIT-CLAIM DEED

OR2246 PG3498

THIS INDENTURE, made this 8 day of August, 1991, between WILLIAM HENRY LUCIEN TAYLOR, III whose address is 23201 North River Rd, Alva, FL 33920, party of the first part and FLORIDA CITRUS COMPANY, a Florida general partnership, whose address is 3245 Okeechobee Road, Ft. Pierce, FL 34981, party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten and No/100 ($10.00) Dollars in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed and by these presents does remise, release and quit-claim unto the said party of the second part, and its heirs and assigns, forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land in Lee County, Florida, to-wit:

The South 1/2 of the North 1/2 of the East 1/17 of the South 1/2 of the North 1/2 in Section 13, Township 43 South, Range 27 East, consisting of 2 1/2 acres, more or less.

TO HAVE AND TO HOLD THE SAME, together with all and singular, the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part its heirs and assigns, forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

D M Bull
Witness: D. M. Bull JR
(Print or Type)

William Henry Lucien Taylor III
William Henry Lucien Taylor, III

Connie F Bull
Witness: Connie F Bull
(Print or Type)

CHARLIE GREEN LEE CITY FL
91 SEP 16 AM 10:42

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 8 day of August, 1991, by William Henry Lucien Taylor, III.

Signature: Connie F Bull
Name: Connie F Bull
(Print or Type)
Notary Public,
State of Florida at Large

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. JULY 6,1994
BONDED THRU GENERAL INS. UND.

My Commission Expires:

Prepared by and Return to:

Craig A. Minegar, Esquire
DYKEMA GOSSETT
Post Office Box 1050
Tampa, Florida 33601

/527

RECORDED VERIFIED - CHARLIE GREEN, CLERK
BY: J TURNER, D.C.

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd $ 60
$
CHARLIE GREEN, CLERK, LEE COUNTY
By: Deputy Clerk

OR2246 PG3496

SUPPLEMENTAL QUIT-CLAIM DEED 3084334

THIS SUPPLEMENTAL QUIT-CLAIM DEED, executed this 28th day of August, 1991, by ORANGE-CO, INC., a Florida corporation, whose postoffice address is Route 1, Box 889, Arcadia, Florida 33821 (the "Grantor") to FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida, 34954 (the "Grantee").

WITNESSETH:

WHEREAS, Grantor and its predecessor, American Agronomics Corporation, a Florida corporation, were the prior owners of substantial numbers of the Tracts situate within the primary boundaries of the County Line Drainage District (the "District"); and

WHEREAS, Grantee is the now owner of a substantial majority of the total number of Tracts within the District, and has recently acquired from Grantor all of Grantor's remaining Tracts constituting producing citrus grove, and an affiliate of Grantee, FCC Management Company, a Florida corporation, has acquired from Grantor the barn and utility area of Grantor; and

WHEREAS, the transfers referenced in the immediately preceding recital were accomplished by deed from Grantor to Grantee dated June 1, 1991, recorded in O.R. Book 2229, page 893, and by deed from Grantor to FCC Management Company dated June 1, 1991, recorded in O.R. Book 2229, page 890, both recording references being as to the public records of Lee County, Florida; and

WHEREAS, the deeds above referenced dispose of all of the remainder of Grantor's prior interests in any real property situate and being within the primary boundaries of the District; and

WHEREAS, it is deemed appropriate for Grantor to give its Supplemental Quit-Claim Deed in favor of Grantee in view of Grantee's substantial interest in the District lands and in order to permit Grantee to effect future cure of any and all inadvertent errors of description or other technical or scrivener's errors appearing in documents recorded among the Lee County public records which pertain to District lands.

NOW, THEREFORE, FURTHER WITNESSETH, that the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim

unto the Grantee forever, all the right, title, interest, claim or demand which Grantor has, may have or may claim to have, in and to the following described lands, situate, lying and being in the County of Lee, State of Florida, to-with:

All of Sections 1, 2, 3, 11, 12, 13 and 14, Township 43 South, Range 27 East, Lee County, Florida.

TO HAVE AND TO HOLD the same togther with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor either in law or in equity, to the only proper use, benefit and behoof of the Grantee forever.

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

Signed, Sealed and Delivered in the Presence of:

Mary Jane E. Crews
Print Name: Mary Jane E. Crews

Lorraine E. Gillispie
Print Name: Lorraine E. Gillispie

ORANGE-CO, INC., a Florida corporation

By: R. A. Peiser
R. A. Peiser, Its President

STATE OF FLORIDA
COUNTY OF DESOTO

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28th day of August, 1991, by R. A. Peiser, as President of Orange-co, Inc., a Florida corporation, on behalf of the corporation.

Mary Jane E. Crews
MARY JANE E. CREWS, NOTARY PUBLIC
State of Florida at Large
My Commmission Expires:

Notary Public, State of Florida
My Commission Expires Dec. 13, 1991
Bonded By Ohio Casualty Insurance Company

OR2246 PG3497

91 SEP 16 AM 10:42
CHARLIE GREEN LEE CTY FL

THIS WARRANTY DEED IS BEING RERECORDED TO CORRECT THE GRANTEES NAME.

ROB

1050
97.80
108.30

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY T.R. BATTLE, D.C. •

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: Kay Tanner, D.C. •

3078571

Documentary Tax Pd. $ 97.80
$
Intangible Tax Pd.
By
Clerk, Lee County
Deputy Clerk

3087529

1050

THIS WARRANTY DEED

FTC-19271-BLS

Made the 19TH day of AUGUST, A.D. 1991
by
HOWARD S. GELBER, A Married Man,
6750 N. NAVAJO AVENUE, LINCOLNWOOD, IL 60646
acquiring title through instrument as recorded in O. R. Book 1252, Page 1153 in the public records of LEE County, Florida.
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A Florida General Partnership
whose post office address is:
P.O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

OR2247 PG1688

OR2214 PG1442

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE County, Florida, viz:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/17 OF THE NORTH 1/4 IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 27 EAST, IN LEE COUNTY, FLORIDA (A/K/A 02-03-17CD)

SUBJECT property is not now, nor has it ever been the homestead property of the grantor.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1990. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE County, Florida.

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

Signed, sealed and delivered in our presence:

Witness

HOWARD S. GELBER LS

RICHARD LOKCIK
PRINTED NAME OF WITNESS

Brian K Smith
WITNESS

BRIAN K. SMITH
PRINTED NAME OF WITNESS

CHARLIE GREEN LEE CTY FL

91 SEP 20 PM 3:56

OR2247 PG4689

STATE OF ✓ ILLINOIS

COUNTY OF ✓ COOK

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared HOWARD S. GELBER, A Married Man, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this ✓ 19th day of ✓ August, A.D. 1991.

✓ Judith Anne Jutovsky
Notary Public
My Commission Expires: ✓ 5/30/93

(Notary Seal) ✓

" OFFICIAL SEAL "
JUDITH ANNE JUTOVSKY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5/30/93

✓ Judith Anne Jutovsky
PRINTED NAME OF NOTARY PUBLIC

This instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105
X-02

OR2244 PG1443

CHARLIE GREEN LEE CTY FL

91 SEP -3 PM 3:44

3105965

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, FL 34954

Documentary Tax Pd. $ .60
$ Intangible Tax Pd
By

OR2255 PG3470

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 8 day of August, 1991, by ORANGE-CO, INC., a Florida corporation, whose post office address is Route 1, Box 889, Arcadia, Florida 33821 (the "Grantor") to FLORIDA CITRUS COMPANY, a Florida General Partnership, whose post office address is Post Office Box 490, Fort Pierce, Florida 34954 (the "Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the Grantee forever, all the right, title, interest, claim or demand which Grantor has, or claims to have, in and to the following described lands, situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 3/4 of the North 1/2 of the East 1/7 of the West 7/17 of the North 1/2 of the North 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida (a/k/a Tract 02-02-11BCD).

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor either in law or in equity, to the only proper use, benefit and behoof of the Grantee forever.

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

Signed, Sealed and Delivered
in the Presence of:

Russelline M. Long

Print Name: Russelline M. Long

Julia M. Peacock

Print Name: Julia M. Peacock

ORANGE-CO, INC.,
a Florida corporation

Robert A. Peiser,
Its President

RECD
OCT 30 11 11 AM '91
CLERK CIRCUIT COURT

STATE OF FLORIDA
COUNTY OF Polk

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of August, 1991, by Robert A. Peiser, as President of Orange-co, Inc., a Florida corporation, on behalf of the corporation.

Notary Public
State of Florida at Large
My Commission Expires:

Notary Public, State of Florida
My Commission Expires May 1, 1995
Bonded Thru Troy Fain - Insurance Inc.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY T.R. BATTLE, D.C.

4:50
25
705.50

THIS WARRANTY DEED

3116013

FTC-20117-MJR

Made the 13th day of November, A.D. 1991
by
RICHARD V. HART
331 N. BOSART, INDIANAPOLIS, IN 46201
acquiring title through instrument as recorded in O. R. Book 567, Page 466 in the public records of LEE County, Florida.
hereinafter called the grantor,
to
FLORIDA CITRUS COMPANY, A FLORIDA GENERAL PARTNER
whose post office address is:
P. O. BOX 490
FT. PIERCE, FL 34954
herein called the grantee:
(wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, conveys and confirms unto the grantee, all that certain land situate in LEE, Florida, viz:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/8 OF THE EAST 8/17 OF THE SOUTH 1/2 OF THE NORTH 1/2 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA. (A/K/A TRACT 02-13-27B)

SUBJECT property is not now, nor has it ever been the homestead property of the grantor.

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1991. Subject to easements, restrictions, reservations, conditions and limitations of record in the public records of LEE, County, Florida.

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

Signed, sealed and delivered in our presence:

Witness — RICHARD V. HART LS

PRINTED NAME OF WITNESS

WITNESS

PRINTED NAME OF WITNESS

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: SUSAN THOMPSON •

OR2260 PG0950

STATE OF INDIANA

COUNTY OF MARION

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared RICHARD V. HART, to me known to be the person(s) described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 13 day of November, A.D. 1991.

Heidi Fox

Notary Public Heidi Fox
My Commission Expires: Feb. 8, 1995

(Notary Seal)

Heidi Fox
PRINTED NAME OF NOTARY PUBLIC

This Instrument prepared by: M. J. REGAS
FLEETWOOD TITLE CORPORATION
P.O. Box 1105, Lehigh Acres, FL 33970-1105

CHARLIE GREEN LEE CTY FL
91 NOV 21 AM 10:43

WARRANTY DEED 3174761

OR2286 PG1428

THIS INDENTURE, Made this 1st day of July A.D., 1991 between GARY R. DUBIN, individually and as Trustee under Trust Agreement dated January 1, 1988, as to a 99.9% interest and RORY ALAN DUBIN, as to a 1/10th of 1%
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490 Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

SEE SCHEDULE "A" ATTACHED AND MADE A PART HEREOF.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. [illegible] D.C.

Documentary Tax Pd. $ 810.00 Intangible Tax Pd. $
Charlie Green, Clerk, LEE COUNTY
By: [illegible] Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. See Schedule "A":

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1991 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Witness to Gary R. Dubin
Sue W. Newberry

Witness to Gary R. Dubin
Shirley J. Welch

Witness to Rory Alan Dubin

Witness to Rory Alan Dubin

GARY R. DUBIN, individually & as Trustee

RORY ALAN DUBIN

OR2286 PG1429

STATE OF FLORIDA: COUNTY OF DESOTO :

I HEREBY CERTIFY, that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared GARY R. DUBIN, individually and as Trustee to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of July, A.D., 1991.

Sue W. Newberry
Notary Public - Sue W. Newberry

My commission expires: Notary Public, State of Florida At Large My Commission Expires July 18, 1995

STATE OF FLORIDA: COUNTY OF DESOTO:

I HEREBY CERTIFY, that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared RORY ALAN DUBIN to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of July, A.D., 1991.

Notary Public, State of Florida At Large My Commission Expires July 18, 1995
Sue W. Newberry
Notary Public- Sue W. Newberry

My commission expires: _____

Instrument prepared by:
DeSoto Abstract Company (15280T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

SCHEDULE "A"

The E 1/17 of the N 1/4 of Section 12, Township 43 South, Range 27 East (a/k/a 02-12-01);

The S 3/4 of the W 1/2 of the E 2/17 of the S 1/2 of the N 1/2 of Section 12, Township 43 South, Range 27 East (a/k/a 02-12-33BCD);

The N 1/8 of the E 1/8 of the W 8/17 of the N 1/2 of the S 1/2 of Section 12, Township 43 South, Range 27 East (a/k/a 02-12-44A);

The S 1/2 of the E 1/7 of the W 7/17 of the S 1/2 of the N 1/2 of Section 13, Township 43 South, Range 27 East (a/k/a 02-13-24CD);

AND,

The W 1/2 of the E 2/17 of the N 1/4 of Section 14, Township 43 South, Range 27 East (a/k/a 02-14-02).

All lying and being in Lee County, Florida.

Grantors hereby warrant that the foregoing described property are not the homestead of either of the Grantors nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

PROPERTY APPRAISER TAX PARCEL NUMBERS:

12-43-27-00-00001.0010
12-43-27-00-00001.033B
12-43-27-00-00001.044A
13-43-27-00-01001.024C
14-43-27-00-01001.0020

OR2286 PG1130

92 MAR 25 AM 10:28

CHARLIE GREEN LEE CTY FL

RECORD VERIFIED - CHARLIE GREEN, CLERK
By D.C.

1050
72.00

WARRANTY DEED 3176820

THIS INDENTURE, Made this 12th day of March A.D., 1992 between
WALTER E. REHM and ERIKA L. REHM-KINDNESS, formerly Erika L. Rehm
ERIKA L. Rehm-Kindness ELRK

whose address is:
5325 Topaz Avenue, Rocklin, California 95677
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

OR2287 PG1373

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The N 1/2 of the S 1/2 of the W 1/9 of the E 9/17 of the S 1/2 of the N 1/2 of Section 13, Township 43 South, Range 27 East, (a/k/a 02-13-26C), Lee County, Florida.

Grantors hereby warrant that the foregoing described property are not the homestead of either Grantor, nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

Documentary Tax Pd. $ 72.00 Intangible Tax Pd. $ _____
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY
By _____ Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 13-43-27-00-01001.026C

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1992 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

Instrument prepared by: DeSoto Abstract Company (15717T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2287 PG1374

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Signature - as to Walter E. Rehm

Printed Signature

Signature - as to Walter E. Rehm

Printed Signature

Signature - as to ~~Erika L. Kindness~~ ERIKA L. REHM-KINDNESS

Printed Signature

Signature - as to ~~Erika L. Kindness~~ ERIKA L. Rehm-KINDNESS

Printed Signature

WALTER E. REHM

~~ERIKA L. KINDNESS~~ ERIKA L. Rehm-KINDNESS ELRK

STATE OF California : COUNTY OF Placer :

The foregoing instrument was acknowledged before me this 20th day of March, 1992 by WALTER E. REHM, who has produced California driver's license as identification and who did (X) did not ( ) take an oath.

(SEAL)

OFFICIAL SEAL
JEAN A POULSEN
Notary Public-California
PLACER COUNTY
My Commission Expires
November 29, 1993

Signature

Printed Signature

Notary Public

Title or Rank

N/A

Serial Number (if any)

My Commission Expires:

11-29-93

STATE OF WASHINGTON : COUNTY OF KING :

The foregoing instrument was acknowledged before me this 12th day of March, 1992 by ~~ERIKA L. KINDNESS~~, who has produced a WISCONSIN driver's license as identification and who did (X) did not ( ) take an oath.

ERIKA ERIKA L REHM-KINDNESS

(SEAL)

Signature

BARBARA C. LIGHT

Printed Signature

NOTARY PUBLIC

Title or Rank

Serial Number (if any)

My Commission Expires:

JAN. 29, 1996

CHARLIE GREEN LEE CTY FL
92 MAR 30 AM 9:40

500
450 00

This Instrument Prepared By
and Return To:
Frank H. Fee, III, Esquire
FEE, BRYAN & KOBLEGARD, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURNER, D.C.

3192507

OR2294 PG1581

Parcel ID#: 12-43-27-00-00001.0410 12-43-27-00-00001.0420
12-43-27-00-00001.0430 12-43-27-00-00001.044E

WARRANTY DEED

THIS WARRANTY DEED made the 20th day of April, 1992, by

JACK A. FREEMAN and GERTRUDE FREEMAN, his wife, and JULES FREEMAN, the surviving spouse of EDYTH FREEMAN, deceased, whose postoffice address is 3192 Yattika Place Longwood, Florida 32779

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida 34954

hereinafter call the Grantee:

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

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Lee County, Florida, described as follows, to-wit:

The South 1/2 of the East 5/8 of the West 8/17 of the North 1/2 of the South 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

AND

The West 3/9 of the East 9/17 of the North 1/2 of the South 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

Documentary Tax Pd. $ 450.00
Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
By: Deputy Clerk

The Grantors covenant and affirm unto the Grantee that the above described lands are not now, nor have they ever been, the homestead of Grantors and that the same is vacant land.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1991.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Warranty Deed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

JOANNE M SWEENEY, Witness
(Print Name)

SHELLEY PROKO, Witness
(Print Name)

JOANNE M SWEENEY, Witness
(Print Name)

SHELLEY PROKO, Witness
(Print Name)

Connie E. Murk, Witness
(Print Name)

PAMELA C. WARD, Witness
(Print Name)

Jack A. Freeman (SEAL)
JACK A. FREEMAN
3192 Yattika Place
Longwood, Florida 32779
(Address)

Gertrude Freeman (SEAL)
GERTRUDE FREEMAN
3192 Yattika Place
Longwood, Florida 32779
(Address)

(SEAL)
JULES FREEMAN
7086 Fairway Bend Circle
Sarasota, Florida 34243
(Address)

OR2294 PG4583 CHARLIE GREEN LEE CTY FL

92 APR 27 PM 4:10

STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17 day of APRIL, 1992, by Jack A. Freeman, who is personally known to me or who provided personally known as identification and who did not take an oath.

——NOTARY STAMP——

Joanne M. Sweeney
JOANNE M SWEENEY, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:

OFFICIAL SEAL
JOANNE M. SWEENEY
MY COMMISSION EXPIRES
NOV. 18, 1995
COMMISSION CC161770

STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17 day of APRIL, 1992, by Gertrude Freeman, who is personally known to me or who provided Florida Drivers License as identification and who did not take an oath.

——NOTARY STAMP——

Joanne M. Sweeney
JOANNE M SWEENEY, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:

OFFICIAL SEAL
JOANNE M. SWEENEY
MY COMMISSION EXPIRES
NOV. 18, 1995
COMMISSION CC161770

STATE OF FLORIDA
COUNTY OF Manatee

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of April, 1992, by Jules Freeman, who is personally known to me or who provided as identification and who did not take an oath.

——NOTARY STAMP——

Connie E. Musk
Connie E. Musk, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:

OFFICIAL NOTARY SEAL
CONNIE E MUSK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC184204
MY COMMISSION EXP. MAR. 1,1993

10.50
66.50

Documentary Tax Pd. $ 66.50
$ ——— Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By S THOMPSON Deputy Clerk

WARRANTY DEED

THIS INDENTURE, Made this day of November A.D., 1992 between
BUCHIER A. KELLY and RUTH I. KELLY, husband and wife

3297816

OR2342 PG4021

whose address is:
13516 Astor Avenue, Cleveland, Ohio 44135
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The N 1/4 of the S 1/2 of the E 1/8 of the W 8/17 of the N 1/2 of the N 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-12-10E).

Together with any and all citrus trees and crops growing or to be grown on the above described lands.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: SUSAN THOMPSON, D.C. •

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 12-43-27-00-00001.010E

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1992 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Michelle Petrick
Signature

Michelle Petrick
Printed Signature

Marion A Carare
Signature MARION

MARION A CARARE
Printed Signature

Buchier A Kelly
BUCHIER A. KELLY

Ruth I Kelly
RUTH I. KELLY

STATE OF OHIO : COUNTY OF Cuyahoga :

The foregoing instrument was acknowledged before me this 13 day of November , 1992 by BUCHIER A. KELLY and RUTH I. KELLY, husband and wife

who is personally known to me or who has produced Ohio Driver's License QD5412491 RY555653, as identification and who did (✓) did not ( ) take an oath.

(SEAL)

My commission expires:

7-30-93

Signature

Printed Signature

Notary

Title or Rank

Serial Number (If any)

Instrument prepared by:
DeSoto Abstract Company (16155T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2342 PG1022

CHARLIE GREEN LEE CTY FL
92 NOV 23 PM 1:30

This Instrument Prepared By
and Return To:
Frank H. Fee, III, Esquire
FEE, BRYAN & KOBLEGARD, P.A.
Post Office Box 1800
Fort Pierce, Florida 34954

Parcel ID#:02-43-27-00-00001.048A
02-43-27-00-00001.048B
02-43-27-00-00001.048C
02-43-27-00-00001.0500

3324323

OR2355 PG0159

Documentary Tax Pd. $ EXEMPT
Intangible Tax Pd. $ —
CHARLIE GREEN, CLERK, LEE COUNTY
Deputy Clerk

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: KAY TANNER, D.C. ●

WARRANTY DEED

THIS WARRANTY DEED made the 8TH day of JANUARY, 1993, by

FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantor, to

C. M. HANSEN FARMS, INC., a New York corporation, whose postoffice address is 5362 Flat Street, Geneva, New York 14456

hereinafter call the Grantee:

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

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Lee County, Florida, described as follows, to-wit:

PARCEL I: The East 1/4 of the West 4/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-02-48)

PARCEL II: The East 1/2 of the West 2/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-02-50)

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1991.

IN WITNESS WHEREOF, the Grantor has signed and scaled this Warranty Deed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Mark L. DuBois
Mark L. DuBois, Witness
(Print Name)

M. C. Finder
M. C. Finder, Witness
(Print Name)

Mark L. DuBois
Mark L. DuBois, Witness
(Print Name)

M. C. Finder
M. C. Finder, Witness
(Print Name)

Mark L. DuBois
Mark L. DuBois, Witness
(Print Name)

M. C. Finder
M. C. Finder, Witness
(Print Name)

Mark L. DuBois
Mark L. DuBois, Witness
(Print Name)

M. C. Finder
M. C. Finder, Witness
(Print Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: _____
JOSEPH E. BEALE, JR., as General Partner
P O Box 490
Ft Pierce FL 34954
(Address)

By: _____
EDGAR A. BROWN, as General Partner
13939 Indrio Rd.
Ft. Pierce, FL 34945
(Address)

By: _____
CHARLES M. CAMPBELL, JR., as General Partner
P.O. Drawer 14019
Ft. Pierce, FL 34979
(Address)

By: _____
JOHN D. CAMPBELL, as General Partner
P.O. Box 92
Kenansville, FL 34928
(Address)

OR2355 PG0160

STATE OF FLORIDA
COUNTY OF St. Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of January, 1993, by JOSEPH E. BEALE, JR., as General Partner of Florida Citrus Company, who is personally known to me or who supplied Personally known as identification, and who did not take an oath.

——NOTARY STAMP——

Patricia L. Williams
PATRICIA L. WILLIAMS, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: APRIL 22, 1993
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of January, 1993, by EDGAR A. BROWN, as General Partner of Florida Citrus Company, who is personally known to me or who supplied Personally known as identification, and who did not take an oath.

——NOTARY STAMP——

Patricia L. Williams
PATRICIA L. WILLIAMS, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: APRIL 22, 1993
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of January, 1993, by CHARLES M. CAMPBELL, JR., as General Partner of Florida Citrus Company, who is personally known to me or who supplied Personally known as identification, and who did not take an oath.

——NOTARY STAMP——

Patricia L. Williams
PATRICIA L. WILLIAMS, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: APRIL 22, 1993
BONDED THRU NOTARY PUBLIC UNDERWRITERS

OR2355 PG0161

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of January, 1993, by JOHN D. CAMPBELL, as General Partner of Florida Citrus Company, who is personally known to me or who supplied Personally Known as identification, and who did not take an oath.

———NOTARY STAMP———

Patricia L. Williams
PATRICIA L. WILLIAMS, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: APRIL 22, 1993
BONDED THRU NOTARY PUBLIC UNDERWRITERS

OR2355 PG0162

CHARLIE GREEN LEE CTY FL
93 JAN 19 PM 2:43

This Instrument Prepared By
and Return To:
Frank H. Fee, III, Esquire
FEE, BRYAN & KOBLEGARD, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

3324329

OR2355 PG0171

Parcel ID#: 14-43-27-00-01001.009C
01-43-27-00-00001.007C
14-43-27-00-01001.026A

Documentary Tax Pd. $ 535.00
Intangible Tax Pd. $ ____
CHARLIE GREEN, CLERK, LEE COUNTY
By ____ Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED made the 14 day of NOV., 1992, by

C. M. HANSEN FARMS, INC., a New York corporation, whose postoffice address is 5362 Flat Street, Geneva, New York 14456

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership, whose postoffice address is Post Office Box 490, Fort Pierce, Florida 34954

hereinafter call the Grantee:

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

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Lee County, Florida, described as follows, to-wit:

PARCEL I: The South 1/2 of the West 1/9 of the East 9/17 of the North 1/4 of Section 14, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-14-01-CD)

PARCEL II: The North 1/2 of the West 1/9 of the East 9/17 of the South 1/2 of the North 1/2 of Section 14, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-14-26-AB)

PARCEL III: The South 1/2 of the West 1/7 of the East 7/17 of the North 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-01-07-CD)

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: KAY TANNER, D.C. •

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1991.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Warranty Deed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Gay G. Coon
GAY G. Coon, Witness
(Print Name)

Jennifer K. Hollowell
Jennifer K. Hollowell, Witness
(Print Name)

C. M. HANSEN FARMS, INC., a New York corporation

By: Chris Hansen Pres.
CHRIS HANSEN, President

5362 Flat Street
Geneva, New York 14456
(Address)

STATE OF NEW YORK
COUNTY OF YATES

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 4th day of NOVEMBER, 1992, by CHRIS HANSEN, as President of C. M. Hansen Farms, Inc., who is personally known to me ~~or who supplied~~ _____ as identification, and who did not take an oath.

——NOTARY STAMP——

CAROL M. ALEXANDER
Notary Public, State of New York
Yates County, NY
My Commission Expires 3/30/93

Carol M Alexander
CAROL M. ALEXANDER, NOTARY PUBLIC
State of New York at Large
My Commission Expires: 3-30-93

OR2355 PG0172

CHARLIE GREEN LEE CTY FL
93 JAN 19 PM 2:44

1 50
184 10

WARRANTY DEED 3498921

THIS INDENTURE, Made this 6th day of November A.D., 1993 between ELWOOD L. JEWELL and JOAN JEWELL, husband and wife

whose address is:
12855 Pine Burr Lane West, Jacksonville, FL 32246
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida General Partnership
P. O. Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The S 1/2 of E 1/6 of W 6/17 of N 1/4 of Section 14, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 02-14-12CD).

Together with any and all citrus crops growing or to be grown on the above described lands.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

Documentary Tax Pd. $ 184.10
$ _____ Intangible Tax Pd
CHARLIE GREEN, CLERK OF COURT
By K. Courtney Deputy Clerk

RECORD VERIFIED - CHARLIE GREEN, CLERK
H. HELEN CARROLL, D. C.

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 14-43-27-00-01001-012C

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1993 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Signature

MURRAY GRAHAM
Printed Signature

Signature

Printed Signature

ELWOOD L. JEWELL

JOANN JEWELL

OR2449 PG2192

CHARLIE GREEN LEE CTY, FL

93 DEC -6 PM 12:48

OR2449 PG2193

STATE OF FLORIDA : COUNTY OF :

The foregoing instrument was acknowledged before me this day of November , 1993 by ELWOOD L. JEWELL and JOAN JEWELL, husband and wife

who is personally known to me or who has produced Florida driver's license as identification.

(SEAL)

My commission expires:

Signature

Printed Signature

Title or Rank

Serial Number (if any)

Instrument prepared by:
DeSoto Abstract Company (16646T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

10.50
87.50

WARRANTY DEED

3509727

OR2455 PG2684

THIS INDENTURE, Made this 16th day of December A.D., 1993 between
JAMES T. BALES, JR.

whose address is:
Post Office Box 85, Bules Creek, North Carolina 27506
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The S 1/2 of the N 1/2 of the E 1/4 of the W 4/17 of the S 1/2 of N 1/2 of Section 13, Township 43 South, Range 27 East (a/k/a 02-13-21CD), Lee County, Florida.

Grantor hereby warrants that the foregoing described property is not the homestead of the Grantor nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: KAY TANNER, D.C.

Documentary Tax Pd. $ 87.50
Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
By: Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 13-43-27-00-01001.021C

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1993 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Loletta R Cruz
Signature

Loletta L. Cruz
Printed Signature

Martha L. Anderson
Signature

MARTHA L. ANDERSON
Printed Signature

James T Bales Jr
JAMES T. BALES, JR.

STATE OF NORTH CAROLINA : COUNTY OF Cumberland :

The foregoing instrument was acknowledged before me this 10th day of December , 1993 by JAMES T. BALES, JR.

who is personally known to me or who has produced NC Driver's license as identification.

(SEAL)

My commission expires:

August 4, 1996

Terri M. Frazier
Signature

Terri M. Frazier
Printed Signature

Notary Public
Title or Rank

Serial Number (If any)

Instrument prepared by:
DeSoto Abstract Company (16722T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2455 PG2685

CHARLIE GREEN LEE CTY, FL
93 DEC 22 AM 11:00

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: HELEN CARROLL, D.C. •

3510320

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd $ 420.00
$ _____
CHARLIE GREEN, CLERK OF COURT
By _____ Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 17th day of December, 1993, by

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantor, to

ELBERT E. SMITH
250 Davis Street
LaBelle, Florida 33935

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/2 of the East 2/17 of the South 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a 2-67(T-10)]

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1992.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

OR2456 PG0128

Signed, Sealed and Delivered
in the Presence of:

Kathleen E. Baird
KATHLEEN E. BAIRD, Witness
(Print or Type Name)

Carolyn Sikorski
CAROLYN SIKORSKI, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a
Florida General Partnership

By: _____
Joseph E. Beale, Jr.,
General Partner

By: Edgar A. Brown
Edgar A. Brown, General
Partner

By: Charles M. Campbell Jr.
Charles M. Campbell, Jr.,
General Partner

By: John D. Campbell
John D. Campbell, General
Partner

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17th day of December, 1993, by Joseph E. Beale, Jr., Edgar A. Brown, Charles M. Campbell, Jr. and John D. Campbell, as General Partners of Florida Citrus Company, a Florida General Partnership, who are personally known to me and who did not taken an oath.

Kathleen E. Baird
KATHLEEN E. BAIRD, NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
My Commission Expires: 9-7-95
My Commission Number: CC 134736

OR2456 PG0129

CHARLIE GREEN LEE CTY, FL
93 DEC 22 PM 4:41

10.50 :R
31.50 DOC

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

3514087

OR2458 PG1143

Return to:

Documentary Tax Pd $ 31.50
$ ——— Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By D. Underwood Deputy Clerk

● RECORD VERIFIED CHARLIE GREEN, CLERK ●
● BY D UNDERWOOD, D.C ●

WARRANTY DEED

THIS WARRANTY DEED, executed this 22nd day of December, 1993, by

BROWN RANCH, INC., a Florida corporation
13939 Indrio Road
Fort Pierce, Florida 34945

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

An undivided one-half interest in and to the following lands:

The North 1/4 of the North 1/2 of the East 1/7 of the West 7/17 of the North 1/2 of the North 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a 2-11(a-1.25)]

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the

Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1993.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Kathryn E. Baird
Kathryn E. Baird, Witness
(Print or Type Name)

Frank H. Fee, III, Witness
(Print or Type Name)

BROWN RANCH, INC., a
Florida corporation

By: Edgar A. Brown
Edgar A. Brown, President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 22nd day of December, 19 93, by Edgar A. Brown, as President of Brown Ranch, Inc., a Florida corporation, on behalf of the corporation, who is personally known to me and who did not take an oath.

KATHRYN E. BAIRD
MY COMMISSION # CC 134736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

Kathryn E. Baird
KATHLYN E. BAIRD, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-95
My Commission No.: CC 134736

OR 458 PG 1144

CHARLIE GREEN LEE CTY, FL
93 DEC 30 PM 12:36

10.50B
61.60-D

WARRANTY DEED 3518570

THIS INDENTURE, Made this 30th day of December A.D., 1993 between
FRANK C. HILFER and BERTHA E. HILFER

whose address is:
9572 Downer's Grove Court, Strongsville, Ohio 44136
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The S 1/2 of N 1/4 of E 1/4 of W 4/17 of N 1/4 of Section 12, Township 43 South, Range 27 East (a/k/a 02-12-14B), Lee County, Florida.

Together with any and all citrus crops growing for the 1993-94 season and all future crops.

Grantors hereby warrant that the foregoing described property is not the homestead of the Grantors nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

OR2460 PG4000

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: G. SHERWOOD, D.C. •

Documentary Tax Pd. $ 61.60 Intangible Tax Pd. $ ____
CHARLIE GREEN, CLERK, LEE COUNTY
By: [signature] Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 12-43-27-00-00001.014B

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1994 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Robert M. Black
Signature
ROBERT M. BLACK
Printed Signature

James W. Thompson
Signature
JAMES W. THOMPSON
Printed Signature

Frank C. Hilfer
FRANK C. HILFER

Bertha E. Hilfer
BERTHA E. HILFER

STATE OF OHIO : COUNTY OF Cuyahoga :

The foregoing instrument was acknowledged before me this 30th day of December , 1993 by FRANK C. HILFER and BERTHA E. HILFER

who is personally known to me or who has produced Ohio Drivers License as identification.

(SEAL)

My commission expires:

NICHOLAS M. KEMOCK, Attorney
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date.
Section 147.03 R. C.

Nicholas M. KEMock
Signature

Nicholas M. KEMock
Printed Signature

Attorney at Law
Title or Rank

Serial Number (If any)

Instrument prepared by:
DeSoto Abstract Company (16756T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

OR2460 PG4001

CHARLIE GREEN LEE CTY. FL.
94 JAN -7 PM 1:26

10.50
122.50

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: HELEN CARROLL, D.C.

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd $ 122.50
$ ____ Intangible Tax Pd.
Charlie Green, Clerk, Lee County
By: H. Carroll, Deputy Clerk

3521829

OR2462 PG2600

WARRANTY DEED

1994 THIS WARRANTY DEED, executed this 13th day of January, 1993, by

D.J. MUNROE
13032 Caribbean Boulevard
Olga, Florida 33905

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/4 of the West 1/6 of the East 6/17 of the North 1/2 of the North 1/2 of Section 14, Townshp 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 14-06(gh-2.50)]

The Grantor covenants and affirms unto the Grantee that the above-described lands are not now, nor have they ever been, his homestead, and that he presently resides at 13032 Caribbean Boulevard, Olga, Florida 33905.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1993.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Pamela Emmons
Pamela Emmons, Witness
(Print or Type Name)

Patricia A. Pooser
Patricia A. Pooser, Witness
(Print or Type Name)

D.J. Munroe

STATE OF FLORIDA
COUNTY OF ST. ~~LUCIE~~ Lee

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13th day of January, 1994, by D.J. Munroe who is personally known to me or who provided Fl. D.L. # M560-190-36-224-0 as identification and who did not take an oath.

Patricia A. Pooser
, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

PATRICIA A. POOSER
MY COMMISSION # CC 284309
EXPIRES: March 14, 1997
Bonded Thru Notary Public Underwriters

OR2462 PG2601

CHARLIE GREEN LEE CTY, FL
94 JAN 13 PM 3:54

10501.2
9450 DS

3542654

WARRANTY DEED

● RECORD VERIFIED: CHARLIE GREEN, CLERK ●
● BY: B. ROSINE, D.C. ●

THIS INDENTURE, Made this 7th day of January A.D., 1994 between GEORGE L. LOUSHEFF, as to an undivided 50% interest and DOLORES M. FARLEY, as to an undivided 50% interest

whose address is:
c/o 260 E. 90th Drive, Merrillville, Indiana 46410
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida general partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

OR2473 PG2221

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The S 1/4 of the W 1/2 of the E 2/17 of the N 1/4 of Section 12, Township 43 South, Range 27 East (a/k/a 02-12-02D), Lee County, Florida.

Together with any and all fruit crops growing or to be grown on the above described lands.

Grantors hereby warrant that the foregoing described property is not the homestead of the Grantors nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

Documentary Tax Pd. $ 94.50 Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
By B. Rosine Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 12-43-27-00-00001.002D

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1993 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Daniel Toomey
Signature

Daniel Toomey
Printed Signature

Thomas Vanes
Signature

Thomas Vanes
Printed Signature

George L. Lousheff
GEORGE L. LOUSHEFF

Dolores M. Farley
DOLORES M. FARLEY

RETURN TO
DESOTO ABSTRACT COMPANY
P. O. DRAWER 31
ARCADIA, FLORIDA 33821

STATE OF INDIANA : COUNTY OF LAKE :

The foregoing instrument was acknowledged before me this 7th day of January , 1994 by GEORGE L. LOUSHEFF, as to an undivided 50% interest and DOLORES M. FARLEY, as to an undivided 50% interest

who is personally known to me or who has produced Indiana Drivers License as identification.

(SEAL)

My commission expires:

October 3, 1994

Signature

Richard C. Wolter

Printed Signature

Notary Public

Title or Rank

Serial Number (If any)

OR2473 PG2222

CHARLIE GREEN LEE CTY, FL

94 FEB 21 PM 3:11

Instrument prepared by:
DeSoto Abstract Company (16728T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

RETURN TO
DESOTO ABSTRACT COMPANY
P. O. DRAWER 31
ARCADIA, FLORIDA 33821

10.50
367.50

OR2483 PG0821

WARRANTY DEED 3560601

THIS INDENTURE, Made this 28 day of February A.D., 1994 between
UBALDO ONORATO

whose address is:
Morelos No. 119-1, Plaza Tapatia CP-44100, Guadalajara Jal, Mexico
hereinafter called the Grantor, and

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490, Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, assigns and legal representatives of individuals and the successors and assigns of corporations)

WITNESSETH, That the said Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to them in hand paid by the said Grantee the receipt whereof is hereby acknowledged do by these presents Grant, Bargain, Sell, Remise, Release and Convey unto the Grantee, forever, all that certain land situate in Lee County, Florida, to-wit:

The S 1/2 of E 1/8 of W 8/17 of N 1/2 of S 1/2 of Section 1 and the N 1/2 of W 1/7 of E 7/17 of S 1/2 of N 1/2 of Section 14, *all in Township 43 South, Range 27 East, Lee County, Florida.* (a/k/a 02-01-44CD & 02-14-28AB)

Together with the 1993-94 fruit crop and all future fruit crops on the above described lands.

Grantor hereby warrants that the foregoing described property is not the homestead of the Grantor nor is it contiguous thereto.

Subject to reservations, restrictions and easements of record, if any, in the Public Records of Lee County, Florida, but this provision shall not operate to re-impose the same.

Documentary Tax Pd. $ 367.50 Intangible Tax Pd. $ —
CHARLIE GREEN, CLERK, LEE COUNTY
By Deputy Clerk

Grantee Social Security Number respectively: 65-0097885
Property Appraiser I.D. No. 01-43-27-00-00001.044C; 14-43-27-00-01001.028A;

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the Grantee forever and the said Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Grantee assumes the payment of taxes for the year 1994 and subsequent years.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Signature
Printed Signature

Signature
Printed Signature

UBALDO ONORATO

COUNTY OF MEXICO: CITY OF GUADALAJARA, JAL.

The foregoing instrument was acknowledged before me this 28 day of February, 1994 by UBALDO ONORATO, who is personally known to me OR who has produced ~~DE MI CONOCIMIENTO~~ as identification.

(SEAL)

Signature

LIC. ALEJANDRO ORGANISTA ZAVALA
Printed Signature

NOTARIO PUBLICO ASOCIADO AL TITU-
Title or Rank

LAR NUMERO 49 CUARENTA Y NUEVE DE
Serial Number (If any)

ESTA MUNICIPALIDAD.

My Commission Expires:

INDEFINETLY

OR2483 PG0822

CHARLIE GREEN LEE CTY, FL
94 MAR 22 AM 9:41

Instrument prepared by:
DeSoto Abstract Company (16807T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

- - - Yo, Licenciado ALEJANDRO ORGANISTA ZAVALA, Notario Público Asociado al Titular número 49 cuarenta y nueve de esta Municipalidad: C E R T I F I C O :----------
- - - Que las firmas de los señores EMMA SUSANA PARGA PUENTE y RAMON GUERRERO HERNANDEZ fueron puestas de sus puños y letra en mi presencia y quienes por no ser de mi conocimiento se identifican la primera con credencial para votar número de folio 23148354 expedida por el Instituto Federal Electoral, el segundo con licencia de chofer número 643310 expedida por el Departamento de Transito del Estado de Jalisco.- DOY FE.----------
- - - Guadalajara, Jalisco, 28 veintiocho de Febrero de 1994 mil novecientos noventa y cuatro.----------

24.00
53046.00 3630099
JT

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

WARRANTY DEED

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: K. DeLisle, D.C. ●

THIS WARRANTY DEED, executed this 28th day of June, 1994, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

Documentary Tax Pd. $ 5-3046.00
Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
Deputy Clerk

WINDING BROOK CORPORATION, a Massachusetts corporation
24123 Boerne Stage Road, Suite 400
San Antonio, Texas 78255
hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and partnerships, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" APPENDED HERETO AND BY REFERENCE INCORPORATED HEREIN
(hereinafter "said land" or the "Property")

TOGETHER WITH all of Grantor's interest in and to all improvements (including, but not limited to irrigation systems located on the Property), citrus trees, oil, gas and mineral rights, riparian and water rights, geothermal rights, levees, dikes, canals, ditches, roads and easements, fixtures, approvals, rights of way, permits, licenses, privileges, and benefits and all tenements, hereditaments and appurtenances thereto belonging or in

anywise appertaining to the Property, including without limitation of the foregoing,, all right, title and interest of Grantor in and to any land lying in the bed of any street, alley, road, avenue, canal, ditch or easement (before or after vacation thereof, and whether previously abandoned or vacated or hereafter abandoned or vacated) in front of or adjoining the Property to the centerline thereof.

TOGETHER WITH the rights and benefits accorded by the following:

(a) Declaration of Easement for right-of-way for ingress, egress and for purposes of drainage recorded in O.R. Book 379, page 96 of the public records of Lee County, Florida.

(b) Declaration of Easement for the purpose of ingress and egress, recorded in O.R. Book 427, page 606 of the public records of Lee County, Florida.

By execution of this deed, Joseph R. Beale, Jr., Edgar A. Brown, Charles M. Campbell, Jr. and John D. Campbell hereby warrants and represent that none of them nor any member of their families reside upon the Property and that the Property is not homestead property as defined under Florida Constitution 1968, Article X, Section 4.

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all liens and encumbrances, except taxes accruing subsequent to December 31, 1993.

OR2515 PG3591

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

FRANK H. BAIRD, Witness
(Print or Type Name)

KATHRYN E BAIRD, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: _____
Joseph E. Beale, Jr., Individually, and as General Partner

By: _____
Edgar A. Brown, Individually and as General Partner

By: _____
Charles M. Campbell, Jr., Individually and as General Partner

By: _____
John D. Campbell, Individually and as General Partner

OR2515 P63592

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28th day of June, 1994, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION # CC 134736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

_____, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-95
My Commission No.: CC 134736

EXHIBIT "A"

LEGAL DESCRIPTION

All of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

AND

The North three-quarters (3/4) of Section 13, Township 43 South, Range 27 East, Lee County, Florida and that portion of the South one-quarter (1/4) of said Section 13 lying Northerly of the Creek and Easterly of the following described line:

From a 4" x 4" concrete monument marking the Northwest corner of said Section 13, bear South 0° 13' 15" East along the West line of said Section 13, a distance of 2,124.00 feet; thence run South 89° 36' 20" East parallel to the South line of said Section 13 a distance of 1,800.00 feet to the point of beginning of the above referenced line; thence run South 0° 13' 15" East parallel to the West line of said Section 13 to the intersection with the aforesaid Creek.

EXCEPTING FROM all the lands hereinabove described, a parcel of land in Section 13, Township 43 South, Range 43 South, Range 27 East, being more particularly described as follows:

From a 4" x 4" concrete monument marking the Northwest corner of said Section 13, bear South 0° 13' 15" East along the West line of said Section 13, a distance of 2,124.00 feet, to the point of beginning; thence run South 89° 36' 20" East parallel to the South line of said Section 13, a distance of 1,800.00 feet; thence run South 0° 13' 15" East, parallel to the West line of said Section 13, to the intersection thereof with the North line of the South one-quarter (1/4) of said Section 13; thence run Westerly along the North line of the South one-quarter (1/4) to the West line of Section 13, Township 43 South, Range 27 East; thence Northerly along the West line of said Section 13 to the point of beginning.

All of the above described lands lying and being in Section 13, Township 43 South, Range 27 East, Lee Count, Florida.

The above described property contains a total of 46,646,597 square feet (1,070.859 acres) of land, more or less.

OR2515 PG3593

LESS AND EXCEPTING from the aforedescribed lands the following lands situate and being in Sections 12 and 13, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

12-3(gh-2.5). The South 1/4 of the West 1/3 of the East 3/17 of the North 1/4 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-5(T-10). The West 1/5 of the East 5/17 of the North 1/4 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-6(abcd-5). The North 1/2 of the West 1/6 of the East 6/17 of the North 1/4 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-22(T-10). The East 1/5 of the West 5/17 of the South 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-29(ab-2.5). The North 1/4 of the West 1/6 of the East 6/17 of the South 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-29(ef-2.5). The North 1/2 of the South 1/2 of the West 1/6 of the East 6/17 of the South 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

12-31(T-10). The West 1/4 of the East 4/17 of the South 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

13-28(ab-2.5). The North 1/4 of the West 1/7 of the East 7/17 of the South 1/2 of the North 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

13-38(T-10). The West 1/4 of the East 4/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

13-41(efgh-5). The South 1/2 of the West 1/7 of the East 7/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

13-45(abcd-5). The North 1/2 of the East 1/7 of the West 7/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

OR2515 PG3594

CHARLIE GREEN LEE CTY.FL.
94 JUL -1 PM 4:05

10.50
210.00

36222282

Documentary Tax Pd. $ 210.00
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By L. Carroll Deputy Clerk

DEED OF PERSONAL REPRESENTATIVE

THIS INDENTURE, made this 29th day of June, 1994, between STEPHEN L. EVANS, as the duly appointed Personal Representative of the Estate of David M. Wappner, deceased, hereinafter referred to as party of the first part, and FLORIDA CITRUS COMPANY, a Florida General Partnership, whose mailing address is Post Office Box 490, Fort Pierce, Florida 34954, hereinafter referred to as party of the second part.

● RECORD VERIFIED - CHARLIE GREEN, CLERK ●
● BY: HELEN CARROLL, D.C. ●

WITNESSETH, the party of the first part, pursuant to order of the Circuit Court for Lee County, Florida, dated May 25, 1994, and in consideration in hand paid, grants, bargains, sells, aliens, remises, releases, conveys and confirms to the party of the second part, its successors, assigns and legal representatives forever, the real property in Lee County, Florida, described as:

The N 1/2 of the W 1/11 of the E 11/17 of the N 1/2 of the S 1/2 in Section 13, Township 43 South, Range 27 East (a/k/a 02-13-45AB).

TOGETHER with all and singular the tenements, hereditaments and appurtenances belonging or in anywise appertaining to that real property.

TO HAVE AND TO HOLD the same to the party of the second part, its successors, assigns and legal representatives, in fee simple forever.

AND the party of the first part does covenant to and with the party of the second part, its successors, assigns and legal representatives, that in all things preliminary to and in and about the sale and this conveyance, the orders of the above-named court, and the laws of Florida have been followed and complied with in all respects.

IN WITNESS WHEREOF, the party of the first part, as Personal Representative of the Estate of David M. Wappner, deceased, has set his hand and seal on the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Hallie S. Evans
Witness to
HALLIE S. EVANS
Printed Signature

T. J. Arnold
Witness
TAMI J. ARNOLD
Printed Signature

Stephen L. Evans
STEPHEN L. EVANS
As Personal Representative of the
Estate of David M. Wappner, deceased
Post Office Box 3518
Plant City, Florida 33564-3518

STATE OF FLORIDA: COUNTY OF HILLSBOROUGH :

The foregoing instrument was acknowledged before me this 29th day of JUNE, 1994 by STEPHEN L. EVANS, as the Personal Representative of the Estate of David M. Wappner, deceased, who is personally known to me or who has produced Florida driver's license as identification.

(SEAL)

NOTARY PUBLIC STATE OF FLORIDA
TAMI J ARNOLD
My Commission CC287069
Expires May. 17 1997
Bonded by ANB
800-852-5878

Signature

TAMI J. ARNOLD
Printed Signature

Title or Rank

Serial Number (If any)

My Commission Expires:

5/17/97

Instrument prepared by:
DeSoto Abstract Company (16758T)
By: Sue W. Newberry
P. O. Drawer 31
Arcadia, Florida 33821

CHARLIE GREEN LEE CTY. FL.
94 JUL -7 PM 2:22

Return to: (enclose self-addressed stamped envelope)
Name: FRANK H. FEE, III, ESQUIRE
Address: FEE, BRYAN & KOBLEGARD, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

This Instrument Prepared by:
FRANK H. FEE, III, ESQUIRE
Address: FEE, BRYAN & KOBLEGARD, P.A.
Post Office Box 1000, Ft. Pierce, FL 34954

Property Appraiser's Parcel Identification (Folio Number(s)):
12-43-27-000-00001.003D

Grantee(s) S.S. #(s):

WARRANTY DEED
(WOMEN TO INDIVID.

OR2570 PG4021

RANCO FORM NO. 01

3719467

84.00

mpbinson

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

Rec 15.00
DT 84.00
94.37

This Warranty Deed, *Made the* 15th *day of* September , *19* 94 , *by* LAMBERDINE ANTONETTA VAN HOOFF, the unremarried surviving spouse of FRANCISCUS HERMANUS VAN HOOFF, deceased *hereinafter called the Grantor, to* FLORIDA CITRUS COMPANY, a Florida General Partnership *whose post office address is* Post Office Box 490, Fort Pierce, Florida 34954 *hereinafter called the Grantee.*

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, *That the Grantor, for and in consideration of the sum of $* 10.00 *and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in* Lee *County, State of* Florida , *viz:*

The South 1/4 of the West 1/17 of the East 3/17 of the North 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida [a/k/a 12-3(gh-2.5)].

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

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

And *the Grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 .*

In Witness Whereof, *the said Grantor has signed and sealed these presents the day and year first above written.*

Signed, sealed and delivered in the presence of:

Witness Signature (as to first Grantor)
P.H.G. VLAMEBEEK
Printed Name

Witness Signature (as to first Grantor)
Printed Name

Witness Signature (as to Co-Grantor, if any)
Printed Name

Witness Signature (as to Co-Grantor, if any)
Printed Name

Grantor Signature
LAMBERDINE ANTONETTA VAN HOOFF
Printed Name

Post Office Address
N. van Hooff ad Klida
5591 JK Heeze, Nieuwendijk 38,
The Netherlands

Co-Grantor Signature, if any
Printed Name

Post Office Address

J.G.E. SENGERS

STATE OF _____)
COUNTY OF _____)

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared LAMBERDINE ANTONETTA VAN HOOFF, the unremarried surviving spouse of FRANCISCUS HERMANUS VAN HOOFF known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that SHE executed the same, and an oath was not taken. (Check one:) ☐ Said person(s) is/are personally known to me ☐ Said person(s) provided the following type of identification: _____

NOTARY RUBBER STAMP SEAL

Witness my hand and official seal in the County and State last aforesaid this _____ day of _____, A.D. 19___.

Notary Signature

Printed Notary Signature

01
14
93

OR2570 PG4022

Seen for legalisation of the signature put on the reverse side of Mrs. LAMBERDINA ANTONETTA VAN HOOFF-VAN DER VELDEN, living at 5591 JK Heeze, Nieuwendijk 38, by me Maitre JOSEPHUS HENRICUS GERARDUS MARIA TEEUWEN, civil law notary, residing at Eindhoven.

Eindhoven, 15 september 1994.

M.J.H.G.M. TEEUWEN
NOTARIS te EINDHOVEN

CHARLIE GREEN LEE CTY, FL
95 JAN 27 AM 10:21

Gratis

Certified Copy

Seen for legalisation of the signature of mr. J.H.G.M. Teeuwen
Notary Public, residing at Eindhoven in the Netherlands,
by Me, President of the Court of Justice at 's-Hertogenbosch, the Netherlands, on this 23rd day of September 1994.

Gezien voor legalisatie der handtekening
van mr. P.A. VAN NECK
12 [illegible] 1994
[illegible]
voor deze.
Legas f 10,=

Gezien v. Legalisatie v.d. handtekening
van mr. H.N.J. Rippers
President v.d. Arrondissementsrechtbank
te 's-Hertogenbosch
's-Gravenhage / 3.10.94
De Minister van Justitie
Namens de Minister
Hoofd van de Directie Algemene Zaken

MINISTERIE VAN JUSTITIE
f 2.50

Rec. 19.50
D/S 1,540.00

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Port Pierce, Florida 34954

3734547

OR2578 PG2834

Documentary Tax Pd. $ 1,540.00
Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 17th day of February, 1995, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

WINDING BROOK CORPORATION,
a Massachusetts corporation
24123 Boerne Stage Road, Suite 400
San Antonio, Texas 78255

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and partnerships, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

**FOR LEGAL DESCRIPTION, SEE EXHIBIT "A"
APPENDED HERETO AND BY REFERENCE INCORPORATED HEREIN**
(hereinafter "said land" or the "Property")

TOGETHER WITH all of Grantor's interest in and to all improvements (including, but not limited to irrigation systems located on the Property), citrus trees, oil, gas and mineral rights, riparian and water rights, geothermal rights, levees, dikes, canals, ditches, roads and easements, fixtures, approvals, rights of way, permits, licenses, privileges, and benefits and all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining to the Property, including without limitation of the foregoing,, all right, title and interest of Grantor in and to any land lying in the bed of any street, alley, road, avenue, canal, ditch or easement (before or after vacation thereof, and whether previously abandoned or vacated or hereafter abandoned or

• RECORD VERIFIED - CHARLIE GREEN CLERK •
• BY: KAY TANNER, D.C. •

vacated) in front of or adjoining the Property to the centerline thereof.

TOGETHER WITH the rights and benefits accorded by the following:

(a) Declaration of Easement for right-of-way for ingress, egress and for purposes of drainage recorded in O.R. Book 379, page 96 of the public records of Lee County, Florida.

(b) Declaration of Easement for the purpose of ingress and egress, recorded in O.R. Book 427, page 606 of the public records of Lee County, Florida.

(c) Grant of Non-Exclusive Road Easement for ingress and egress dated FEBRUARY 17, 1995, recorded in O.R. Book 2578, page 2824, of the public records of Lee County, Florida.

OR2578 PG2835

By execution of this deed, Joseph E. Beale, Jr., Edgar A. Brown, Charles M. Campbell, Jr. and John D. Campbell hereby warrants and represent that none of them nor any member of their families reside upon the Property and that the Property is not homestead property as defined under Florida Constitution 1968, Article X, Section 4.

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all liens and encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn L. Baird
Kathryn L. Baird, Witness
(Print or Type Name)

Carolyn Sikorski
Carolyn Sikorski, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: Joseph E. Beale
Joseph E. Beale, Jr., Individually, and as General Partner

By: Edgar A. Brown
Edgar A. Brown, Individually and as General Partner

By: Charles M Campbell
Charles M. Campbell, Jr., Individually and as General Partner

By: John D Campbell
John D. Campbell, Individually and as General Partner

OR2578 PG2836

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17th day of February, 1995, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION # CC 134736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

Kathryn E Baird
Kathryn E Baird, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-95
My Commission No.: CC 134736

CHARLIE GREEN LEE CTY, FL.

95 FEB 27 PM 4:21

EXHIBIT "A"

LEGAL DESCRIPTION

1-67(T-10) The West 1/2 of the East 2/17 of the South 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida.

1-68(T-10) The East 1/17 of the South 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida.

12-3(gh-2.5) The South 1/4 of the West 1/3 of the East 3/17 of the North 1/2 of the North 1/2 of Section 12, Township 43 South, Range 27 East, Lee County, Florida.

13-45(abcd-5) The North 1/2 of the West 1/11 of the East 11/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida.

Comprehending 27.5 acres, more or less.

OR2578 PG2837

3740290

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

OR2581 PG3286

WARRANTY DEED

THIS WARRANTY DEED, executed this 24th day of February, 1995, by

GLENDA COWART, an adult
2392 Fawn Ridge
Stone Mountain, GA 30087

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/2 of the West 1/8 of the East 8/17 of the South 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 2-61(efgh-5.0)]

SUBJECT TO easements, restrictions and covenants of record.

Grantor covenants and affirms unto the Grantee that the above described lands are not now, nor have they ever been, her homestead, and that she presently resides in the State of Georgia.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Ray Myers
RAY MYERS, Witness
(Print or Type Name)

Mary G. Morland
MARY G. MORLAND, Witness
(Print or Type Name)

Glenda S. Cowart
Glenda Cowart

STATE OF GEORGIA
COUNTY OF DEKALB

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 27th day of February, 1995, by Glenda Cowart, an adult, who is personally known to me or who provided Driver's License as identification and who did not take an oath.

[illegible], NOTARY PUBLIC
State of Georgia at Large
My Commission Expires: [illegible]
My Commission No.: [illegible]

Notary Public, Georgia
My Commission Expires June 26, 1997

95 MAR -9 PM 3:59
CHARLIE GREEN LEE CLK, PC
BK2581 PG3287

3740291

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

OR2581 PG3288

WARRANTY DEED

THIS WARRANTY DEED, executed this ___ day of _____, 1995, by

NORMAN N. KRESH, a single adult
5600 Munhall Road, #1005
Pittsburgh, PA 15217

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/2 of the East 1/7 of the West 7/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-24(efgh-5.0)]

SUBJECT TO easements, restrictions and covenants of record.

Grantor covenants and affirms unto the Grantee that the above described lands are not now, nor have they ever been, his homestead, and that he presently resides in the State of Pennsylvania.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Kathleen M. Marchuk
Kathleen M. Marchuk, Witness
(Print or Type Name)

Irene Stefanik
Witness
(Print or Type Name)

Norman N. Kresh
Norman N. Kresh

STATE OF PENNSYLVANIA
COUNTY OF Allegheny

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of February, 1995, by Norman N. Kresh, a married adult, who is personally known to me or who provided _____ as identification and who did not take an oath.

Marian D. DeDonna
, NOTARY PUBLIC
State of Pennsylvania at Large
My Commission Expires: 12-7-96
My Commission No.: _____

Notarial Seal
Marian Dee Donna, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Dec. 7, 1996
Member, Pennsylvania Association of Notaries

0R2581 PG3289

CHARLIE GREEN LEE CTY, FL
95 MAR -9 PM 4:00

3756557

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd. $84.00
$_____ Intang. Tax ; Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By C. Keller Deputy Clerk

10.50 IC
84.00

OR2590 PG2091

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: C. KELLER, D.C. •

WARRANTY DEED

THIS WARRANTY DEED, executed this 17th day of March, 1995, by

J.D. BERGMAN, an adult
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/2 of the North 1/2 of the West 1/5 of the East 5/17 of the South 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-64(ab-2.5)]

SUBJECT TO easements, restrictions and covenants of record.

Grantor covenants and affirms unto the Grantee that the above described lands are not now, nor have they ever been, his homestead, and that he presently resides in the State of Illinois.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Barbara J Marek
Barbara J Marek, Witness

J.D. Bergman

(Print or Type Name)

Jay Hamm
Jay Hamm, Witness
(Print or Type Name)

STATE OF ILLINOIS
COUNTY OF DuPage

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17th day of March, 1995, by J.D. Bergman, an adult, who is personally known to me or who provided _____ as identification and who did not take an oath.

Ellynann E. Fries
Ellynann E. Fries, NOTARY PUBLIC
State of Illinois Large
My Commission Expires: September 3, 1997
My Commission No.: _____

"OFFICIAL SEAL"
ELLYNANN E. FRIES
Notary Public, State of Illinois
My Commission Expires 9/3/97

OR2590 PG2092

95 APR -7 PM 4:26

CHARLIE GREEN LEE CTY FL

10.50 P
84.00 D

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd. $ 84.00
$ .00 Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By C. Keller Deputy Clerk

OR2590 PG2095

3756559

WARRANTY DEED

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: C. KELLER, D.C. •

THIS WARRANTY DEED, executed this 30th day of March, 1995, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

LAKELAND AGRIBUSINESS, INC., a Wisconsin corporation
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and partnerships, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/4 of the West 1/17 of the North 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-51(ab-2.5)]

SUBJECT TO easements, restrictions and covenants of record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn E. Baird
Kathryn E. Baird, Witness
(Print or Type Name)

Lisa L. Yurchenko
Lisa L. Yurchenko, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: J. E. Beale
Joseph E. Beale, Jr., Individually, and as General Partner

By: Edgar A. Brown
Edgar A. Brown, Individually and as General Partner

By: Charles M. Campbell
Charles M. Campbell, Jr., Individually and as General Partner

By: John D. Campbell
John D. Campbell, Individually and as General Partner

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 30th day of March, 1995, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION # CC 134736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

KATHRYN E. BAIRD
MY COMMISSION # CC 134736 EXPIRES
September 7, 1995
BONDED THRU TROY FAIN INSURANCE, INC.

Kathryn E. Baird
Kathryn E. Baird, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-95
My Commission No.: CC 134736

OR2590 PG2096

95 APR -7 PM 4:29

CHARLIE GREEN LEE CTY FL

10.50
79.10

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Return to:

3787541

79.10
Intangible Tax Pd.
$ CHARLIE GREEN, CLERK LEE COUNTY
By Deputy Clerk

OR2607 PG1014

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: SUSAN THOMPSON •

WARRANTY DEED

THIS WARRANTY DEED, executed this 17th day of May, 19 95, by

RUDOLPH H. KIT and EVELYN J. KIT, his wife
390 Bartram Road
Riverside, Illinois 60546

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/4 of the East 1/5 of the West 5/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-47(ab-2.5)]

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: SUSAN THOMPSON •

whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Carol Ann Kit
Carol Ann Kit, Witness
(Print or Type Name)

David C. Newman
David C. Newman, Witness
(Print or Type Name)

Rudolph H. Kit (SEAL)
Rudolph H. Kit

Evelyn J. Kit (SEAL)
Evelyn J. Kit

STATE OF ILLINOIS
COUNTY OF COOK

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17th day of May, 1995, by Rudolph H. Kit and Evelyn J. Kit, who are personally known to me ~~or who provided _____ as identification~~ and who did not take an oath.

" OFFICIAL SEAL "
DAVID C. NEWMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXP. 1/15/96

David C. Newman
~~David C. Newman~~, NOTARY PUBLIC
State of Illinois at Large
My Commission Expires: Jan. 15, 1996
My Commission No.: 1784

95 JUN -8 PM 4:26
CHARLIE GREEN LEE CTY FL
OR2607 PG1015

10.50
79.10

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Return to:

3787532

OR2607 PG0998

Documentary Tax Pd. $ 79.10
Intangible Tax Pd. $
CHARLIE GREEN, CLERK, LEE COUNTY
By: Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 17th day of May, 19 95, by

CAROL ANN KIT, formerly known as
CAROL A. BERNHARD
390 Bartram Road
Riverside, Illinois 60546

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/2 of the North 1/2 of the East 1/8 of the West 8/17 of the North 1/2 of the North 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-10(ab-2.5)]

The Grantor covenants and affirms she is one and the same person as Carol A. Bernhard, who was named as a Grantee in that certain Warranty Deed of conveyance dated March 13, 1972, and recorded in O. R. Book 847, page 836 of the public records of Lee County, Florida, and further that the above-described real property is not now, nor has it ever been, her homestead.

OR2607 PG0999

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

95 JUN -8 PM 4:24

CHARLIE GREEN LEE CTY FL

Signed, Sealed and Delivered
in the Presence of:

Rudolph Kit
Rudolph Kit, Witness
(Print or Type Name)

David C. Newman
David C. Newman, Witness
(Print or Type Name)

Carol Ann Kit (SEAL)
Carol Ann Kit, f/k/a
Carol A. Bernhard

STATE OF ILLINOIS
COUNTY OF COOK

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 17th day of May, 1995, by Carol Ann Kit f/k/a Carol A. Bernhard, who is personally known to me ~~or who provided~~ ~~as identification~~ and who did not take an oath.

" OFFICIAL SEAL
DAVID C. NEWMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXP. 1/15/96

David C. Newman
David C. Newman, NOTARY PUBLIC
State of Illinois at Large
My Commission Expires: Jan. 15, 1996
My Commission No.: 1784

3844872

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax $ 700.00
Intangible Tax $
Clerk Circuit Court Lee County
Deputy Clerk

OR2639 PG1179

WARRANTY DEED

THIS WARRANTY DEED, executed this 13th day of September, 1995, by

O.L.C., INC., a Florida corporation
Post Office Box 14019
Fort Pierce, Florida 34979

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

PARCEL I:
The West 1/3 of the East 3/17 of the North 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-3 (T-10)]

PARCEL II:
The West 1/5 of the East 5/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-30 (T-10)]

PARCEL III:
The South 1/2 of the East 1/5 of the West 5/17 of the North 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-13 (efgh-5)]

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: SUSAN THOMPSON

PARCEL IV:

The South 1/2 of the West 1/6 of the East 6/17 of the South 1/2 of the North 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [Tract No. 2-29 (efgh-5)]

SUBJECT TO easements, restrictions and covenants of record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Patricia L. Williams
Patricia L. Williams, Witness
(Print or Type Name)

Barbara C. Ward
Barbara C. Ward, Witness
(Print or Type Name)

O.L.C., INC., a Fla. corp.

By: Charles M. Campbell
Charles M. Campbell,
President

STATE OF FLORIDA
COUNTY OF St. Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13th day of September, 1995, by Charles M. Campbell, as President of O.L.C., Inc., a Florida corporation, who is personally known to me or who provided N/A as identification and who did not take an oath.

Barbara C. Ward
Barbara C. Ward, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-2-99
My Commission No.: CC 469215

OR2639 PG 1180
CHARLIE GREEN LEE CTY, FL
95 SEP 29 PM 4:27

10. 42.00

3844868

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd. $ 595.00
Intangible Tax Pd.
LEE COUNTY
Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 13th day of September, 1995, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

LAKELAND AGRIBUSINESS, INC., a Wisconsin corporation
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantee:

OR2639 PG1171

"Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and partnerships, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/6 of the East 6/17 of the North 1/4 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-6 (T-10)]

AND

The South 3/4 of the West 1/3 of the East 3/17 of the South 1/2 of the North 1/2 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-32 (cdefgh-7.5)]

SUBJECT TO easements, restrictions and covenants of record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Witness
(Print or Type Name)

Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: _____
Joseph E. Beale, Jr., Individually, and as General Partner

By: _____
Edgar A. Brown, Individually and as General Partner

By: _____
Charles M. Campbell, Jr., Individually and as General Partner

By: _____
John D. Campbell, Individually and as General Partner

OR2639 PG1172

95 SEP 29 PM 4:26

CHARLIE GREEN LEE CTY. FL

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13th day of September, 1995, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD MY COMMISSION EXPIRES SEPTEMBER 7, 1999 #CC 459215 NOTARY PUBLIC, STATE OF FLORIDA

_____, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-99
My Commission No.: CC 459215

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

3844870

Documentary Tax Pd. $ 175.00

Intangible Tax Pd.

LEE COUNTY

Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 5th day of September, 1995, by

ANTHONY L. MILONE and FRANCES MILONE, his wife
112 Woodlawn Avenue
Upper Darby, PA 19082,

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

> **The South 1/2 of the West 1/7 of the East 7/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 13-41 (efgh-5)]**

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

OR2639 PG1175

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Joseph T. Mattson, Witness
(Print or Type Name)

G. Michael Green, Witness
(Print or Type Name)

Anthony L. Milone

Frances Milone

STATE OF Pennsylvania
COUNTY OF Delaware

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 5th day of September, 1995, by Anthony L. Milone and Frances Milone, his wife, who are personally known to me or who provided Pa. Driver's License as identification and who did not take an oath.

Anne E. Laurence, NOTARY PUBLIC
State of Pennsylvania at Large
My Commission Expires:
My Commission No.:

Notarial Seal
Anne E. Laurence, Notary Public
Haverford Twp., Delaware County
My Commission Expires April 10, 1999

OR2639 PG1176

95 SEP 29 PM 4:26

CHARLIE GREEN LEE CTY, FL

3844867

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Rec. $ 525.00
$ _____ Intangible Tax Rec.
_____ Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 7th day of August, 1995, by

J.D. BERGMAN, an adult, and
LAKELAND AGRIBUSINESS, INC., a Wisconsin corporation
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

PARCEL I:
The West 1/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-18 (T-10)]

PARCEL II:
The South 1/2 of the North 1/2 of the West 1/17 of the North 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-51 (cd-2.5)]

PARCEL III:
The North 1/4 of the West 1/17 of the North 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-51 (ab-2.5)]

OR2639 PG1168

SUBJECT TO easements, restrictions and covenants of record.

Grantor, J.D. Bergman, covenants and affirms unto the Grantee that the above described lands are not now, nor have they ever been, his homestead, and that he presently resides in the State of Illinois.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

_____, Witness
(Print or Type Name)

_____ Witness
(Print or Type Name)

J.D. Bergman

LAKELAND AGRIBUSINESS, INC.,
a Wisconsin corporation

By: _____
J. D. Bergman, President

_____, Witness
(Print or Type Name)

_____ Witness
(Print or Type Name)

OR2639 PG1169

STATE OF ILLINOIS
COUNTY OF Du Page

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 7th day of August, 1995, by J.D. Bergman, Individually and as President of Lakeland Agribusiness, Inc., a Wisconsin corporation, who is personally known to me or who provided _____ as identification and who did not take an oath.

Ellynann E. Fries
Ellynann E. Fries, NOTARY PUBLIC
State of Illinois at Large
My Commission Expires: September 3, 1997
My Commission No.: _____

"OFFICIAL SEAL"
ELLYNANN E. FRIES
Notary Public, State of Illinois
My Commission Expires 9/3/97

OR2639 PG1170

95 SEP 29 PM 4:25

CHARLIE GREEN LEE CTY, FL

3844864

OR2639 PG1160

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Bryan & Koblegard, P.A.
Post Office Box 1000
Fort Pierce, Florida 34954

Documentary Tax Pd. $ 350.00
Intangible Tax $ ____
CHARLIE GREEN, CLERK LEE COUNTY
By: [illegible] Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 11TH day of AUGUST, 1995, by

C.M. HANSEN FARMS, INC.,
a New York corporation
5362 Flat Street
Geneva, New York 14456

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: SUSAN THOMPSON •

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/6 of the East 6/17 of the North 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-40 (T-10)]

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1994.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Witness
(Print or Type Name)

Witness
(Print or Type Name)

C.M. HANSEN FARMS, INC., a New York corporation

By: _____
Chris M. Hansen, President

STATE OF New York
COUNTY OF Yates

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 11th day of August, 1995, by Chris M. Hansen, as President of C.M. Hansen Farms, Inc., a New York corporation, who is personally known to me or who provided _____ as identification and who did not take an oath.

Margaret E. Calder
NOTARY PUBLIC
State of New York at Large
My Commission Expires: _____
My Commission No.: _____

MARGARET E. CALDER
Notary Public State of New York
Yates County No. 4740899
Commission Expires March 30, 1997

OR2639 PG1161

CHARLIE GREEN LEE CTY, FL
95 SEP 29 PM 4:24

10 Doc
35 50 D

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

3970952

WARRANTY DEED

THIS WARRANTY DEED, executed this 8th day of April, 1996, by

HELEN MARIE McGEENEY, the unremarried surviving spouse of WILLIAM S. McGEENEY, deceased
745 Chrystal Drive
Pittsburgh, PA 15228

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/4 of the South 1/2 of the West 1/5 of the East 5/17 of the North 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-5(e-1.25)]

SUBJECT TO easements, restrictions and covenants of record.

Grantor covenants and affirms unto the Grantee that her marriage to William S. McGeeney was continuous and uninterrupted from the date of acquisition of the above described lands on November 28, 1977, to and including the date of his death on August 21, 1994.

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

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

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: G. SHERWOOD, D.C. •

OR2710 PG0982

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Nicholas S Vacco
Nicholas S Vacco, Witness
(Print or Type Name)

Karen Paris
KAREN PARIS, Witness
(Print or Type Name)

Helen Marie McGeeney
Helen Marie McGeeney

STATE OF Penna
COUNTY OF Allegheny

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 8th day of April, 1996, by Helen Marie McGeeney, the unremarried surviving spouse of William S. McGeeney, deceased, who is personally known to me or who provided Drivers License (10764-325) as identification and who did not take an oath.

Nicholas S Vacco
, NOTARY PUBLIC
State of Pennsylvania at Large
My Commission Expires: Feb 9-1998
My Commission No.:

Notarial Seal
Nicholas S. Vacco, Notary Public
Mt. Lebanon Twp., Allegheny County
My Commission Expires Feb. 9, 1998
Member, Pennsylvania Association of Notaries

OR2710 PG0983

CHARLIE GREEN LEE CTY FL
96 MAY 29 PM 3:50

19.50
Rec. 5.00
D/S 164.50
185.00

1X

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

3992760

● RECORD VERIFIED - CHARLIE GREEN, CLERK ● BY: J. TURNER, D.C ●

OR2722 PG3851

WARRANTY DEED

THIS WARRANTY DEED, executed this 28th day of May, 1996, by

RICHARD L. ROMEYN, KAREN ROMEYN and DARYL A. ROMEYN,
as Successor Co-Trustees under the Richard J. Romeyn
Revocable Trust Agreement dated August 23, 1983
W5306 Emerald Court
LaCrosse, Wisconsin 54601

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

An undivided 1/2 interest in and to the following described real property:

The North 1/2 of the West 1/5 of the East 5/17 of the North 1/4, and the South 1/4 of the West 1/5 of the East 5/17 of the North 1/4, and the North 1/4 of the West 1/2 of the East 2/17 of the South 1/4 of Section 11, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 11-5(abcd-5); Tract 11-5(gh-2.5); and Tract 11-67(ab-2.5)]

SUBJECT TO easements, restrictions and covenants of record.

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

Documentary Tax Pd. $ 164.50
$ ____ Intangible Tax Pd
CHARLIE GREEN, CLERK, LEE COUNTY
BY: _____ Deputy Clerk

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Barbara Ann Emerson, Witness
(Print or Type Name)

Nancy Rickelberger, Witness
(Print or Type Name)

Richard L. Romeyn, as Successor Co-Trustee under the Richard J. Romeyn Revocable Trust Agreement dated August 26, 1983

OR2722 PG3852

STATE OF Wisconsin
COUNTY OF LaCrosse

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28th day of May, 1996, by Richard L. Romeyn, as Successor Co-Trustee under the Richard J. Romeyn Revocable Trust Agreement dated August 26, 1983, who is personally known to me or who provided drivers License as identification and who did not take an oath.

NOTARY PUBLIC STATE OF WISCONSIN SANDRA K. EARP

Sandra K. Earp
LaCrosse County, NOTARY PUBLIC
State of Wisconsin at Large
My Commission Expires:
My Commission No.: 5/14/2000

Signed, Sealed and Delivered
in the Presence of:

Errol M. Carter
ERROL M. CARTER, Witness
(Print or Type Name)

Vondell Edwards
Vondell Edwards, Witness
(Print or Type Name)

Karen Romeyn, as Successor
Co-Trustee under the Richard J.
Romeyn Revocable Trust Agreement
dated August 26, 1983

STATE OF IL.
COUNTY OF Cook

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 30 day of May, 1996, by Karen Romeyn, as Successor Co-Trustee under the Richard J. Romeyn Revocable Trust Agreement dated August 26, 1983, who is personally known to me or who provided _____ as identification and who did not take an oath.

Ava Renzon
NOTARY PUBLIC
State of IL. at Large
My Commission Expires: 2/7/97
My Commission No.: _____

"OFFICIAL SEAL"
Ava Renzon
Notary Public, State of Illinois
Cook County
My Commission Expires 2/7/97

OR2722 PG3853

CHARLIE GREEN LEE CTY FL

96 JUL -8 AM 11:08

Signed, Sealed and Delivered
in the Presence of:

Jennifer L. Povich, Witness
(Print or Type Name)

Yvonne Ireland, Witness
(Print or Type Name)

Daryl A. Romeyn, as Successor Co-Trustee under the Richard J. Romeyn Revocable Trust Agreement dated August 26, 1983

OR2722 PG3854

STATE OF WA
COUNTY OF Spokane

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 22 day of May, 1996, by Daryl A. Romeyn, as Successor Co-Trustee under the Richard J. Romeyn Revocable Trust Agreement dated August 26, 1983, who is personally known to me or who provided WA Drivers Lic _____ as identification and who did not take an oath.

TRACY MALLEY COMMISSION EXPIRES NOTARY PUBLIC MAY 15, 1997 STATE OF WASHINGTON

Tracy Malley, NOTARY PUBLIC
State of WA at Large
My Commission Expires: 5-1597
My Commission No.: 256011 MALLET 402RW

10.50
$1,164.50
175.00

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

3992761

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: J. TURNER, D.C

OR2722 PG3855

WARRANTY DEED

THIS WARRANTY DEED, executed this 18th day of June, 1996, by

BETTY JAYNE ROMEYN, the unremarried surviving spouse of JAMES W. ROMEYN, deceased
2710 Elizabeth Lane
West Bloomfield, MI 48324

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

An undivided 1/2 interest in and to the following described real property:

The North 1/2 of the West 1/5 of the East 5/17 of the North 1/4, and the South 1/4 of the West 1/5 of the East 5/17 of the North 1/4, and the North 1/4 of the West 1/2 of the East 2/17 of the South 1/4 of Section 11, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 11-5(abcd-5); Tract 11-5(gh-2.5); and Tract 11-67(ab-2.5)]

SUBJECT TO easements, restrictions and covenants of record.

Grantor covenants and affirms unto the Grantee that her marriage to James W. Romeyn was continuous and uninterrupted from the date of acquisition of the above described lands on

Documentary Tax Pd. $ 164.50
Intangible Tax Pd
CHARLIE GREEN, CLERK, LEE COUNTY
By Deputy Clerk

May 22, 1978, to and including the date of his death on November 5, 1980.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Jessica Patterson
JESSICA PATTERSON, Witness
(Print or Type Name)

Betty Jayne Romeyn
Betty Jayne Romeyn

Janice Wilson
, Witness
(Print or Type Name) JANICE WILSON

STATE OF Michigan
COUNTY OF Oakland

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 18th day of June, 1996, by Betty Jayne Romeyn, the unremarried surviving spouse of James W. Romeyn, deceased, who is personally known to me or who provided MICHIGAN DRIVERS LICENSE as identification and who did not take an oath.

, NOTARY PUBLIC
State of _____ at Large
My Commission Expires: _____
My Commission No.: _____

CHRYSIA A. STONEBACK
NOTARY PUBLIC - OAKLAND COUNTY, MI
~~ACTING IN CO. CO.~~
MY COMMISSION EXPIRES 11/03/99

NOTARY PUBLIC ... AND COUNTY, MI

OR2722 PG3856

96 JUL -8 AM 11:10

HARLIE GREEN LEE CITY FI.

This Instrument Prepared by:
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

4034760

Documentary Tax Pd. $ 1134.00
$ _____
By D.J. Robinson Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 15th day of August, 1996, by

JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES H. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as, and constituting all of the General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership

AND

FCC MANAGEMENT COMPANY, a Florida corporation
3245 Okeechobee Road
Fort Pierce, Florida 34981

hereinafter called the Grantor, to

LAKELAND AGRIBUSINESS, INC., a Wisconsin corporation
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations and partnerships, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $1.00 and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

PARCEL I:
The South 1/2 of the West 1/9 of the East 9/17 of the South 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-60(efgh-5.0)].

PARCEL II:
The South 1/2 of the West 1/8 of the East 8/17 of the South 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-61(efgh-5.0)].

PARCEL III:
The North 1/2 of the East 1/17 of the North 1/4 of Section 11, Township 43 South, Range 27

OR2746 PG2485

* RECORD VERIFIED - CHARLIE GREEN, CLERK *
* BY: MARY JO ROBINSON, D.C. *

East, Lee County, Florida [a/k/a Tract 11-1(abcd-5.0)].

PARCEL IV:

The West 1/3 of the East 3/17 of the North 1/4 of Section 11, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 11-3(T-10)].

PARCEL V:

The North 3/4 of the West 1/9 of the East 9/17 of the North 1/4 of Section 11, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 11-9(abcdef-7.5)].

SUBJECT TO easements, restrictions and covenants of record.

OR2746 PG2486

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn E. Baird

KATHRYN E. BAIRD, Witness
(Print or Type Name)

FRANK H. FEE, III, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: Joseph E. Beale
Joseph E. Beale, Jr., Individually, and as General Partner

By: Edgar A. Brown
Edgar A. Brown, Individually and as General Partner

By: Charles M. Campbell
Charles M. Campbell, Jr., Individually and as General Partner

By: John D. Campbell
John D. Campbell, Individually and as General Partner

CHARLIE GREEN LEE CTY FL

96 SEP 20 AM 11:46

Signed, Sealed and Delivered
in the Presence of:

Lisa L. Bolton
Lisa L. Bolton, Witness

Kathryn E. Baird
Kathryn E. Baird, Witness

FCC MANAGEMENT COMPANY, a
Florida corporation

By: Joseph E. Beale
Joseph E. Beale, President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 15th day of August, 1996, by JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, Individually and as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION EXPIRES
SEPTEMBER 7, 1999
#CC 469215
NOTARY PUBLIC, STATE OF FLORIDA

Kathryn E. Baird
Kathryn E. Baird, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-99
My Commission No.: CC 469215

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 15th day of August, 1996, by EDGAR A. BROWN, as President of FCC MANAGEMENT COMPANY, INC., a Florida corporation, on behalf of the corporation, who are personally known to me.

KATHRYN E. BAIRD
MY COMMISSION EXPIRES
SEPTEMBER 7, 1999
#CC 469215
NOTARY PUBLIC, STATE OF FLORIDA

Kathryn E. Baird
Kathryn E. Baird, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-99
My Commission No.: CC 469215

OR 714 PG 2187

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

4034761

1134.00

OR2746 PG2488

WARRANTY DEED

THIS WARRANTY DEED, executed this 21st day of May, 1996, by

LAKELAND AGRIBUSINESS, INC., a Wisconsin corporation
108 E. Ogden Avenue
Hinsdale, Illinois 60521

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

PARCEL I:
The East 1/4 of the West 4/17 of the North 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-14 (T-10)]

PARCEL II:
The East 1/6 of the West 6/17 of the South 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-57 (T-10)]

PARCEL III:
The East 1/5 of the West 5/17 of the North 1/2 of the South 1/2 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-47 (T-10)]

SUBJECT TO easements, restrictions and covenants of record.

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: MARY JO ROBINSON, D.C.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

IN WITNESS WHEREOF, *the Grantor has caused these presents to* be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Jay Hamman
JAY HAMMAN Witness
(Print or Type Name)

Felicia Bayne
FELICIA BAYNE, Witness
(Print or Type Name)

LAKELAND AGRIBUSINESS, INC.,
a Wisconsin corporation

By: _____
J. D. Bergman, President

STATE OF ILLINOIS
COUNTY OF Lee

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of May, 1996, by J.D. Bergman, as President of Lakeland Agribusiness, Inc., a Wisconsin corporation, who is personally known to me or who provided _____ as identification and who did not take an oath.

_____
Ellynann E. Fries, NOTARY PUBLIC
State of Illinois at Large
My Commission Expires: Sept. 3, 1997
My Commission No.: _____

"OFFICIAL SEAL"
ELLYNANN E. FRIES
Notary Public, State of Illinois
My Commission Expires 9/3/97

OR2746 PG2489

CHARLIE GREEN LEE CTY FL
96 SEP 20 AM 11:47

10.50
12500

4095049

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

DOCUMENTARY TAX PD. $ 175.00
$ _____
CLERK OF CIRCUIT COURT, LEE COUNTY
BY _____ Deputy Clerk

OR2781 PG3441

WARRANTY DEED

THIS WARRANTY DEED, executed this 1 day of December, 1996, by

ARTHUR R. MONTGOMERY and MARY R. MONTGOMERY, his wife
713 Broadway
Hanover, MA 02339

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

> **The North 1/2 of the West 1/2 of the East 2/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida (a/k/a Tract No. 1-33 (abcd-5))**

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
•By _____ D.C.•

MARIE GRANT CITY FL

97 JAN 14 PM 4:14

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

OR2781 PG3442

Signed, Sealed and Delivered
in the Presence of:

Catherine M. Luther
Catherine M. Luther, Witness
(Print or Type Name)

Arthur R. Montgomery
Arthur R. Montgomery

Suzanne A. Perin, Witness
(Print or Type Name)

Mary R. Montgomery
Mary R. Montgomery

STATE OF Ma
COUNTY OF Plymouth

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 4th day of December, 1996, by Arthur R. Montgomery and Mary R. Montgomery, his wife, who are personally known to me or who provided Ma. License as identification and who did not take an oath.

Susan M. Sutherland, NOTARY PUBLIC
State of Ma at Large
My Commission Expires:
My Commission No.:

10.50
105.00
D.

4140245

OR2807 PG1086

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 105.00
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By _____ Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 13TH day of MARCH, 1997, by

DANIEL R. CARR, an unmarried adult
9550 Regency Square Blvd., Apt. 216
Jacksonville, Florida 32225-8172

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/2 of the North 1/2 of the East 1/17 of the North 1/2 of the South 1/2 in Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-35 (cd-2.5)]

The Grantor covenants and affirms unto the Grantee that the above described real property is not now, nor has it ever been his homestead and that he presently resides in Jacksonville, Florida.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: G. SHERWOOD, D.C. •

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Amy Tuttle, Witness
(Print or Type Name)

Tracy Gilofer, Witness
(Print or Type Name)

Daniel R. Carr

STATE OF FLORIDA
COUNTY OF Duval

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13 day of March, 1997, by Daniel R. Carr, an unmarried adult, who is personally known to me or who provided Fl. Dr. Lic as identification and who did not take an oath.

Amy Tuttle, NOTARY PUBLIC
State of Fl. at Large
My Commission Expires:
My Commission No.:

AMY TUTTLE
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION # CC 583973
EXPIRES SEP 9, 2000
BONDED THRU
ATLANTIC BONDING CO., INC.

OR2807 PG1087

97 APR -1 AM 11:37

CHARLIE GREEN LEE CLK. FL.

4155708

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 350.00 Intangible Tax Pd. $ —
CHARLIE GREEN, CLERK, LEE COUNTY
By: [illegible] Deputy Clerk

10.50
350.00
350

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
•By: J [illegible], D.C.•

OR2816 PG2137

WARRANTY DEED

THIS WARRANTY DEED, executed this 27th day of March _____, 1997, by

INA VERMEER and YOLANDA VERMEER, her daughter
Koningin Wilhelminalaan 469
2274 BB Voorburh
Netherlands

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The East 1/5 of the West 5/17 of the North 1/2 of the North 1/2 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-13 (T-10)]

The Grantors covenant and affirm unto Grantee that the above described real property is not now, nor has it ever been, their homestead, and that they presently reside in the The Netherlands.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

CHARLIE GREEN LEE CTY. FL

97 APR 25 AM 11:11

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

M. van der Mozen
H. VAN DER MOZEN, Witness
(Print or Type Name)

Ina Vermeer
Ina Vermeer

Edw Kyck
EDWARD KYCK, Witness
(Print or Type Name)

Yolanda Vermeer
Yolanda Vermeer

STATE OF Kingdom of the Netherlands
COUNTY OF Province of North Holland (Noord Holland)
City of Amsterdam
Consular Council of the United States of America } ss

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 27th day of MARCH, 1997, by Ina Vermeer and Yolanda Vermeer, her daughter, who are personally known to me or who provided PASSPORTS as identification and who did not take an oath.

Joseph B. Nowell
Consul of the United States of America

Joseph B. Nowell, NOTARY PUBLIC
State of _____ at Large
My Commission Expires: _____
My Commission No.: _____

at the pleasure of the President

OR2816 PG2138

10 50 R

203 00 125

OR2823 PG1770

4107227

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 2030.00 Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By [signature] Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 28th day of April, 1997 by

FCC MANAGEMENT COMPANY, INC., a Florida corporation
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: D. ROSANK, D.C.

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

> The North 1/2 of the West 1/3 of the East 3/17 of the South 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-66(abcd-5.0)]
>
> **SUBJECT TO** easements, restrictions and covenants of record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

CHARLIE GREEN LEE CTY. FL

97 MAY 14 PM 1:19

OR2823 PG1177

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn E. Baird
KATHRYN E. BAIRD, Witness
(Print or Type Name)

Debra L. Abraham
DEBRA L. ABRAHAM, Witness
(Print or Type Name)

FCC MANAGEMENT COMPANY, a Florida corporation

By: Edgar A. Brown
Edgar A. Brown, President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28th day of April, 1997, by Edgar A. Brown, as President of FCC Management Company, a Florida corporation, on behalf of the corporation, who is personally known to me or who provided _____ as identification and who did not take an oath.

KATHRYN E. BAIRD MY COMMISSION EXPIRES SEPTEMBER 7, 1999 #CC 469215 NOTARY PUBLIC STATE OF FLORIDA

Kathryn E. Baird
KATHRYN E. BAIRD, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-99
My Commission No.: CC 469215

10.50
1750

4095049

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 1750
$
Deputy Clerk

OR2781 PG3441

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
•D.C.•

WARRANTY DEED

THIS WARRANTY DEED, executed this 1 day of December, 1996, by

ARTHUR R. MONTGOMERY and MARY R. MONTGOMERY, his wife
713 Broadway
Hanover, MA 02339

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

> **The North 1/2 of the West 1/2 of the East 2/17 of the South 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-33 (abcd-5)]**

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

97 JAN 14 PM 4:14

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Catherine M. Luther
Catherine M. Luther, Witness
(Print or Type Name)

Arthur R. Montgomery
Arthur R. Montgomery

Witness
(Print or Type Name)

Mary R. Montgomery
Mary R. Montgomery

OR2781 PG3142

STATE OF Ma
COUNTY OF Plymouth

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 4th day of December, 1996, by Arthur R. Montgomery and Mary R. Montgomery, his wife, who are personally known to me or who provided Ma. License as identification and who did not take an oath.

Susan M. Sutherland
, NOTARY PUBLIC
State of Ma at Large
My Commission Expires:
My Commission No.:

105.00
105.00 D.

4140245

OR2807 PG1086

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 105.00
Intangible Tax Pd.
$
CHARLIE GREEN, CLERK, LEE COUNTY
By _____ Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 13TH day of MARCH, 1997, by

DANIEL R. CARR, an unmarried adult
9550 Regency Square Blvd., Apt. 216
Jacksonville, Florida 32225-8172

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/2 of the North 1/2 of the East 1/17 of the North 1/2 of the South 1/2 in Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-35 (cd-2.5)]

The Grantor covenants and affirms unto the Grantee that the above described real property is not now, nor has it ever been his homestead and that he presently resides in Jacksonville, Florida.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: G. SHERWOOD, D.C. •

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

_____ , Witness
(Print or Type Name)

_____ , Witness
(Print or Type Name)

Daniel R. Carr

STATE OF FLORIDA
COUNTY OF Duval

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 13 day of March, 1997, by Daniel R. Carr, an unmarried adult, who is personally known to me or who provided Fl. Dr. Lic as identification and who did not take an oath.

_____ , NOTARY PUBLIC
State of Fl. at Large
My Commission Expires: _____
My Commission No.: _____

AMY TUTTLE
COMMISSION # CC 583973
EXPIRES SEP 9, 2000
BONDED THRU
ATLANTIC BONDING CO., INC.

OR2807 PG1087

CHARLIE GREEN LEE CLK, FL
97 APR -1 AM 11:37

4155708

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

10.50
350.00

Documentary Tax Pd. $ 350.00
Intangible Tax Pd. $ —
CHARLIE GREEN, CLERK, LEE COUNTY
By: [illegible] Deputy Clerk

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
•By: J Miller, D.C.•

OR2816 PG2137

WARRANTY DEED

THIS WARRANTY DEED, executed this 27th day of March, 1997, by

INA VERMEER and YOLANDA VERMEER, her daughter
Koningin Wilhelminalaan 469
2274 BB Voorburh
Netherlands

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The East 1/5 of the West 5/17 of the North 1/2 of the North 1/2 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-13 (T-10)]

The Grantors covenant and affirm unto Grantee that the above described real property is not now, nor has it ever been, their homestead, and that they presently reside in the The Netherlands.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land

CHARLIE GREEN LEE CTY. FL

97 APR 25 AM 11:11

and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

M. van der Mozen
H. VAN DER MOZEN, Witness
(Print or Type Name)

Ina Vermeer
Ina Vermeer

Erwin Eyck
ERWIN EYCK, Witness
(Print or Type Name)

Yolanda Vermeer
Yolanda Vermeer

OR2816 PG2138

STATE OF Consulate of the Netherlands
COUNTY OF Province of North Holland (Noord Holland)
City of Amsterdam
Consular Council of the United States of America } ss

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 27th day of MARCH, 1997, by Ina Vermeer and Yolanda Vermeer, her daughter, who are personally known to me or who provided PASSPORTS as identification and who did not take an oath.

Joseph B. Nowell
Consul of the United States of America

Joseph B Nowell
_____, NOTARY PUBLIC
State of _____ at Large
My Commission Expires: _____
My Commission No.: _____

at the pleasure of the President

10 50 R

203 00 125

4107227

OR2823 PG1770

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee & Koblegard, P.A.
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 203.00 Intangible Tax Pd. $ CHARLIE GREEN, CLERK, LEE COUNTY By Deputy Clerk

WARRANTY DEED

THIS WARRANTY DEED, executed this 28th day of April, 1997 by

FCC MANAGEMENT COMPANY, INC., a Florida corporation
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: D.C.

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/2 of the West 1/3 of the East 3/17 of the South 1/2 of the South 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-66(abcd-5.0)]

SUBJECT TO easements, restrictions and covenants of record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1995.

CHARLIE GREEN LEE CTY. FL

97 MAY 14 PM 1:19

OR2823 PG1777

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Kathryn E. Baird
KATHRYN E. BAIRD, Witness
(Print or Type Name)

Debra L. Abraham
DEBRA L. ABRAHAM, Witness
(Print or Type Name)

FCC MANAGEMENT COMPANY, a Florida corporation

By: Edgar A. Brown
Edgar A. Brown, President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28th day of April, 1997, by Edgar A. Brown, as President of FCC Management Company, a Florida corporation, on behalf of the corporation, who is personally known to me or who provided _____ as identification and who did not take an oath.

KATHRYN E. BAIRD
MY COMMISSION EXPIRES
SEPTEMBER 7, 1999
#CC 469215
NOTARY PUBLIC STATE OF FLORIDA

Kathryn E. Baird
KATHRYN E. BAIRD, NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 9-7-99
My Commission No.: CC 469215

$15.00
RE 157.50

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4205031

Return to:

Documentary Tax Pd. $ 157.50
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By J Sherwood Deputy Clerk

OR2846 PG0615

WARRANTY DEED

THIS WARRANTY DEED, executed this 16 day of May, 1997, by

WANDA L. RICHEY, the surviving spouse
of **ROBERT J. RICHEY**, Deceased
8861 Lahr Ct.
Indianapolis, IN 46256-4370

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
•BY: G. SHERWOOD, D.C.•

WHERAS, Grantor is the surviving spouse of Robert J. Richey, former owner of the hereinafter described real property, whose estate was fully administered in the state of his domicile, Indiana, in a probate proceeding previously had before the Marion County Superior Court, Estate Docket No. E80, from which certain documents appear among the public records of Lee County, Florida; and

WHEREAS, Robert J. Richey is survived by the Grantor, Wanda L. Richey, his surviving spouse, by his son and daughter, respectively, Mark R. Richey and Beth A. Richey Lowe, and by his grandson and granddaughter, respectively, Nathan Michael Corey and Rebecca Noel Corey; and

WHEREAS, the above-named parties, including Grantor, constitute the sole parties in interest to the hereinafter described real property under both the laws of the State of Indiana and the laws of the State of Florida, and all of such other parties have conveyed their interest to Grantor.

NOW, THEREFORE, WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

> The North 1/2 of the West 1/5 of the East 5/17 of the North 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract 1-5(abcd-5.0)]
>
> Grantor covenants and affirms unto Grantee that the above described real property is not now, nor has it ever been, her homestead, and that she presently resides in the State of Indiana.

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

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

AND the Grantor hereby covenants with the Grantee that the above recitals of fact made by this Deed are true and correct, that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Sarah L. Willing, Witness
(Print or Type Name)

Rebecca Dill, Witness
(Print or Type Name)

Wanda L. Richey (SEAL)
WANDA L. RICHEY

OR2846 PG0617

STATE OF INDIANA
COUNTY OF Marion

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 11th day of May, 1997, by WANDA L. RICHEY, who is personally known to me or who provided Indiana DL as identification and who did not take an oath.

CAROLYN A. CALL, Notary Public
My Commission Expires: 05/13/2000
County of Residence: Marion

Carolyn A Call
Carolyn A Call, NOTARY PUBLIC
State of Indiana at Large
My Commission Expires: 5-13-2000
My Commission No.: 3810982

CHARLIE GREEN LEE CTY. FL
97 JUL 17 AM 11:23

15.00 R
1,750.00 DS

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Return to:

4260395

Documentary Tax Pd. $ 1,750.00
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Trent Voges Deputy Clerk

OR2879 PG1883

WARRANTY DEED

THIS WARRANTY DEED, executed this 9th day of October, 1997, by

FLORIDA CITRUS COMPANY, a Florida General Partnership, acting by and through all of its General Partners, JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL,
23351 North River Road
Alva, FL 33920

hereinafter called the Grantor, to

CHRIS M. HANSEN
P. O. Box 59
Hall, NY 14463

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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

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

AND the Grantor hereby covenants with the 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

• RECORD VERIFIED - CHARLIE GREEN, CLERK •
• BY: TRENT A. VOGES, D.C. •

land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1996.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered in ~~the~~ Presence of:

FRANK H. LEE, JR., Witness
(Print or Type Name)

Connie Sue Moore
Connie Sue Moore, Witness
(Print or Type Name)

FLORIDA CITRUS COMPANY, a Florida General Partnership

By Joseph E. Beale
Joseph E. Beale, Jr.
as General Partner

By Edgar A. Brown
Edgar A. Brown
as General Partner

By Charles M. Campbell
Charles M. Campbell, Jr.
as General Partner

By John D. Campbell
John D. Campbell
as General Partner

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 9th day of October, 1997, by Joseph E. Beale, Jr., Edgar A. Brown, Charles M. Campbell, Jr. and John D. Campbell, as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership, on behalf of the partnership, who are personally known to me and who did not take an oath.

Connie Sue Moore
Connie Sue Moore, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

Connie Sue Moore
MY COMMISSION # CC619625 EXPIRES
April 4, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Connie Sue Moore
MY COMMISSION # CC61[illegible]
April 4, 20[illegible]
BONDED THRU TROY FAIN [illegible]

OR2879 PG1884

EXHIBIT "A"

LEGAL DESCRIPTION

OR2879 PG1885

Tract 2-46(T-10)

The East 1/6 of the West 6/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

Tract 2-47(T-10)

The East 1/5 of the West 5/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

Tract 2-51(e-1.25)

The North 1/4 of the South 1/2 of the West 1/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

Tract 2-51(gh-2.5)

The South 1/4 of the West 1/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

Tract 2-56(T-10)

The East 1/5 of the West 5/17 of the South 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

Tract 2-57(T-10)

The East 1/6 of the West 6/17 of the South 1/4 of Section 2, Township 43 South, Range 27 East, Lee County, Florida.

CHARLIE GREEN LEE CTY. FL
97 OCT 20 AM 10:33

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Return to:

4308143

Documentary Tax Pd. $ 157.50
$ .60 Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Cindy Keller Deputy Clerk

10.50
157.50

OR2909 PG0987

•RECORD VERIFIED - CHARLIE GREEN, CLERK•
• BY: C. KELLER, D.C.•

WARRANTY DEED

THIS WARRANTY DEED, executed this 5th day of January, 1998, by

MICHAEL T. COX and BERT T. COX, JR.

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/4 of the North 1/2 of the West 1/17 of the East 14/17 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-14(abcd-5)]

Grantors herein covenant that the above described land is not now nor has it ever been their homestead, nor contiguous thereto.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Lisa L. Bolton
Lisa L. Bolton Witness
(Print or Type Name)

Connie Sue Moore
Connie Sue Moore, Witness
(Print or Type Name)

Michael T. Cox (SEAL)
MICHAEL T. COX

Lisa L. Bolton
Lisa L. Bolton Witness
(Print or Type Name)

Connie Sue Moore
Connie Sue Moore, Witness
(Print or Type Name)

Bert T. Cox Jr. (SEAL)
BERT T. COX, JR.

STATE OF FLORIDA
COUNTY OF St. Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 5th day of January, 1998, by **MICHAEL T. COX**, who is personally known to me or who provided FL DL# C200-558-66-169-0 as identification and who did not take an oath.

Connie Sue Moore
Connie Sue Moore, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

Connie Sue Moore
MY COMMISSION # CC619625 EXPIRES
April 4, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

STATE OF FLORIDA
COUNTY OF St. Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 5th day of January, 1998, by **BERT T. COX, JR.**, who is personally known to me or who provided FL DL# C200-060 37-339-0 as identification and who did not take an oath.

Connie Sue Moore
Connie Sue Moore, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

Connie Sue Moore
MY COMMISSION # CC619625 EXPIRES
April 4, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

OR2909 PG0988

98 JAN 14 AM 8:58
CHARLIE GREEN LEE CTY. FL

4386823

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

10.50R
219.10D

Documentary Tax Pd. $ 219.10
$ — 0 — Intang
CHARLIE GREEN, CLERK,
By Susan Rostom

OR2958 PG2705

WARRANTY DEED

THIS WARRANTY DEED, executed this 1st day of May, 1998, by

JOANN W. WILSON, the unremarried surviving spouse of C. E. WILSON a/k/a CARL EUGENE WILSON, deceased
325 Crescent Drive
Clewiston, Florida 33440

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

RECORDED BY
SUSAN ROSTOM, D.C.

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/9 of the East 9/17 of the North 1/4, Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-9 (T-10)]

AND

The North 1/2 of the West 1/6 of the East 6/17 of the North 1/4 of Section 12, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 12-6 (abcd-5)]

CHARLIE GREEN, CLERK
LEE COUNTY, FL

98 MAY 12 AM 10:08

OR2958 PG2706

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Cecilia J. Williams — Joann W. Wilson (SEAL)
Printed Name: Cecilia J. Williams — JOANN W. WILSON

Lisa Conley
Printed Name: Lisa Conley

STATE OF FLORIDA
COUNTY OF Hendry

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 1st day of May, 1998, by **JOANN W. WILSON, the unremarried surviving spouse of C. E. WILSON a/k/a CARL EUGENE WILSON,** who is personally known to me or who provided _____ as identification and who did not take an oath.

Dathel L. Balch
_____, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

DATHEL L. BALCH
MY COMMISSION # CC 595350
EXPIRES: October 23, 2000
Bonded Thru Notary Public Underwriters

This Instrument Prepared by
and Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4386826

Documentary Tax Pd. $ 140.00
$ -0- Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Susan Rostom Deputy Clerk

10 SOR
140.00 Doc

OR2958 PG2700

RECORDED BY
SUSAN ROSTOM, D.C.

WARRANTY DEED

THIS WARRANTY DEED, executed this 1st day of May, 1998, by

WILLIAM B. WILSON, a married adult
325 Crescent Drive
Clewiston, Florida 33440

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
Post Office Box 490
Fort Pierce, Florida 34954

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/8 of the East 8/17 of the North 1/2 of the North 1/2 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-8 (T-10)]

Grantor herein covenants that the above described land is not now nor has it ever been his homestead, nor contiguous thereto.

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

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

CHARLIE GREEN, CLERK
LEE COUNTY, FL

98 MAY 12 AM 10:08

OR 2958 PG 2701

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Cecilia J. Deal Williams
Printed Name: Cecilia J. Deal Williams

William B. Wilson (SEAL)
WILLIAM B. WILSON

Stacy Hutchinson
Printed Name: Stacy Hutchinson

STATE OF FLORIDA
COUNTY OF Hernando

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 1st day of May, 1998, by **WILLIAM B. WILSON, a married adult,** who is personally known to me or who provided _____ as identification and who did not take an oath.

DATHEL L. BALCH
MY COMMISSION # CC 595350
EXPIRES: October 23, 2000
Bonded Thru Notary Public Underwriters

Dathel L. Balch
_____, NOTARY PUBLIC
State of Florida at Large
My Commission Expires:
My Commission No.:

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4462586

OR3006 PG3058

Return to:

10.50
81.50

Documentary Tax Pd. $ 81.50
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By: Susan Thompson Deputy Clerk

RECORDED BY
SUSAN THOMPSON, D.C.

WARRANTY DEED

THIS WARRANTY DEED, executed this 28th day of August, 1998, by

ELMER LAUFFENBURGER and GLADYS LAUFFENBURGER, his wife

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The South 1/2 of the South 1/2 of the West 1/6 of the East 6/17 of the North 1/2 of the North 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-6(gh-2.5)]

SUBJECT TO reservations, restrictions, easements and rights-of-way of public record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Mary Kubisski
Print Name: Mary Kubisski

Karen Vidmar
Print Name: KAREN VIDMAR

Elmer Lauffenburger
ELMER LAUFFENBURGER

Gladys Lauffenburger
GLADYS LAUFFENBURGER

OR 3006 PG 3059

98 SEP -1 AM 10:30

CHARLIE GREEN, CLERK
LEE COUNTY, FL

STATE OF ILLINOIS
COUNTY OF Will

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 28 day of August, 1998, by **ELMER LAUFFENBURGER and GLADYS LAUFFENBURGER, his wife,** who are personally known to me or ~~provided~~ _____ as identification, and who did not take an oath.

OFFICIAL SEAL
LAURIE A HEIDBREDER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/07/02

Laurie A. Heidbreder
Laurie A. Heidbreder, NOTARY PUBLIC
State of Illinois
My Commission Expires: 8-7-02
My Commission No.: N/A

10.50
175.00

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4473094

OR3013 PG2297

Return to:

Documentary Tax Pd. $ 175.00
$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Cindy Keller Deputy Clerk

RECORDED BY
CINDY KELLER, D.C.

WARRANTY DEED

THIS WARRANTY DEED, executed this 25thday of August, 1998, by

PAUL B. LIETZ and ERIKA LIETZ, his wife

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

"Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The East 1/6 of the West 6/17 of the North 1/4 of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-12 (T-10)]

SUBJECT TO reservations, restrictions, easements and rights-of-way of public record.

OR3013 PG2298

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

X _____

Print Name: DANIEL BREEDES

X _____

Print Name: Rocio Giovanni Palacio

_____
PAUL B. LIETZ

_____
ERIKA LIETZ

Republic of Perú)
Province and City of Lima)
~~Embassy~~ of the PERU) ss:
United States of America)

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 25th day of August, 1998, by **PAUL B. LIETZ and ERIKA LIETZ, his wife** who is personally known to me or provided their passports as identification, and who did not take an oath.

_____

Graham D. Mayer
Vice Consul of the
United States of America

98 SEP 17 AM 11:55
CHARLIE GREEN, CLERK
LEE COUNTY, FL

15.00
224.00

4473095

This Instrument Prepared by/
Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

Documentary Tax Pd. $ 324.00
$ ____ Intangible Tax
CHARLIE GREEN, CLERK, Lee County
By Cindy Keller Deputy Clerk

OR3013 PG2299

RECORDED BY
CINDY KELLER, D.C.

WARRANTY DEED

THIS WARRANTY DEED, executed this 14th day of September, 1998, by

RAYMOND E. EVERLY, LUCINDA ANN EVERLY,
RICHARD E. EVERLY AND RANDY E. EVERLY

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The West 1/7 of the East 7/17 of the North 1/2 of the South 1/2 of Section 2, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 2-41(T-10)]

Grantors covenant with the Grantee that the above-described real property is a commercial citrus grove and is not the homestead of any Grantor.

SUBJECT TO reservations, restrictions, easements and rights-of-way of public record.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor

hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1997.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: JUDITH G. Scheifele

Print Name:

Print Name:

Print Name:

Print Name:

Print Name: Brian Bethea

Print Name: JOHN A. CALOPIETRO

RAYMOND E. EVERLY

LUCINDA ANN EVERLY

RICHARD E. EVERLY

RANDY E. EVERLY

STATE OF FLORIDA
COUNTY OF Hillsborough

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 11 day of September, 1998, by **RAYMOND E. EVERLY**, who is personally known to me or provided FL DL E164-725-64-291-0 as identification, and who did not take an oath.

OFFICIAL NOTARY SEAL
JUDITH G SCHEIFELE
COMMISSION NUMBER
CC761219
MY COMMISSION EXPIRES
AUG. 15,2002

NOTARY PUBLIC
State of Florida
My Commission Expires: CC 761219
My Commission No.: 8/15/2002

OR3013 PG2300

STATE OF FLORIDA
COUNTY OF Hillsborough

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 11 day of September, 1998, by **LUCINDA ANN EVERLY**, who is personally known to me or provided _____ as identification, and who did not take an oath.

OFFICIAL NOTARY SEAL
JUDITH G SCHEIFELE
COMMISSION NUMBER
CC761219
MY COMMISSION EXPIRES
AUG. 15,2002

Judith G. Scheifele
_____, NOTARY PUBLIC
State of Florida
My Commission Expires: 8/15/2002
My Commission No.: CC761219

STATE OF FLORIDA
COUNTY OF Hillsborough

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 11 day of September, 1998, by **RICHARD E. EVERLY**, who is personally known to me or provided FL DL 6164-785-70-496-0 as identification, and who did not take an oath.

OFFICIAL NOTARY SEAL
JUDITH G SCHEIFELE
COMMISSION NUMBER
CC761219
MY COMMISSION EXPIRES
AUG. 15,2002

Judith G. Scheifele
_____, NOTARY PUBLIC
State of Florida
My Commission Expires: 8/15/2002
My Commission No.: CC761219

~~STATE OF~~ DISTRICT
~~COUNTY OF~~ OF COLUMBIA

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 14 day of September, 1998, by **RANDY E. EVERLY**, who is personally known to me or provided MILITARY ID CARD as identification, and who did not take an oath.

_____, NOTARY PUBLIC
~~State of Florida~~ DISTRICT OF COLUMBIA
My Commission Expires: IN DEF.
~~My Commission No.:~~
AUTH: 10 USC 1044a)

OR3013 PG2301

98 SEP 17 AM 11:55

CHARLIE GREEN, CLERK
LEE COUNTY, FL

10.50R
560.00 Doc

OR3102 PG1917

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee,Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4C033341

Return to:

Documentary Tax Pd. $ 560.00
$ -0- Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Susan Roston Deputy Clerk

RECORDED BY
SUSAN ROSTON, D.C.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed this 22 day of February, 1999, by

WINDING BROOK CORPORATION, a Massachusetts corporation

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Whenever used herein the terms "Grantor" and "Grantee" shall include singular and plural heirs, legal representatives and assigns of individuals and the successors and assigns of corporations wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The East 1/17 of the South 1/4 of Section 1, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 1-68(T-10)]

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

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

AND the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, the premises were free from all encumbrances made by Grantor and that Grantor will warrant

and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: CAROL T. SCHWAB

Print Name: Robin Mitchell

WINDING BROOK CORPORATION
a Massachusetts corporation

By:
Print Name: GEORGE E. SCHWAB
Title: SENIOR VICE PRESIDENT

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this __ day of 22 FEBRUARY 1999, by GEORGE E. SCHWAB, as SENIOR VICE PRES of **WINDING BROOK CORPORATION.**, a Massachusetts corporation, who is personally known to me or who provided TX DL 13396417 as identification and who did not take an oath.

NELSON KREHE STEPHENS, Notary Public
State of TEXAS at Large
My Commission Expires: 5-11-01
My Commission Number: ——

NOTARY PUBLIC STATE OF TEXAS
NELSON KREHE STEPHENS
MY COMMISSION EXPIRES
May 11, 2001

OR3102 PG1918

99 APR 12 11:02

CHARLIE GREEN, CLERK
LEE COUNTY, FL

10.50R
560.00 Doc

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee,Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4633342

Return to:

Documentary Tax Pd. $ 560.00
$ ____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Dian Mitchell Deputy Clerk

OR3102 PG1919

RECORDED BY
SUSAN ROSTOM

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed this 3rd day of December, 1998, by

FLORIDA CITRUS COMPANY, a FloridaGeneral Partnership, acting by and through all of its General Partners, JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL,

hereinafter called the Grantor, to

WINDING BROOK CORPORATION, a Massachusetts corporation
Post Office Box 310
Kendalia, Texas 78027

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/2 of the West 1/6 of the East 6/17 of the North 1/4 of Section 12, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 12-6 (abcd-5)]

The South 1/2 of the West 1/7 of the East 7/17 of the North 1/2 of the South 1/2 of Section 13, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 13-41 (efgh-5)]

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

OR3102PG1920

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

AND the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, the premises were free from all encumbrances made by Grantor and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: FRANK T. FEE

Print Name: CONNIE SUE MOORE

FLORIDA CITRUS COMPANY, a Florida General Partnership

By: _____
Joseph E. Beale, Jr., as General Partner

By: _____
Edgar A. Brown, as General Partner

By: _____
Charles M. Campbell, Jr., as General Partner

By: _____
John D. Campbell, as General Partner

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 3rd day of December, 1998, by **JOSEPH E. BEALE, JR., EDGAR A. BROWN, CHARLES M. CAMPBELL, JR. and JOHN D. CAMPBELL, as General Partners of FLORIDA CITRUS COMPANY, a Florida General Partnership,** on behalf of the partnership, who are personally known to me.

_____
CONNIE SUE MOORE, Notary Public
State of Florida at Large
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC619625 EXPIRES
April 4, 2001
BONDED THRU TROY FAIN INSURANCE INC

CHARLIE GREEN, CLERK
LEE COUNTY, FL
98 APR 12 11:02

10.50R
472.50 Doc

This Instrument Prepared by:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401-A South Indian River Drive
Fort Pierce, Florida 34950

4609348

OR3102 PG1932

Return to:

Documentary Tax Pd. $ 472.50
$ -0- Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By: Susan Roston Deputy Clerk

RECORDED BY
SUSAN ROSTON, D.C

WARRANTY DEED

THIS WARRANTY DEED, executed this 25 day of March, 1999, by

CHESTER DZIEDZINA, a single adult

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY,
a Florida general partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The East 1/17 of the South 1/2 of the North 1/2, of Section 3, Township 43 South, Range 27 East, Lee County, Florida [a/k/a Tract No. 3-34 (T-10)]

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

CHARLIE GREEN, CLERK
LEE COUNTY, FL

99 APR 12 AM 11:06

OR3102 PG1933

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1998.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: _____

_____ (SEAL)
CHESTER DZIEDZINA

Print Name: _____

STATE OF ILLINOIS
COUNTY OF COOK

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 25 day of March, 1999, by **CHESTER DZIEDZINA, a single adult,** who is personally known to me ~~or who provided~~ _____ as identification and who did not take an oath.

"OFFICIAL SEAL"
James J. Kash
Notary Public, State of Illinois
My Commission Expires 08/02/99

_____, NOTARY PUBLIC
State of Illinois at Large
My Commission Expires:
My Commission No.:

INSTR # 6165067
OR BK 04212 Pgs 2983 - 2984; (2pgs)
RECORDED 03/01/2004 10:50:48 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.50
DEED DOC 112.00
DEPUTY CLERK A Janke

This Instrument Prepared by:
Jacquelyn Brewer
Treasure Coast Abstract & Title Insurance Co.
401 South Indian River Drive
Fort Pierce, Fl 34950

WARRANTY DEED

THIS WARRANTY DEED, executed this 4th day of ~~January~~ Feb., 2004 by:

MICHAEL D. KASTROLL, as Trustee
of the # 1 Orange Grove Land Trustee u/a/d December 30, 1993
106 Solar Street
Pittsburgh, PA 15212

hereinafter called the Grantor, to:

FLORIDA CITRUS COMPANY, a Florida General Partnership
existing under the laws of the State of Florida
23351 North River Road
Alva, FL 33920

hereinafter called the Grantee:

"Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires."

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North ½ of the South ½ of the West 1/8 of the East 8/17 of the South ½ of the South ½ of Section 11, Township 43 South, Range 27 East in Lee County, Florida.

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

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

Witness
(Print or Type Name)

Witness
(Print or Type Name)

By: _____, Trustee
Michael D. Kastroll, as Trustee

STATE OF PA
COUNTY OF BEAVER

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 4th day of February, 2004, by Michael D. Kastroll, as Trustee aforesaid, who is personally known to me and who did not take an oath.

_____
Cathy A. Peoples NOTARY PUBLIC
State of PA. at Large
My Commission Expires: 09-18-07
My Commission No.: _____

NOTARIAL SEAL
CATHY A. PEOPLES, NOTARY PUBLIC
ROCHESTER, BEAVER COUNTY
MY COMMISSION EXPIRES SEPT. 18, 2007

Please return to: CH Box 25
Frank H. Fee III
Fee, Kolbegard & DeRoss
Attorneys at Law
401 South Indian River Drive
Fort Pierce, Florida 34950

INSTR # 6568819
OR BK 04529 Pgs 2811 - 2812; (2pgs)
RECORDED 12/16/2004 02:46:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 18.50
DEED DOC 105.00
DEPUTY CLERK M Robinson

Parcel ID Number: 01-43-27-00-00001.045B

Warranty Deed

This Indenture, Made this 22nd day of November, 2004 A.D., **Between** LOTTIE S. BLATT, a single adult and ALAN BLATT, a single adult

of the County of MIAMI-DADE, State of Florida, **grantors,** and FLORIDA CITRUS COMPANY, a Florida general partnership

whose address is: 23351 North River Road, Alva, FL 33920

of the County of Lee, State of Florida, **grantee.**

Witnesseth that the GRANTORS, for and in consideration of the sum of ----------TEN DOLLARS ($10)---------- DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have 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 the County of Lee State of Florida to wit:

The South 1/2 of the North 1/2 of the East 1/7 of the West 7/17 of the North 1/2 of the South 1/2, Section 1, Township 43 South, Range 27 East, Lee County, Florida. (aka Tract 45-B)

Subject to restrictions, reservations, limitations and easements of record, if any; this reference to said restrictions shall not operate to reimpose the same.

Grantor, LOTTIE S. BLATT, hereby covenants and affirms unto Grantee that she is the unremarried surviving spouse of SAUL BLATT, deceased; that she and SAUL BLATT were continuously married to each other, without interruption, from the time they took title to the above-described property until the death of SAUL BLATT on April 11, 1983.

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

Laser Generated by © Display Systems, Inc., 2003 (863) 763-5555 Form FLWD-2

Parcel ID Number: 01-43-27-00-00001.045B

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: Jasmine L. Williams
Witness

Printed Name: David Berman
Witness

LOTTIE S. BLATT (Seal)
P.O. Address: 7500 SW 134th Court, MIAMI, FL 33183

ALAN BLATT (Seal)
P.O. Address: 7500 SW 134th Court, MIAMI, FL 33183

STATE OF Florida
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 22nd day of November, 2004 by LOTTIE S. BLATT, a single adult

who is personally known to me or who has produced her Florida driver's license as identification.

Vanessa Valladares
My Commission DD216687
Expires May 28, 2007

Printed Name: Vanessa Valladares
Notary Public
My Commission Expires: May 28, 2007

STATE OF Florida
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 22nd day of November, 2004 by ALAN BLATT, a single adult

who is personally known to me or who has produced his Florida driver's licenseFlorida driver's license as identification.

Vanessa Valladares
My Commission DD216687
Expires May 28, 2007

Printed Name: Vanessa Valladares
Notary Public
My Commission Expires: May 28, 2007

Return to. (enclose self-addressed stamped envelope)

Name 90-10-0076

Address:

This instrument Prepared by: DIANNE E. FENSKE
STEWART TITLE OF FT. MYERS, INC.
Address: 6238-6 PRESIDENTIAL COURT
FT. MYERS, FLORIDA 33919

Property Appraisers Parcel Identification (Folio) Number(s):
01-43-27-00-00001.044A
Grantee[s] S.S. #[s]:

WARRANTY DEED
STATUTORY
F. S. 689.02

CHARLIE GREEN LEE CTY FL

90 NOV -5 PM 1:42

2933019

Documentary Tax Pd. $ 22.00

$ _____ Intangible Tax Pd.

CHARLIE GREEN, CLERK, LEE COUNTY

By C. Horne Deputy Clerk

RAMCO FORM 4A

INSTR # 6597097
OR BK 04552 Pg 1006; (1pg)
RECORDED 01/11/2005 09:22:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEPUTY CLERK C Keller

SPACE ABOVE THIS LINE FOR PROCESSING DATA — SPACE ABOVE THIS LINE FOR RECORDING DATA

OR2185 PG0270

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

This Indenture, *Made this* 1st *day of* November *, A. D. 19* 90

Between SHIRLEY K. LUCAS ,
a married woman,
of the County of Lee *, in the State of* FLORIDA *, part* y *of the first part, and*
FLORIDA CITRUS COMPANY, a Florida General Partnership,
of the County of *, in the State of* FLORIDA *, whose post office address is*
P.O. BOX 490 FT. PIERCE, FL
part y *of the second part.*

Witnesseth, *That the said part* y *of the first part, for and in consideration of the sum of* Ten *Dollars,* TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS *in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged* his *granted, bargained, and sold to the said part of the second part, heirs and assigns forever, the following described land, situate, and being in the County of* LEE *State of* FLORIDA *, to-wit:*

The North 1/2 of the North 1/2 of the East 1/8 of the West 8/17 of the North 1/2 of the South 1/2 in Section 1, Lee County, Florida, Township 43 South, Range 27 East.

Property is not homestead of Grantor.

Subject to easements, restrictions and reservations of record if any, and taxes for the year 1990 and subsequent years.
THIS DEED IS BEING RE-RECORDED IN ORDER TO CORRECT A SCRIVENER'S ERROR OF DESCRIPTION.
And the said part of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, *The said part of the first part ha hereunto set hand and seal the day and year first above written.* s his

Signed, sealed and delivered in the presence of:

L.S.

L.S.

RECORDERS MEMO:
COLOR OF INK USED TO SIGN/PREPARE DOCUMENT UNSATISFACTORY FOR REPRODUCTION FROM FILM

SHIRLEY K. LUCAS L.S.

L.S.

STATE OF FLORIDA,
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared SHIRLEY K. LUCAS to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that (t)he(y) executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of November A. D. 19 90

My Commission Expires: 9-10-91

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: C. HORNE, D.C.

INSTR # 6597098
OR BK 04552 Pgs 1007 - 1008; (2pgs)
RECORDED 01/11/2005 09:22:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 18.50
DEED DOC 175.00
DEPUTY CLERK C Keller

This Instrument Prepared by/
Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401 South Indian River Drive
Fort Pierce, Florida 34950

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed this 30th day of December, 2004, by

ALJO GROVES, L.C., a Florida limited liability company
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

The North 1/2 of the West 1/8 of the East 8/17 of the South 1/2 of the North 1/2, Section 3, Township 43 South, Range 27 East, Lee County, Florida (a/k/a 3-27AB).

Subject to restrictions, reservations, limitations and easements of record, if any; this reference to said restrictions shall not operate to reimpose the same.

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

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

AND the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, the premises were free from all encumbrances made by Grantor and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: FRANK N. FEE, III

Print Name: Connie Sue Moore

ALJO GROVES, L.C.,
a Florida limited liability company

By _____
JOSEPH E. BEALE, JR., Managing Member

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **JOSEPH E. BEALE, JR.**, as Managing Member of **ALJO GROVES, L.C., a Florida limited liability company**, on behalf of the company, and who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

INSTR # 6597099
OR BK 04552 Pgs 1009 - 1011; (3pgs)
RECORDED 01/11/2005 09:22:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 27.00
DEED DOC 3,806.60
DEPUTY CLERK C Keller

This Instrument Prepared by/
Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401 South Indian River Drive
Fort Pierce, Florida 34950

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed this 28th day of December, 2004, by

(3)

EDGAR A. BROWN, Individually, and as Trustee
13939 Indrio Road
Fort Pierce, FL 34945

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "A" APPENDED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Subject to restrictions, reservations, limitations and easements of record, if any; this reference to said restrictions shall not operate to reimpose the same.

Grantor herein covenants that the above described land is not now nor has it ever been homestead of Grantor.

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

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

AND the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, the premises were free from all encumbrances made by Grantor and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: FRANK W. FEE, IV

Print Name: Connie Sue Moore

Edgar A. Brown
EDGAR A. BROWN

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **EDGAR A. BROWN**, who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

Exhibit A

Lands situate in Section 1, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

Parcel No.

3	1-37AB	The North ½ of the West 1/3 of the E 3/17 of the North ½ of the South ½
5	1-42AB	The North ½ of the West 1/8 of the East 8/17 of the North ½ of the South ½

Lands situate in Section 2, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

9	2-2	The West ½ of the East 2/17 of the North ½ of the North ½
10	2-3	The West 1/3 of the East 3/17 of the North ¼
22	2-16	The West 1/16 of the East 16/17 of the North ¼
23	2-17	The West 1/17 of the North ¼
24	2-20	East 1/3 of the West 3/17 of the South ½ of the North ½
25	2-27	The West 1/8 of the East 8/17 of the South ½ of the North ½
26	2-28BCD	The South ¾ of the West 1/7 of the East 7/17 of the South ½ of the North ½
27	2-34	The East 1/17 of the South ½ of the North ½
30	2-45A	The North 1/8 of the East 1/7 of the West 7/17 of the North ½ of the South ½
33	2-67	The West ½ of the East 2/17 of the South ¼
34	2-68	The East 1/17 of the South ¼

INSTR # 6597100
OR BK 04552 Pgs 1012 - 1014; (3pgs)
RECORDED 01/11/2005 09:22:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 27.00
DEED DOC 1,794.10
DEPUTY CLERK C Keller

This Instrument Prepared by/
Return to:
Frank H. Fee, III, Esquire
Fee, Koblegard & DeRoss
401 South Indian River Drive
Fort Pierce, Florida 34950

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, executed this 26th day of December, 2004, by

(3)

FLORIDA AGRI MANAGEMENT COMPANY, a Florida corporation,
successor by name change to FCC MANAGEMENT COMPANY
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantor, to

FLORIDA CITRUS COMPANY, a Florida General Partnership
23351 North River Road
Alva, Florida 33920

hereinafter called the Grantee:

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of $10.00 in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee forever, all that certain land situate, lying and being in the County of Lee, State of Florida, to-wit:

SEE EXHIBIT "A" APPENDED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Subject to restrictions, reservations, limitations and easements of record, if any; this reference to said restrictions shall not operate to reimpose the same.

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

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

AND the Grantor hereby covenants with the Grantee that at the time of the delivery of this deed, the premises were free from all encumbrances made by Grantor and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Print Name: FRANK W. PEET, JR.

Print Name: Connie Sue Moore

FLORIDA AGRI MANAGEMENT COMPANY,
a Florida corporation
Successor by Name Change to
FCC MANAGEMENT COMPANY

By _____
JOSEPH E. BEALE, JR., President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **JOSEPH E. BEALE, JR.**, as President of **FLORIDA AGRI MANAGEMENT COMPANY**, a Florida corporation, successor by name change to **FCC MANAGEMENT COMPANY**, on behalf of the corporation, and who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

_____
Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

Exhibit A

Lands situate in Section 1, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

Parcel No.

4	1-39CD	The South ½ of the West 1/5 of the East 5/17 of the North ½ of the South ½
7	1-50C	The North ½ of the South ½ of the East ½ of the West 2/17 of the North ½ of the South ½

Lands situate in Section 2, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

15	2-8D	The South ½ of the South ½ of the West 1/8 of the East 8/17 of the North ¼
31	2-62B	The South ½ of the North ¼ of the West 1/17 of the East 7/17 of the South ½ of the South ½
32	2-66CD	The South ½ of the West 1/3 of the East 3/17 of the South ¼

Lands situate in Section 3, Township 43 South, Range 27 East, Lee County, Florida, more particularly described as follows:

36	3-3CD	The South ½ of the West 1/3 of the East 3/17 of the North ¼
37	3-4CD	The South ½ of the West ¼ of the East 4/17 of the North ¼
38	3-5CD	The South ½ of the West 1/5 of the East 5/17 of the North ¼
44	3-38D	The South ¼ of the West ¼ of the East 4/17 of the North ½ of the South ½
45	3-42CD	The South ½ of the West 1/8 of the East 8/17 of the North ½ of the South ½
46	3-56	The East 1/5 of the West 5/17 of the South ¼
47	3-61C	The North ½ of the South ½ of the West 1/8 of the East 8/17 of the South ¼

INSTR # 6597101
OR BK 04552 Pgs 1015 - 1017; (3pgs)
RECORDED 01/11/2005 09:22:52 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 27.00
DEED DOC 0.70
DEPUTY CLERK C Keller

PREPARED BY/RETURN TO:
Frank H. Fee, III, Esq.
Fee, Koblegard & DeRoss
401 S. Indian River Drive (CHB #25)
Ft. Pierce, FL 34950

QUIT CLAIM DEED

This quit claim deed executed the 20th day of December, 2004, by

(3)

EDGAR A. BROWN, Individually, and as Trustee;
ALJO GROVES, L.C., a Florida limited liability company; and
FLORIDA AGRI MANAGEMENT COMPANY, a Florida corporation, successor by name change to FCC MANAGEMENT COMPANY

3XK

first party, whose address is: 23351 North River Road
Alva, Florida 33920

to

FLORIDA CITRUS COMPANY, a Florida General Partnership

second party,
whose post office address is 23351 North River Road
Alva, Florida 33920

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.

WITNESSETH, That the said first party, for and in consideration of the sum of $10 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit:

Lands, or interests therein owned, held, claimed, or that could be claimed by first party, in Sections 1, 2, 3, 11, 12 and 14, Township 43 South, Range 27 East, Lee County, Florida

To Have and To Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

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

Signed, sealed and delivered
in the presence of:

Print Name: FRANK N. FEE, II

Print Name: Connie Sue Moore

EDGAR A. BROWN

Print Name: FRANK N. FEE, II

Print Name: Connie Sue Moore

ALJO GROVES, L.C.,
a Florida limited liability company

By _____
JOSEPH E. BEALE, JR., Managing Member

Print Name: FRANK N. FEE, II

Print Name: Connie Sue Moore

FLORIDA AGRI MANAGEMENT COMPANY,
a Florida corporation
Successor by Name Change to
FCC MANAGEMENT COMPANY

By _____
JOSEPH E. BEALE, JR., President

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **EDGAR A. BROWN**, who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **JOSEPH E. BEALE, JR.**, as Managing Member of **ALJO GROVES, L.C., a Florida limited liability company**, on behalf of the company, and who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

Connie Sue Moore
Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 20th day of December, 2004, by **JOSEPH E. BEALE, JR.**, as President of **FLORIDA AGRI MANAGEMENT COMPANY**, a Florida corporation, successor by name change to **FCC MANAGEMENT COMPANY**, on behalf of the corporation, and who is personally known to me or who provided a Florida driver's license as identification and who did not take an oath.

Connie Sue Moore
Connie Sue Moore, Notary Public
My Commission Expires:
My Commission Number:

Connie Sue Moore
MY COMMISSION # CC995254 EXPIRES
April 4, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

SPANISH CREEK

COMPREHENSIVE PLAN AMENDMENT APPLICATION RESUBMITTAL CPA 2004-06

LEE COUNTY, FLORIDA

SEPTEMBER 20, 2006

DeLisi Fitzgerald, Inc.
Planning - Engineering - Project Management

1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 • 239-418-0692 fax

TABLE OF CONTENTS

1. SUFFICIENCY RESPONSE LETTER
2. REVISED POLICIES AND MASTER PLAN
3. SMART GROWTH ANALYSIS (LEE PLAN OBJECTIVES 2.1 AND 2.1 ANALYSIS)
4. FACILITIES ANALYSIS (RESUBMITTAL)
5. WATER ANALYSIS
6. TRANSPORTATION ANALYSIS

DeLisi Fitzgerald, Inc.
Planning, Engineering and Project Management

September 15, 2006

Mathew Noble, AICP
Principal Planner
Lee County Board of County Commissioners
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Mr. Noble:

In response to your sufficiency letter dated February 3, 2006, please see the attached information. Since the previous resubmittal, and the original submittal, development patterns in the east Lee County, western Hendry County and Glades County have changed. Two and a half years ago we proposed this amendment in response to the changes that were being anticipated at the time, as you well know the anticipation has diminished and now the reality is apparent.

In taking into account all of the changes that are occurring to the east and west of this property and after reviewing the pattern of development in eastern Lee and western Hendry County, it is my sincere hope that Lee County will view this proposal as an opportunity to make the needed infrastructure in the area feasible, both practically and financially. If we decide against updating our planning for the area north of the river along C.R. 78, the eastern portion of Lee County will simply be overrun by the development that is planned for and occurring around the subject property. The Spanish Creek area should be seen as a vehicle to keep the greater community whole.

Maintaining current citrus production or allowing for development of this property under the current Lee Plan designations is not a good option for several reasons. The current land use and developed state of the property causes problems to the area's environment ranging from flooding to pollution of the Caloosahatchee River. The applicant has been approached by the SFWMD to partner on a flowway restoration project that would restore historic flowways and alleviate many of the area's flooding problems. As part of the flowway restoration project, a water quality component will be introduced to decrease the pollutants that are currently flowing into the Caloosahatchee River. The proposed policies in this plan amendment commit us to this process. Keeping the current land use does not allow for the partnership opportunities with the SFWMD because restoring the flowway would be counter to maximizing citrus productivity. Developing under the current Lee Plan also does not achieve the county's goals of environmental enhancement. Changing the land use of the Spanish Creek property can be used as a vehicle for the county to achieve environmental goals as well as planning goals.

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2)

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2) dwelling units per acre with commercial development limited to those uses that could service the needs of future residents and existing neighborhoods north of the river. The idea behind this proposal is to create a whole, self contained community, rather then one that is dependant on crossing the river to meet all shopping needs. It is not the intent of this plan amendment to create regional levels of commercial, but rather create two neighborhood centers servicing the units north of the river. The Babcock proposal adequately covers the regional commercial uses and the more destination oriented uses. The intent of this proposal has always been to create the right balance between residential and commercial uses so that internal capture is maintained and enhanced, and the existing residents would no longer need to travel over the Broadway Bridge to SR 80 or travel to North Fort Myers for their regular shopping needs.

To graphically commit to the environmental and land use goals that we have articulated, we have created an overlay map that all future development will need to comply with. This map is being proposed as Map 21 in the Future Land Use Map series. Map 21 shows an overall plan of development which all future development will need to comply. Map 21 presents a real opportunity for Lee County to master plan for a large area of land - to allow us to create a development that enhances the environment and increases the quality of life. The current form of development in Lee County allows each individual parcel to be planed outside of the context of surrounding neighborhoods as separate entities. Map 21 features connected green spaces, community greenways, open space areas, a town center and contiguous areas of preserve and flowway restoration. This master plan of development will serve to guide us in creating real community benefits through this planning process.

The attached submittal and the responses below are in reply to the information that staff requested in the February letter. Staff comments are in **bold** type while the responses are *italicized.*

Staff noted in the previous sufficiency letter that there are additional property owners within the plan amendment boundary. The sufficiency letter also asked the applicant to provide the owner of record information as well as authorization from each property owner. Staff finds that the resubmittal materials do not fully address these issues. In conjunction with the County Attorney's Office, staff has concluded that the County Line Drainage District's authority over landowners in the district can not reasonably be construed to encompass a change to the future land use classification of district property. The County has no issues with the District becoming a "co-applicant" but this does not substitute for the consent of all property owners of the affected property. Please revise the amendment to provide the owner of record information as well as authorization from each property owner.

The applicant maintains that the authority exists with the County Line Drainage District. Even if the County does not agree with the letter sent by Lewis, Longman & Walker, P.A., stating that the County Line Drainage District has the authority to submit this amendment, Lee County does have the authority to change land use designations. However, master planning for this property, in partnership with the South Florida Water

Management District and the County Line Drainage District is an opportunity that will be short lived.

The applicant is willing to provide notice by certified mail to all owners within the area that would be affected by the new land use category so the county can be assured that all owners are aware of the pending changes. The applicant can provide notice prior to the transmittal hearing, and prior to adoption. The applicant can send the proposed text language so the notice would be more informative than just a simple notice that a plan amendment is being considered.

Time is of the essence. We hope that the County will join us as a partner in this worthwhile effort to create a better alternative plan of development for this area. The county is experiencing considerable problems due to uncontrolled run-off and due to the usage of septic tanks. The applicant is of the opinion that putting this entire area into a land use category that will address these issues is far better for the county.

Part III

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

The exhibit has been prepared and submitted prior to this resubmittal.

Part IV

B. 1. Planning staff is not clear, based upon the resubmittal, what language is proposed to be amended into the Lee Plan. Please provide any modifications to the Lee Plan in a strike-thru, underlined format.

The Policies have been revised to include only the subject property under the new title Spanish Creek Community. A series of Policies that correspond to a map amendment have been proposed. The Policies are listed starting with Objective 1.9, a section of the Lee Plan that lends itself to the proposed amendment. For example, the New Community land use category starts at Objective 1.6 and has implementing policies to follow.

Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

We have removed this policy from the revised Objective 1.9.

The first sufficiency letter also questioned the applicant's commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish

services. Lee County Utilities staff provide that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer should donate this facility to Lee County for ownership and maintenance. Staff assumes an appropriate fifty acre site would be needed for this facility.

Water and sewer have also been addressed within the proposed policies and the attached analysis by Johnson Engineering. Water and sewer capacity is a very important part of this proposal and part of the reason why increased density is necessary. With the adoption of this land use category, utilities will be a requirement of development. However, there are many options for utilities. If Lee County Utilities wants to expand the franchise area to include Alva, then the property owner would need draw water and sewer capacity from Lee County utilities. If Lee County Utilities does not choose to cover the subject property, then an on-site water/sewer plant is an option. Another potential option is working with the adjacent properties in Hendry County that are seeking development approval to create a joint facility. Because sparse low density development makes extending water and sewer lines into Alva financially infeasible, Lee County Utilities may not be the most practical vehicle for getting central water and sewer to Alva.

In any of these options, the applicant will set aside sufficient land to construct the necessary facilities. If a private facility is constructed, it will be done to county standards so that Lee County Utilities would have the ability to take over the plant at a future date. It is the desire of the applicant to be serviced by water and sewer, and to bring the option of these facilities to this area. The means by which this happens is less of a concern to the applicant.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

Deeds for the subject property have been submitted to the County with a STRAP number map for review prior to this resubmittal.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.

The County Line Drainage District has joined the application as a co-applicant as permitted by Florida Statutes. The Drainage District includes all property included within this application. Please see the previous response.

B.1. Please see attached comments from the Lee County Department of Transportation (LCDOT). The LCDOT comments, in part, provide that the applicant did not submit any model runs that demonstrated that the applicant proposed alternative road in fact relieved the impacted segments. The memo states that the applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the "Alva Bypass" in place to demonstrate that the relief is in fact realized. The memo also nooted that "under

today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass." The memo also provides that Lee County would need a firm commitment from Hendry County for the Hendry County portion of the proposed bypass. The memo notes that "this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.3a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

Any development on the property will have to be serviced by the Alva Fire Department. Whether the property develops in ranchettes, or in the proposed better form of development, the Fire Department does not currently have adequate facilities. Any development of the site will have to pay fire impact fees, which is designed to address the impacts of new development on the fire department. Furthermore, Dr. Fishkind has analyzed the proposed development and has demonstrated that the provision of necessary infrastructure will be financially feasible. It is anticipated that the civic areas shown on Map 21 will provide for uses like fire stations. If the proposed form of development is permitted, it will make it much easier for the Fire Department to service this property and to service other properties. An alternate 78 will help the response time for all of properties located within the Alva Fire Department's jurisdiction.

B.3.b. & e Please provide the required letters from the appropriate agencies.

A letter from Florida Power and Light will be included when it is received.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

The only issues that could be raised by adjacent local governments would involve drainage, transportation and utilities. Drainage will be addressed through the SFWMD widening of the existing canal on the eastern edge of the property to 330'. The SFWMD has approached the applicant with a proposal to restore the historic flowways on the Spanish Creek property to address regional flooding problems. Map 21 commits the applicant to this restoration project.

The proposed plan amendment is also consistent with the planning effort that has been occurring in Hendry County over the last two years. The Hendry Board of County Commissioners has created a Plan for Western Hendry County that includes the CR 78 bypass corridor, which would extend west across this property. We have been coordinating with property owners in Hendry County in order to implement the goals and objectives of the Hendry County Plan. The CR 78 bypass is very important to diverting traffic away from downtown Alva and maintaining the quality of life in that area.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Two possible roadway locations have been included within this resubmittal that would create an adequate road network and address any possible impacts that this development may cause. Please refer to this exhibit, additional information provided by David Plummer and Associates, as well as responses to Lee County Department of Transportation for further information. Both alternatives provide benefits to the preservation of downtown Alva.

Public Works

1. **Based on the information provided in the application for this request staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition the applicant does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space.**

Attached is an analysis of Objectives 2.1 and 2.2 in the context of FAC 9J5 and the indicators of sprawl. The application is consistent with Objective 2.1 because the property is adjacent to and nearby parcels that are seeking or have obtained increased development entitlements. Because of this activity the area has established itself as a major growth corridor, where the subject property is not on the extreme edge of proposed development but instead located directly in the middle between the South LaBelle Community(a development of regional impact in LaBelle) and east Fort Myers.

The proposed text amendment is also consistent with Objective 2.2 due to the fact the vast majority of residential units and commercial uses will be clustered within portions of the subject property and provided with central public facilities if approved at an adequate density as mentioned in the proposed text. As previously stated and also included within the proposed text amendment, water and sewer will be provided on-site.

Alva Fire Control & Rescue Service District

1. **Please be advised that we do not have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).**

Public facility locations have been identified on Map 21 included within this resubmittal. One of the intended uses for these locations is a fire department. The exact location will be determined during the zoning process with coordination from the Alva Fire Control & Rescue Service District.

Should you have any questions, please do not hesitate to contact me.

Best regards,

Daniel DeLisi, AICP
DeLisi Fitzgerald, Inc.

SPANISH CREEK COMMUNITY

Objective 1.9 To create a land use category that will provide the opportunity for the eastern Lee County area north of the Caloosahatchee River to provide for a mix of housing types, commercial services, as well as the educational, recreational and civic uses that will both accommodate anticipated growth within northeast Lee area and build a well rounded community. Through guidelines on development, the Spanish Creek implementation policies create innovative planning and environmental strategies that result in a net improvement in habitat on site, improve water quality for run off into the Calosahatchee River and provide utility infrastructure for the surrounding area.

This land use category is intended to provide guidance related to the appropriate mix of uses, but allow for the necessary market flexibility as it relates to the location of land uses and the total area of each land use. The overall size of the Spanish Creek Community Land Use Category is approximately 3,713 acres, and will accommodate a full range of uses including residential, commercial, office, recreational and public facilities. The public facilities are intended to allow a full range of public and quasi-public uses including, but not limited to educational facilities (public and private), utilities, libraries, fire/EMS and police substations. Overall density/intensity of development will be limited in accordance with the table in Policy 1.9.1. The following policies establish land use districts within the Spanish Creek Community that provide the structure for how the development will occur, and policies to provide for the provision of environmental enhancement, flowway restoration, an overall master plan for greenways and the provision of infrastructure.

Policy 1.9.1 Gross development program: The Spanish Creek Community will contain an allowable gross density residential units and intensity of commercial area. The specific land use areas within the Spanish Creek Community will have more specific gross density allocations. The total gross density of the Spanish Creek Community will act as a maximum development program for the area.

Use	*Minimum development*	*Maximum development*
Residential	*3,700 du*	*7,426 du*
Retail	*100,000 square feet*	*185,000 square feet*
Office (general and medical)	*25,000 square feet*	*75,000 square feet*
Civic	*N/A*	*200 acres*

Land Use Policies

Policy 1.9.2 Lands Designated as Ranchette Residential within the Spanish Creek Community will be primarily low density residential in nature. Ranchette Residential uses are intended for areas adjacent to areas that are more rural in character and are intended to provide a transition into the Spanish Creek Community from surrounding historic Alva to the south along CR 78 and Babcock Ranch to the west. Ranchette Residential uses may be developed at a gross density no greater than 1 dwelling units per acre. Uses include single family residential uses and recreational facilities.

Policy 1.9.3 Lands designated as Transitional Residential within the Spanish Creek Community will be primarily medium density residential in nature. Transitional Residential areas will be designed to be suburban in nature and design. Densities shall range from a minimum of 1 dwelling unit per acre to 5 dwelling units per acre. The Transitional Residential area is intended to provide for a mix of residential unit types and housing options including multi-family and single family units sold either fee-simple or as condo units. Residential uses within the Transitional Residential land use category must provide for on-site, public or private recreational facilities in accordance with Policy XXX.

Policy 1.9.4: Town Center Residential will define areas that are primarily for higher density residential uses around the Town Center. And may be developed at a gross density no greater than 15 dwelling units per acre, but not less than 2.5 dwelling units per acre. Uses in the Town Center Residential areas include both single and multi-family units, as well as town house, duplex and any other similar unit type. Recreational facilities, public or private, as well as minor commercial centers intended to provide for the needs of the adjacent neighborhoods are allowed. Town Center Residential areas are anticipated to be located around or near the Town Center, with direct access to an arterial or collector road.

Policy 1.9.5 Town Center Mixed Use will define areas of mixed residential and commercial uses, where intensity of development is appropriate due to the mix of uses and the interconnectivity of uses. Town Center properties will be designed as more urban in clode proximity to the main east-west spine road. Residential densities in the Town Center area are allowed at up to 25 dwelling units per gross acre and no less then 5 dwelling units per gross acre, and commercial intensities are allowed at a floor area ratio not to exceed 1.0. Town Center areas must be designed in accordance with Lee County's Mixed Use Overlay design guidelines (Policy XXX, tob be filled in when established). Due to the limited commercial area, it is not a requirement for residential uses to be integrated within the same building as commercial uses. However strong pedestrian connections between residential and commercial uses must be created.

Policy 1.9.6: Civic will define areas that are intended for public facilities including schools, fire, EMS substations, city or county office buildings, and quasi public uses such as, but not limited to YMCAs and similar uses. These land uses will by necessity be developed based on ultimate demand for the services, and otherwise have no limit. In the case where land area is not wanted or needed, lands designated as civic shall retain the same land use development rights as can be reasonably expected from adjacent properties. Impact fee credits will be granted upon dedication of land for any public benefit, in accordance with the applicable Lee County impact fee ordinance.

Policy 1.9.7: Any rezoning within the Spanish Creek Community must be reviewed as a Planned Development zoning.

Policy 1.9.8 Land Use Area Table

Land Use	**Approximate Area**
Ranchette Residential	513 acres
Transitional Residential	1,557 acres
Town Center Residential	562 acres
Town Center Mixed Use	76 acres
Civic Uses	200 acres
Other Uses	803 acres

Infrastructure Policies

Policy 1.9.9 To ensure that adequate funding sources are available for the provision of infrastructure, improvements will be funded through a variety of mechanisms that include Community Development Districts (CDDs), Municipal Service Taxing Benefit Units (MSTBUs) and impact fees. Concurrent with Planned Development review, the developer must enter into a development agreement with Lee County to provide for a proportionate share cost for road, school and utility infrastructure. Payment may include the dedication of land or the construction of facilities. Depending on the projected timing of impacts to the infrastructure network, payment of the establish proportionate share may be paid in a lump sum or phased with the development.

Policy 1.9.10 Prior to the issuance of any local development order for any development outside of the Residential Ranchette land use category, the developer must demonstrate the availability of central potable water and sewer service. Water and sewer service may be through an area wide franchise extending in to western Hendry County, through extending the Lee County Utility Franchise area or through an independent district. The cost for the provision and expansion of services and facilities that benefit new development will be borne primarily by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and connection fees and maintenance funds.

Policy 1.9.11 Development within the Spanish Creek Community will be required to accept reuse water if the utility is prepared to supply reuse water and a sufficient supply is available to meet all or a portion of the irrigation needs of proposed development.

Policy 1.9.12 Residential and mixed use development must be served by an internal transportation system of pedestrian and bicycle facilities.

Policy 1.9.13: The Development within the Spanish Creek Community will work with the Lee County School Board, the Lee County Sheriff's Office and Lee County Government to identify sites within the Spanish Creek Community for schools, parks, libraries, police stations and Fire/EMS stations. The number and type of facilities shall be in direct relationship to the generation rates for students established in the latest Impact Fee studies adopted by Lee County and the density that is actually approved at the time of Planned Development approval.

Environmental Policies

Policy 1.9.14 To provide the opportunity to restore natural water flows, Lee County will require, through the Planned Development process, restored or created flow ways in the areas depicted on Map 21. The proposed flow ways will connect surface water management lakes and on-site wetlands. Littoral shelves should be planted along the proposed flow way to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flow way is proposed, so long as the hydrological integrity of the flow way is maintained through drainage crossings. Development within the Spanish Creek Community must be coordinated with the South Florida Water Management District to provide for the restoration and reconnection of the flowways in substantial compliance with Map 21.

Policy 1.9.15 Greenway – Lee County will require, through the planned development process, the creation of a greenway to along the roads shown on Map 21 outside of the Town Center land use area. The intent is to provide for recreational linkages between parks, open space areas and destination centers. The Greenways will range in size from a minimum of 20 feet to 50 feet in

certain locations. Recreational open space may be incorporated in to the greenway. Development along a greenway is encouraged to provide for public use of the greenway by providing sidewalks and pedestrian connections to adjacent properties.

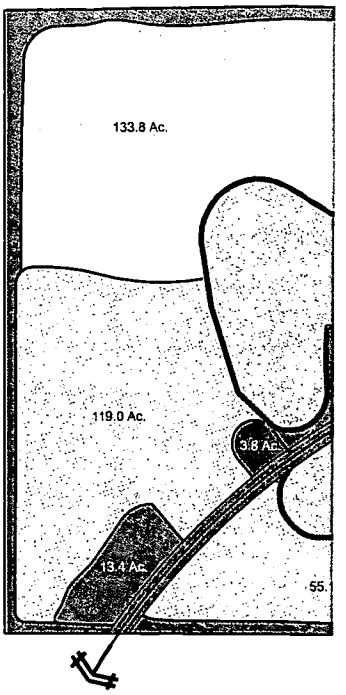
Policy 1.9.16 To encourage the preservation of common areas of open space and on-site recreational areas, residential development must be clustered and provide for open space in accordance with county regulations. Flowways, greenways, and lakes may be used to meet the open space requirements to the extent allowed in the land development code. Residential development shall be designed to incorporate conservation areas into the overall design and development pattern, where possible, to promote multi-purpose use of open space and conservation of natural resources. Residential developments within the Transitional Residential land use category must provide on site public or private recreational needs to help offset the active recreational needs of their residents.

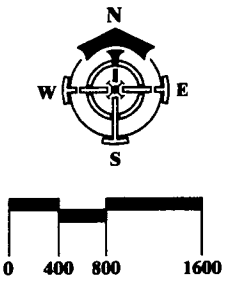
Policy 1.9.17 Planned Development applications for properties on the perimeter of the Spanish Creek Community will incorporate an area of open space and "rural buffer" of a minimum of 100' in width around the perimeter of the Spanish Creek Community. This open space area may contain water bodies, road crossings, and neighborhood levels of commercial in accordance with site location standards only.

General Policies

Policy 1.9.18: Lee County will continue to work with the property owner(s) in the Spanish Creek Community to reevaluate the commercial intensity limitations as set forth in this Objective to ensure available commercial area is provided to service the needs to the surrounding community, while at the same time ensure that overbuilding of commercial does not occur.

Policy 1.9.19: While there are specifically delineated areas for development shown on Map 21 of the Future Land Use Map series, further environmental, traffic, survey, engineering and market studies may dictate a need to adjust those lines, move the locations of development areas, or modify the area dedicated to that land use (in accordance with the table in Policy 1.9.8). Therefore the lines for an individual category shown on the future land use map may be adjusted administratively, as long as the percentages and intensity of each type of development specified for the Spanish Creek Community does not change without the need for a comprehensive plan amendment. The minimum and maximum levels of development for each type of use shall apply.





LAND USE LEGEND & APPROXIMATE ACREAGE:

- TOWN CENTER - 562.0 Ac.
- RANCHETTE - 513.1 - Ac.
- TRANSITIONAL - 1557.1 Ac.
- PUBLIC / CIVIC - 199.9 Ac.
- TOWN CENTER, MIXED USE - 76.5 AC.
- LAKES - 381.6 Ac.
- WETLANDS - 77.0 Ac.
- OPEN / GREEN SPACE - 345.3 Ac.

TOTAL 3713 Ac.

DELISI
AND ASSOCIATES
1500 ROYAL PALM SQ. BLVD SUITE #101
FORT MYERS, FLORIDA 33919
PHONE: (239) 418-0691
FAX: (239) 418-0692

OWNER/DEVELOPER
FLORIDA CITRUS CORPORATION

PROJECT:
SPANISH CREEK CPA

TITLE:
MAP 21 - SPANISH CREEK COMMUNITY

PLAN REVISIONS:
DATE: DESCRIPTION:

MAP 21

Project Manager:	DD
Drawn By:	JRF
Checked By:	DD
Project Number:	21027-01
Cad File:	K:\21027-FL CITRUS\MAP 21.DWG

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTUCTION

Sheet Number: 01

LAND USE LEGEND & APPROXIMATE ACREAGE:

- TOWN CENTER - 562.0 Ac.
- RANCHETTE - 513.1 - Ac.
- TRANSITIONAL - 1557.1 Ac.
- PUBLIC / CIVIC - 199.9 Ac.
- TOWN CENTER, MIXED USE - 76.5 AC.
- LAKES - 381.6 Ac.
- WETLANDS - 77.0 Ac.
- OPEN / GREEN SPACE - 345.3 Ac.

TOTAL 3713 Ac.

DELISI
AND ASSOCIATES
1900 ROYAL PALM SQ. BLVD SUITE #101
FORT MYERS, FLORIDA 33919
PHONE: (239) 418-0691
FAX: (239) 418-0692

OWNER/DEVELOPER
FLORIDA CITRUS CORPORATION

PROJECT:
SPANISH CREEK CPA

TITLE:
MAP 21 - SPANISH CREEK COMMUNITY

PLAN REVISIONS:
DATE: DESCRIPTION:

MAP 21

Project Manager: DD
Drawn By: JRF
Checked By: DD
Project Number: 21027-01
Cad File: K:\21027-FL CITRUS\MAP 21.DWG

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTUCTION

Sheet Number: 01

SPANISH CREEK

Smart Growth Analysis

FAC 9J-5.006(5) provides specific guidance for reviewing plan amendments to determine how well they discourage urban sprawl. The purpose of the referenced subsection of 9J-5 is stated as to "give guidance to local governments and other interested parties about how to make sure that plans and plan amendments are consistent with relevant provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, Florida Statutes, and the remainder of this chapter [9J-5] regarding discouraging urban sprawl, including provisions concerning the efficiency of land use, the efficient provisions of public facilities and services, the separation of urban and rural land uses, and the protection of agriculture and natural resources.

Lee County implements this section of 9J5 through Objectives 2.1 and 2.2 in the Lee Comprehensive Plan. Objective 2.1 deals with Development Location and stressed the need for development to be located in such a way that development does not create sprawl and public facilities become financially feasible. Objective 2.2 deals with Development Timing and is primarily implemented through the rezoning process.

The following point-by-point analysis demonstrates how the proposed amendment not only discourages sprawl, but helps the county transition from a plan that currently calls for sprawl development while assisting in preserving the rural "small town" atmosphere of the "downtown Alva" area by C.R. 78 and the Broadway Bridge. While this analysis is structured as a point-by-point answer as to how this proposal implements 9J5, the comments point out how this proposal is consistent with Objectives 2.1 and 2.2.

9J-5 lists thirteen "Primary Indicators" of urban sprawl. These are provided below with a brief analysis of how each is relevant to the proposed amendment.

1. *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need. (Restated in Lee Plan Objective 2.1)*

   The current comprehensive plan allows for only single use development at low and very low densities on the subject property and over most of the land north of the Caloosahatchee River east of SR 31. The current Lee Plan promotes a scattering of low density residential subdivisions with few to no service or commercial areas. Under this pattern of development, the costs f infrastructure increase significantly, making most services financially infeasible. This pattern of development has led to the identification of only one east west road corridor north of the river – C.R. 78, which is a two lane facility, and will be unable to handle the traffic generated by this form of development.

   Furthermore, CR 78 was not designed to handle the pass through traffic that is building up along the corridor in low density subdivisions in Lee County, as well as new residential developments in Hendry and Glades Counties. CR 78 has numerous residential units fronting directly on CR 78 a design more characteristic of a local road, not the type of road to handle the pass through traffic that is building up.

Golden Gate Estates (Collier County) is a visualization of the current low density single use development pattern that the Lee Plan is promoting. East-west traffic out of and into Golden Gate is a significant issue, as is the difficulty of extending central water and sewer facilities to the area. The Florida Citrus property is currently split into parcels that are strikingly similar to Golden Gate. The Growth Management statutes were enacted to move counties away from permitting the types of development that is currently permitted on the Florida Citrus property.

The proposed amendment is transitioning the Lee Plan from a sprawl scenario (single us low density) to a mixed use, community with a range of densities. As demonstrated in the population accommodation section, and the market analysis for ranchettes (sprawl) submitted by Dr. Fishkind (DATE), this amendment will only funnel the current demand for housing in east Lee county from a sprawl based land form to a mixed use, mixed density land form where services are financially feasible.

The proposed plan of development implements Objection 2.1, *which states that, "Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services."*

2. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. (Restated in Lee Plan Objective 2.1)*

   The subject property is surrounded by Babcock Ranch and low density residential to the west, Babcock Ranch to the north, low density residential to the east, and low density residential to the south. Farther to the east is the planned Muse Village in Glades County approved for 3,500 units. The proposed district would create a mixed use, mixed density area that would be a break from the otherwise expansive area of low density single use development.

   While it could be argued that there are other lands west of the subject property that could theoretically be developed sooner for higher densities, that is both unlikely and not feasible. In looking at the area north of the Caloosahatchee River and east of SR 31, there are few opportunities for the planning and development of large contiguous area that would be able to bring viable commercial and service uses to this area. With only a single east-west road on the north side of the river, and very low density development, it is necessary to have some clustered density (2 dwelling units per acre is still low density, but if it is clustered then services become viable) to achieve the integrated self sustained community that these statutes try to generate.

   With the rapid decline in the citrus industry as well as the planning for development of Babcock Ranch to the west, and the planning for development of both Muse Village and the western Hendry area to the east, this part of Alva is transitioning away from agriculture. Planning for the growth, will help preserve the small town village atmosphere of the "downtown Alva area".

3. *Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.*

   The proposed Spanish Creek future land use map amendment proposes to break from the *"radial, strip, isolated or ribbon patterns"* of development currently allowed in the Lee

Plan by protecting and restoring sensitive environmental lands and clustering density on land most suited for development. This district creates a viable "node" of development that will be mixed use and mixed density in nature. It will be an independent urban center or hub for the area north of the Caloosahatchee River and in between the Babcock development and the Muse Village development. This form of nodal development is far preferable to the radial, strip, isolated or ribbon patterns that are trying to be prevented in the Florida Statutes and are currently allowed in the Lee Plan.

4. *As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

   The property where the proposed Spanish Creek community will be located has been cleared, ditched, and diked to improve the land for citrus production. These agricultural improvements have disrupted the flow of two historic flow ways through the property. The proposed district would reconstruct these flow ways and provide open lands and landscaping consistent with Lee County standards. The current land use category would not require flow way restoration.

   Not only is this proposal to enhance the current environmental condition of the property from the cleared citrus operation, but it will add features such as a higher standard of water quality treatment and new habitat for wildlife. The Caloosahatchee River is a critical environmental area. It is not helpful to promote the continued uses that create agricultural runoff with pesticides that flow into the river or low density residential uses that do not leave habitat areas and rely on individual septic systems, while there are preferable options that have a higher water quality treatment system and cluster to recreate wildlife areas.

5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silviculture activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.*

   The subject property is the only active agricultural land of the adjacent parcels. However, the proposed Map 21 does two things to transition from this clustered development to the Surrounding "AG-type" properties. First, low density and ranchette development is located along most of the perimeter. Second, the Policies and the plan show a required greenbelt around the edge of the property creating a natural buffer us adjacent properties.

6. *Fails to maximize use of existing public facilities and services. (Restated in Lee Plan Objective 2.2)*

   There are currently limited public facilities and services in Alva, because public services are not financially feasible with the type of development pattern that is occurring under the current Lee Plan – low density, spread out single use residential. This application is to create a land use category that would promote a mixed housing and commercial area that could make public services financially feasible for both this district and the adjacent areas in Alva. The applicant has agreed to provide central water and sewer, either through Lee County Utilities, or a facility to be constructed on-site. These facilities will also be made available to residents of the Alva community. The applicant will also work with appropriate agencies to provide other necessary public facilities and services as needed.

7. *Fails to maximize use of future public facilities and services. (Restated in Lee Plan Objective 2.2)*

   The developer will be responsible for providing future facilities and services to community residents as stated in #6 above.

8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, healthcare, fire and emergency response, and general government. (Restated in Lee Plan Objective 2.2)*

   This area of Lee County is faced with enormous growth pressure. Developments are being planned to the east and west that will have a very significant negative impact on the Alva community unless the road network is improved, water and sewer are available and other services are planned for. The county has an opportunity to prevent Alva from being over run by growth through a lack of planning. The timing to plan for this area is now – Babcock to the west and the Hendry properties to the east are all moving forward with development. This property creates an opportunity to make public infrastructure financially feasible.

9. *Fails to provide a clear separation between rural and urban areas.*

   Creating a separation between the rural and urban areas can be achieved by design. The intent of the proposed district is to cluster residential and commercial uses outside of the future restored natural areas. Buffer areas and low density ranchette type development can also be created to maintain a transition from the mix of densities to the surrounding low density residential uses.

10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

    The approval of the proposed Spanish Creek community will not discourage or inhibit infill development for existing neighborhoods, in large part because adjacent properties are either vacant or developed as ranchettes. There is not vacant inventory to compete with the proposed development.

11. *Fails to encourage an attractive and functional mix of uses.*

    The policies within the proposed text amendment allow for and require a mix of uses within the Spanish Creek Community.

12. *Results in poor accessibility among linked or related land uses.*

    Policies within the proposed text require roads, bike paths, sidewalks and greenways to connect residential neighborhoods and the Town Center. External connections will be made through roadway improvements approved in coordination with Lee County DOT.

13. *Results in the loss of significant amounts of functional open space.*

    To utilize the property for citrus production, almost the entire site was cleared, ditched, and diked to plant trees. Therefore, the current condition of the site contains no

functional open space. The proposed development will include public access to parks and trail ways around restored flowways and a greenway system, creating a vastly improved environment over the current condition.

FACILITIES ANALYSIS

The following analysis, demonstrates how the proposed Spanish Creek Community will support the additional public facilities service the property.

Parks

Level of Service and generation rates for park and recreational facilities are adopted as part of the Lee County Comprehensive Plan in the Capital Improvements Element. The level of service for Parks is established in Policy 95.1.3.5 as follows:

> *(a) Regional Parks 6 acres of developed regional park land open for public use per 1000 total seasonal county population.*
>
> *(b) Community Parks 0.8 acres of developed standard community parks open for public use per 1000 permanent population, unincorporated county only.*

In establishing a facility needs analysis for park and recreation lands, the most recent available demographic data is still the 2000 US Census. According to the census data we can assume an average permanent population of 77%. This is very conservative number based on similar developments with much higher seasonal populations. It is envisioned that the Spanish Creek property will be marketed substantially toward a seasonal and second home buyer population. However, to be very conservative we are using a county wide average. According to the census data the average household size is 2.31 people per household.

Table 1 below shows the park generation created by the proposed development:

Park Type	Generation Rate	Population	Park Acreage
Regional Park	6 acres/1,000 people total	17,154	102.9
Community Park	.8 acres/1,000 people permanent	13,208	10.6

In addition to park area, the Lee County Land Development Code specifies general open space and preserve guidelines for development. The requirement in the LDC is generally 40% open space for residential developments and 30% for commercial. The Spanish Creek Community will need to meet those guidelines as well, generating significant open space area. The proposed overlay plan, goes well beyond the county's current open space and recreational planning method, by master planning an interconnected park, preserve and greenway system that each individual development will need to adhere to. Rather then the current form of development where park and open space areas are isolated and simply used to meet county requirements, the proposed plan of development creates a system of passive recreational opportunities. Going even further, the proposed Policy 1.9.16 requires that all development within the "Transitional" category provide for on site recreational opportunities to help off set the recreational needs of their residents.

Libraries

The level of service for Libraries is also established in Policy 95.1.3.5 as follows:

> *Libraries: Maintain existing per-capita inventory; provide 1.6 items and .274 square feet of library space per capita (permanent residents).*

	Generation Rate	Population	Square Feet
Library	.274 Square Feet Per Capita	13,208	3,619

In accordance with the county's level of service standards, the development will generate the need for 3,619 square feet of additional library space. As with all of the other facilities, this has been taken into account with the conceptual site plan. Policy 1.9.13 requires the developer to work with the facility providers to locate sites within the Spanish Creek Community.

EMS Services

Based on the LOS standard adopted into the Lee Plan (below) and the rule of thumb response time of 2 minutes per mile, at least one Fire/EMS sub station will need to be located within the Spanish Creek community, depending on how centrally the station is located and depending on the location of existing facilited and projected calls from outside of the area.

> *Emergency Medical Service: 3.18 advanced life support ambulance stations per 100,000 population with a five and one half (5 1/2) minute average response time.*

Schools

The Lee County School Board projects student generation by dwelling unit. According to the School Impact Fee Study prepared by Duncan and Associates and adopted by Lee County in 2005, students are projected to be generated at a rate of .334 students per single-family dwelling unit and .132 students per multi-family dwelling unit (Table 9 of the Duncan study). The assumed distribution of single family and multi family units is consistent with the distribution in the transportation impact study conducted by David Plummer and Associates (5,200 single family units and 2,226 multi family units).

Table 1 below shows how the student generation rates break down by school type, in accordance with Table 15 in the School Impact Fee study. According to the study, an allocation of 50.4% was made for elementary schools, 21.4% for middle schools and 28.2% for high school students.

Table 1 - Student Generation Rates*

	Elementary	Middle	High
Single Family	0.168	0.071	0.094
Multi-Family	0.067	0.028	0.037

*Based on the Lee County School Impact Fee Study, September 2005

Table 2 - Estimated Number of Students Generated			
	Elementary	**Middle**	**High**
Single Family	874	369	489
Multi-Family	149	62	82
Total	**1,023**	**431**	**571**

Table 3 - Estimated Facility Impacts from Comp Plan Amendment			
Educational Facility	**Capacity**	**Current Enrollment**	**Remaining Capacity**
Alva Elementary School	267	485	(218)
Lehigh Elementary School	688	953	(265)
Alva Middle School	670	572	98
Lehigh Acres Middle School	1,121	946	175
Lehigh Senior High School	1,739	2,008	(269)

Nearly every school in Lee County is over capacity, which is why a substantial new construction plan is underway by the district. However, the greatest difficulty in building new school sites is finding locations adequate to meet the needs of the district. This property will not have that problem and can provide an overall community benefit by providing needed facilities.

The Impact Fee ordinance was adopted requiring that all new units pay for their proportionate impact on the school system. Therefore there will be no impact on the school system through this plan amendment. Any students generated will have been mitigated for through the payment of impact fees.

Policy 1.9.16 requires that school sites be located within the Spanish Creek Community, and sufficient land has been set aside in the conceptual plan for new sites to accommodate this potential worst-case impact. The intent is to have the new school sites service and become part of the Spanish Creek Community. The conceptual plan for Spanish Creek has provided locations for two elementary school sites, one middle school site and one high school site. These areas are identified as public facilities and reflect potential locations of schools and other public facilities beyond those for schools. This will provide 20 acres for the two elementary schools, 15 acres for the middle school, and 40 acres for the high school, a total of 95 acres. These will be available in convenient locations throughout the subject property. Calculated impact fees will be credited at the appraised fair market value of the school sites upon their donation to the district. Conversely, the applicant will agree to pay the full impact fee and the district can purchase land elsewhere if it is so desired.

SPANISH CREEK
WATER RESOURCE ASSESSMENT

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

JEI #20023330

JOHNSON ENGINEERING

TABLE OF CONTENTS

1.0 INTRODUCTION 4

2.0 POTABLE WATER SUPPLY DEMAND 8

3.0 IRRIGATION DEMAND 9

4.0 EXISTING LEGAL USERS 10

5.0 POTABLE WATER 12

6.0 RECLAIMED WATER 13

7.0 SURFACE WATER 14

8.0 GROUNDWATER 15

A. Surficial Aquifer 18

B. Sandstone Aquifer 22

C. Lower Hawthorn/Floridan Aquifer 26

9.0 SUMMARY 32

10.0 RECOMMENDATIONS 35

11.0 REFERENCES 37

Appendix A 38

LIST OF FIGURES

Figure 1. Aerial photograph showing the location of the project site 6
Figure 2. Aerial photograph showing the location of existing wells 7
Figure 3. Existing SFWMD water use permits near the project site 11
Figure 4. Cross-section location map 16
Figure 5. Generalized hydrogeologic cross-section 17
Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida 20
Figure 7. L-2202 surficial aquifer hydrograph 21
Figure 8. L-2200 Sandstone aquifer hydrograph 24
Figure 9. L-1977 Sandstone aquifer hydrograph 24
Figure 10. Chloride concentration from L-2200 and L-1977 26
Figure 11. L-5708 hydrograph 27
Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site 29
Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph 31

LIST OF TABLES

Table 1. Potable water demands..... 8
Table 2. Irrigation allocations 9
Table 3. SFWMD water use permits in the vicinity of the project site..... 12

1.0 INTRODUCTION

This assessment evaluated potential sources of water suitable for potable water supply and irrigation of landscaping at the proposed Spanish Creek development (project site). The project site consists of approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. An aerial photograph showing the location of the project site is provided as Figure 1. The project lies north of County Road 78 in the northeast corner of Lee County on the borders with Charlotte and Hendry Counties. The Spanish Creek and Miller's Gully flowways cross the southern portion of the project site. The land has historically been used for farming and citrus operations since the late 1960s, when the County Line Drainage District was created as the primary entity responsible for drainage and irrigation at the project site.

Currently the project irrigates approximately 3,600 acres of citrus using surface water withdrawals from the on-site canals and reservoirs and the surficial aquifer. Five separate South Florida Water Management District (SFWMD) water use permits exist for the land comprising the Spanish Creek project. Permit 36-00188-W for the County Line Drainage District covers the majority if the project site, authorizing irrigation of 3,550 acres of citrus using withdrawals from on-site canals and reservoirs, with an allocation for freeze protection from three surficial aquifer wells. Alva Groves (36-01460-W) and C.M. Hansen farms (36-01568-W) also hold water use permits to irrigate 190 and 65 acres, respectively, using surficial aquifer withdrawals. LaBelle Auto Parts had a permit to irrigate 82.5 acres on the project site using the Sandstone aquifer until the permit was allowed to expire on June 30, 2005, as was the case for Gene's Grove (36-02024-W), which had a permit to irrigate 8.8 acres using surficial aquifer withdrawals. See Figure 2 for existing on-site wells.

Once developed, the Spanish Creek site will consist of 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, two elementary schools, a middle school, a high school, parks, open space and environmental areas at build-out in 2025. The site will require about 200 acres of stormwater management ponds. Due to the lack of utility service, the project will require on-site wastewater treatment, and potable water facilities designed to provide approximately 1.81 million gallons per day (mgd) of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the

total acreage) will also require landscape irrigation at build-out. This assessment evaluates the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, the SFWMD DBHYDRO database, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and project files, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water, and groundwater or any combination thereof for both potable and irrigation supply. In addition, the estimated landscape irrigation demand was calculated using the modified Blaney-Criddle irrigation model, and water quality suitable for irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

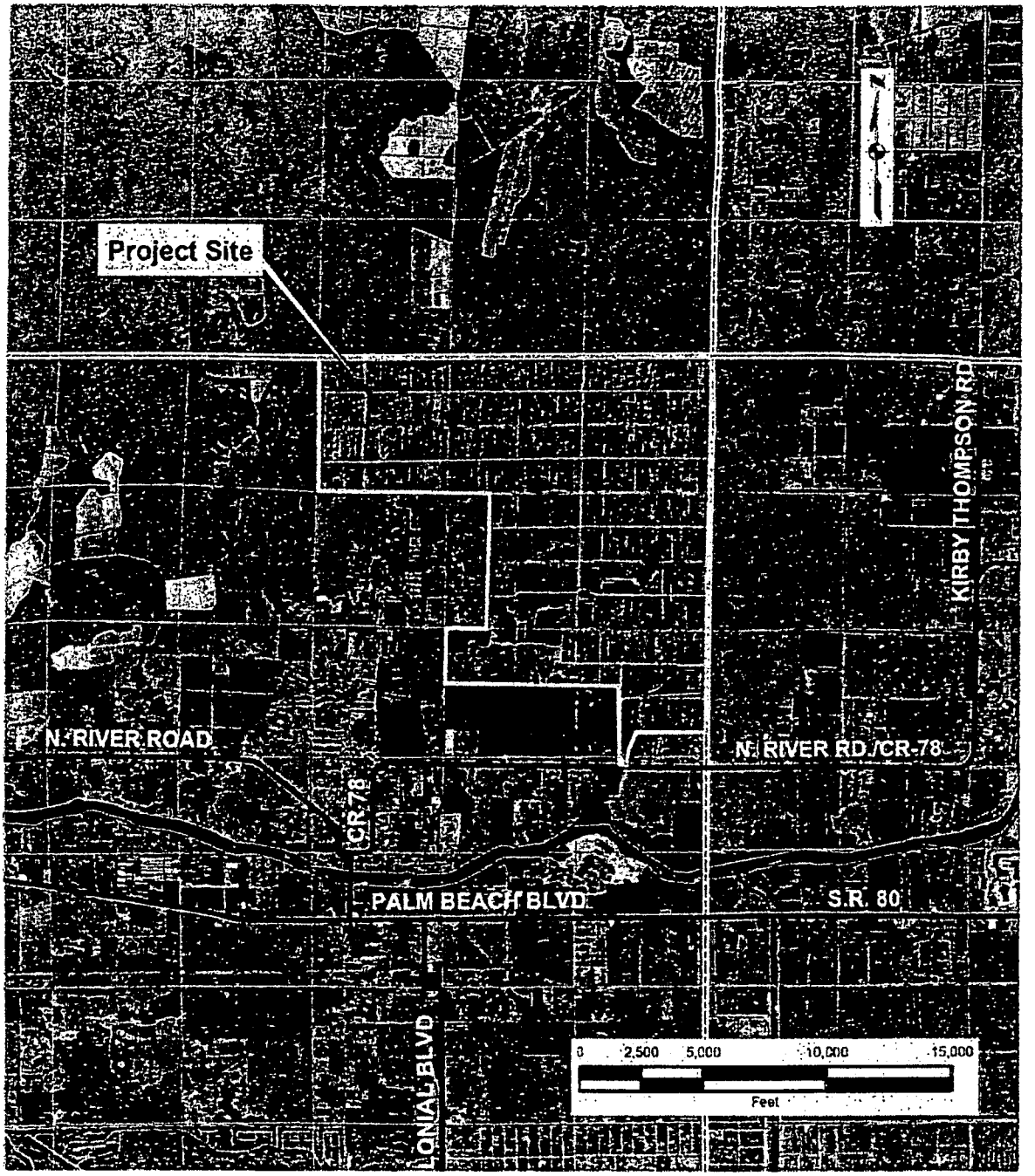


Figure 1. **Aerial photograph showing the location of the project site.**

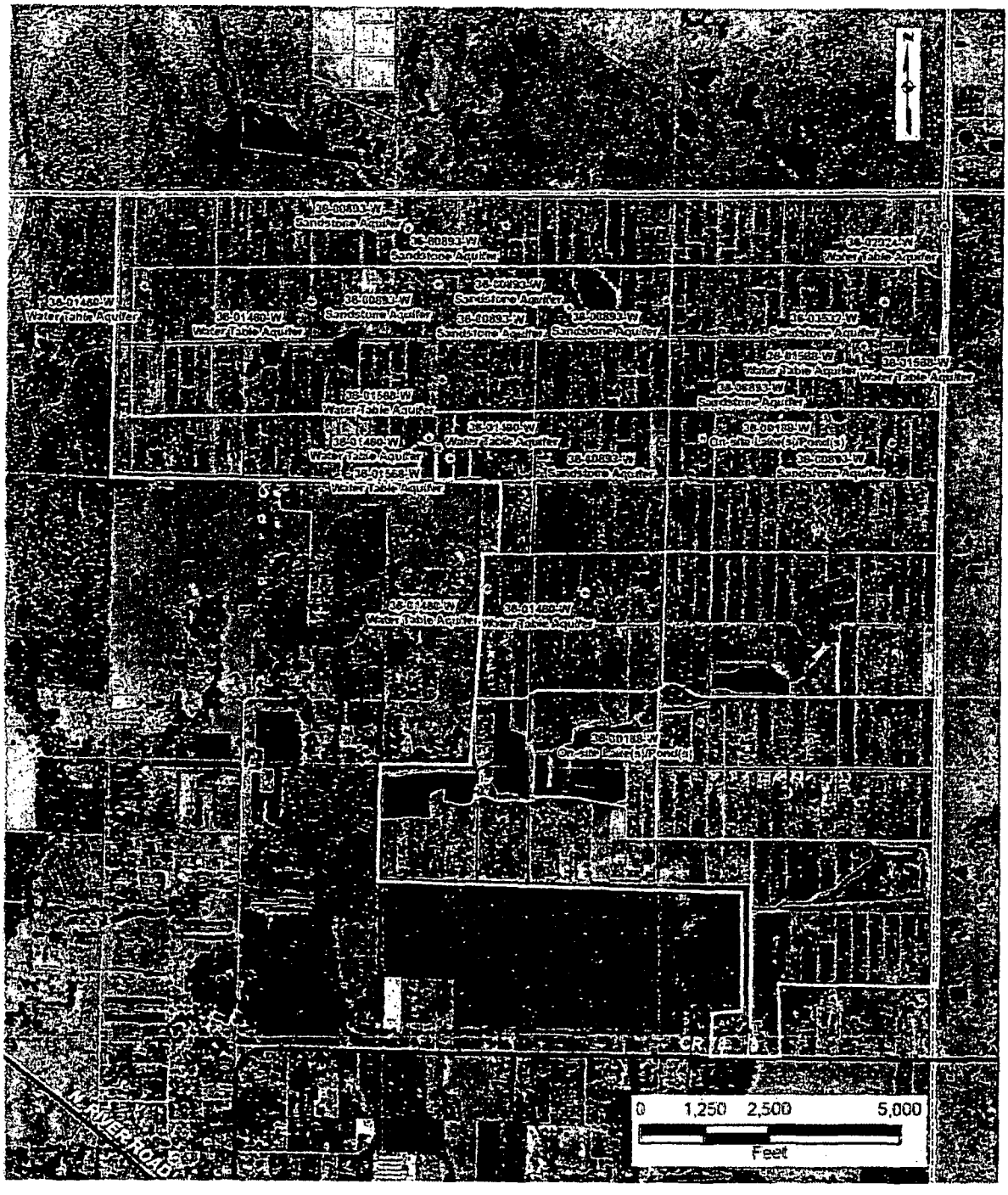


Figure 2. **Aerial photograph showing existing wells on Spanish Creek property (from SFWMD ArcGIS shapefiles, 2006).**

2.0 POTABLE WATER SUPPLY DEMAND

Spanish Creek will consist of approximately 7,400 residential units plus 350,000 square feet of office and retail space at build-out in 2025. Approximately 70% of the 7,400 units will consist of single family residences (5,200 units), while multi-family dwellings will compose the remainder (2,200 units). Each single family residence will require approximately 250 gallons per day (gpd) of potable water, and each multi-family dwelling will require 200 gpd. Public facilities may include educational and community uses, such as police and fire stations, churches, libraries, parks, etc. Public and commercial facilities typically require an additional 0.2 gpd per square foot, for an additional 70,000 gpd, approximately. At build-out, Spanish Creek will have an average annual finished water demand of 1.81 mgd and a maximum daily demand of 2.715 mgd. Assuming a water treatment plant efficiency of about 70%, which is typical for treatment of saline water, the project would require 2.59 mgd of raw water on average, and 3.9 mgd under peak conditions. Plant efficiency would improve with better raw water quality. The following table lists the projected average and peak potable water demands for the residential, retail and office segments of the project (Table 1).

Potable Water Demand (in Million Gallons)				
Use	**Ave. Daily Finished/Raw**	**Annual Finished/Raw**	**Max. Daily Finished/Raw**	**Max. Month Finished/Raw**
Residential				
Single Family (250 gpd)	1.3/ 1.7	474.5/ 620.5	1.95/ 2.54	59.3/ 77.1
Multi-Family (200 gpd)	0.44/ 0.57	160.6/ 208.8	0.66/ 0.86	20.1/ 26.1
Commercial				
Retail (0.2 gpd/ft^2)	0.0525/ 0.068	19.2/ 24.9	0.08/ 0.1	2.4/ 3.1
Office (0.2 gpd/ft^2)	0.0175/ 0.023	6.4/ 8.3	0.026/ 0.034	0.8/ 1

Table 1. Potable water demand

3.0 IRRIGATION DEMAND

Table 2 shows the approximate allocations calculated for the project site using the modified Blaney-Criddle irrigation model. The model uses plant type, air temperature, number of daylight hours, effective rainfall, soil conditions, and 1-in-10 year drought conditions (a drought with a return frequency of once in 10 years) to determine supplemental irrigation requirements. The SFWMD uses this model to determine supplemental irrigation requirements for a project, upon which it bases the permitted irrigation allocation.

Blaney-Criddle Allocation in Million Gallons (1-in-10 drought)	
	Spanish Creek (900 irrigated acres)
Average Daily	3.16
Maximum Daily	4.99
Maximum Monthly	151.77
Annual	1,154.35

Table 2. Irrigation allocations

An irrigation system efficiency of 75% and 900 total irrigated acres for the entire project at build-out were used in the model calculation. A copy of the Blaney-Criddle irrigation model is provided in Appendix A.

The suitability of water for irrigation was assessed by using dissolved chloride concentrations in milligrams per liter (mg/L). A maximum concentration of 600 mg/L was used as a threshold suitable for irrigation of freshwater plants.

4.0 EXISTING LEGAL USERS

Most legal existing users in the vicinity of the project site obtain irrigation water from surface water features, including canals, on-site retention ponds and the Caloosahatchee River, and from the surficial and Sandstone aquifers. Legal domestic users in the area without public water supply primarily use the surficial and Sandstone aquifers as a potable water source. Several SFWMD water use permits for agricultural irrigation have been issued in the vicinity of the project, as well as some minor general permits for landscape and nursery irrigation (Figure 3; Table 3).

The Babcock Ranch, located north and west of the Spanish Creek property, holds SFWMD water use permit 08-00002-W for agricultural withdrawals of up to 26,930.41 MG annually from the surficial, Sandstone, Mid-Hawthorn and Lower Hawthorn aquifers. The State of Florida has recently purchased the portion of the Babcock Ranch adjacent to Spanish Creek for conservation purposes. Directly east of the Spanish Creek property, the Thompson Property held permit 26-00560-W for agricultural irrigation of 1,546 acres using the surficial aquifer. This permit was allowed to expire on June 30, 2005, as was permit 36-02025-W for irrigation of 8.8 acres using the surficial aquifer at Blake's Grove, located west of the project site. Other agricultural operations located to the west of Spanish Creek holding water use permits include, Green's Citrus (36-00848-W) permitted to irrigate 15.29 acres using withdrawals from the surficial aquifer, Alva Grove (36-02049-W) permitted to irrigate 15.1 acres using Sandstone aquifer withdrawals, and Daniels Grove (36-02184-W) permitted for withdrawals from off-site lakes to irrigate 26.44 acres. Ft. Denaud Grove (36-01028-W), southeast of Spanish Creek, is permitted to irrigate 14 acres from the Sandstone aquifer. To the east, Gator Dyess Grove (26-00370-W) and Kinser Grove (26-00135-W) hold permits to irrigate 40 acres from the Sandstone aquifer, and 525 acres using on-site lake and Sandstone aquifer withdrawals, respectively. Northeast of Spanish Creek in Glades County, Dennis G. Small (22-00072-W) has a permit to irrigate 6.11 acres using the Sandstone aquifer.

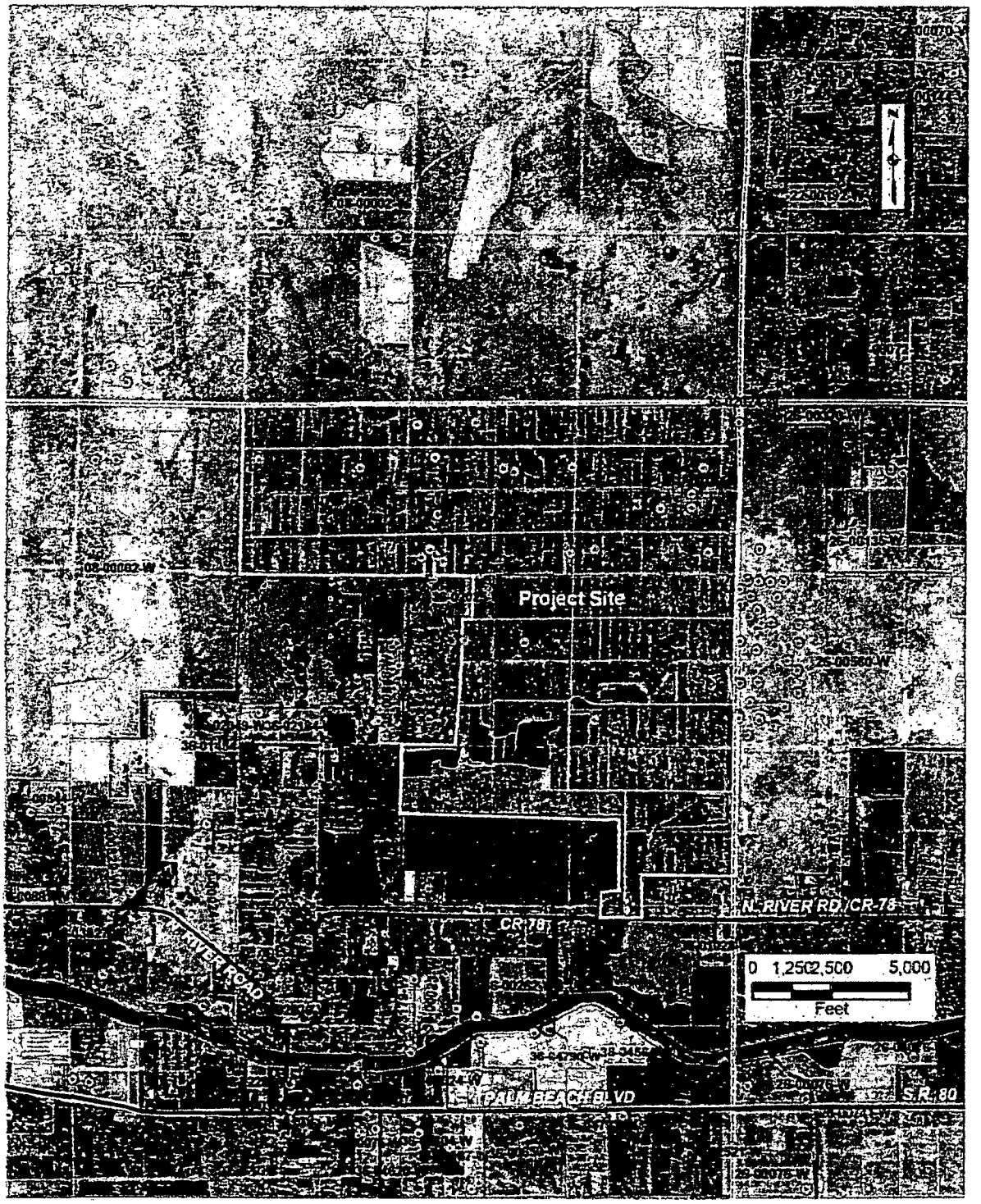


Figure 3. **Existing SFWMD water use permits near the project site (source SFWMD GIS shape files).**

Permitted Project Name	Water Use Type	Source	Permit No.
Babcock Ranch	Agriculture	Surficial, Sandstone, Mid-Hawthorn, Lower Hawthorn	08-00002-W
Dennis G. Small	Agriculture	Sandstone aquifer	22-00072-W
Kinser Grove	Agriculture	On-site lake, Sandstone	26-00135-W
Gator Dyess Grove	Agriculture	Sandstone aquifer	26-00370-W
Thompson Property*	Agriculture	Surficial aquifer	26-00560-W
Green's Citrus	Agriculture	Surficial aquifer	36-00848-W
Ft. Denaud Grove	Agriculture	Sandstone	36-01028-W
Blake's Grove*	Agriculture	Surficial aquifer	36-02025-W
Alva Grove	Agriculture	Sandstone	36-02049-W
Daniels Grove	Agriculture	Off-site lake	36-02184-W

* Expired June 30, 2005

Table 3. SFWMD water use permits in the vicinity of the project site.

Currently, no utility provides potable water service to residents within greater than a mile of the Spanish Creek property, so each residence requires a domestic supply well. According to the Lee County Well Construction Database, most legal domestic users in the area use the Sandstone or the surficial aquifers for domestic supply and irrigation. Water quality data reported from domestic Sandstone and surficial wells near the project site show that chloride concentrations in the Sandstone aquifer regularly exceed 600 mg/L, but surficial aquifer chloride concentrations typically remain below 100 mg/L.

5.0 POTABLE WATER

Currently, no utility provides potable water service within over one mile of the Spanish Creek property, requiring each residence or commercial property to install individual domestic supply and irrigation wells. The City of LaBelle (SFWMD #26-00105-W) has the designated public water supply service area closest to the project site. The City of LaBelle holds an SFWMD permit to withdraw up to 237.02 MG annually from the surficial aquifer. The City routes this water to a water treatment plant with a maximum capacity of 1.0 mgd, where it is treated with lime softening and contact chlorination. The City projects an average daily water usage of 636,900 gpd and a maximum month usage of 781,300 gpd in 2008. No water

distribution lines currently exist near the Spanish Creek project site, and the projected demand of Spanish Creek at build-out exceeds the current SFWMD permitted allocation, as well as the water treatment plant capacity. The City of LaBelle would need to request an increase in allocation from the SFWMD, request a revision of the service territory from the Public Service Commission (PSC), and either upgrade its current water treatment plant or construct a new plant prior to providing service to Spanish Creek. Additionally, the water would have to cross county lines, which is generally discouraged. Under the current rate structure for customers outside of the city limits, it would cost over $1.78 million annually to irrigate 900 acres and over $1 million to supply the required volume of potable water. Spanish Creek would also likely be required to finance the necessary line extensions and plant upgrades. The SFWMD discourages the use of potable water for irrigation purposes, and public supply and domestic users would likely receive precedence should potable water become available. Due to the economic and logistic considerations involved, purchasing irrigation water and/or potable water from an existing outside utility is not a feasible option at this time.

6.0 RECLAIMED WATER

No source of reclaimed water currently exists in the vicinity of the project site. The City of LaBelle uses percolation ponds to dispose of its waste water effluent and has no immediate plans to implement reclaimed water service. Were reclaimed water to become available from an outside supplier, reclaimed water distribution mains would have to be extended to the Spanish Creek project site. Reclaimed water would represent a potential source of irrigation water should it become available in the future. However, the designated set-back distance of 75 feet from a public water supply well (F.A.C. 62-610.471) would need to be observed if users in the area or the project itself rely on groundwater as a drinking water source.

Due to the lack of utility services, Spanish Creek will require its own water and wastewater treatment plants, which will need effluent disposal methods, one option being use of reclaimed water. The proposed Spanish Creek wastewater treatment plant will reuse its treated effluent, at least in part, for irrigation. Operating at full capacity, the plant may produce approximately 1.35 to 1.5 mgd of reuse water, or slightly less than half of the average daily irrigation demand. Based on the anticipated demands of the project at build-out, the plant will

not produce enough reclaimed water to supply the total irrigation volume, even once it reaches full capacity, which may not occur for several years. Reclaimed water from the Spanish Creek plant will be used to irrigate as it becomes available in increasingly larger quantities as the project develops, but reuse effluent from Spanish Creek alone will not supply an adequate volume to serve as the sole irrigation source.

7.0 SURFACE WATER

The existing citrus operation on the Spanish Creek property currently withdraws 1,187 million gallons annually from the on-site ponds and canal system to irrigate approximately 3,550 acres. In the past, the County Line Drainage District has been permitted to withdraw up to 2,776 million gallons annually from surface water. Once the Spanish Creek property is developed, the site will contain approximately 200 acres of surface water management lakes. Other existing users in the vicinity, such as Kinser Grove, also use on-site surface water withdrawals to at least partially meet their irrigation demands. The proposed surface water management system could serve as a source of irrigation water; however, due to the large volume of irrigation water required by the project, lake withdrawals alone will in all likelihood not be able to meet the total irrigation demands. The Spanish Creek development, as proposed, will contain wetland flowway systems throughout the project site. These wetland systems will be subject to SFWMD rules that limit the acceptable amount of drawdown beneath wetlands, thereby limiting the amount of irrigation water that could be withdrawn from the lake system. Additionally, surface water withdrawals not supplemented with groundwater recharge may result in lake drawdowns in excess of natural variations during the dry season, which may not be aesthetically pleasing. Nevertheless, the surface water management system could supply some component of the irrigation demand, especially used in conjunction with groundwater withdrawals. Surface water bodies and the surficial aquifer in this area typically have chloride concentration below 100 mg/L, which would be suitable for blending with brackish groundwater in the on-site lake system in order to achieve suitable irrigation water quality.

8.0 GROUNDWATER

Other projects near the Spanish Creek property obtain irrigation water from groundwater withdrawals. Three main aquifers exist underneath the project site: the surficial aquifer, the Sandstone aquifer, and the Floridan (Lower Hawthorn) aquifer (Figures 4 and 5). Of these three aquifers, most existing legal domestic users in the area withdraw potable water from the Sandstone or surficial aquifers. However, the Sandstone aquifer has reported chloride concentrations exceeding 600 mg/L in much of the area surrounding Spanish Creek, forcing many residences to rely on surficial aquifer wells for potable supply because of the fresher water quality. Many homes and businesses use this source despite the fact that high uranium and radionuclide concentrations have been reported from surficial aquifer wells in the Alva area. Most agricultural operations also use groundwater withdrawals from the surficial or Sandstone aquifers to meets their irrigation demands. As mentioned under the Existing Users section, these projects include Babcock Ranch, the Thompson Property, Blake's Grove, Green's Citrus and Alva Grove. Various groves on the Spanish Creek project site have held agricultural water use permits in the past for surficial and Sandstone aquifer withdrawals.

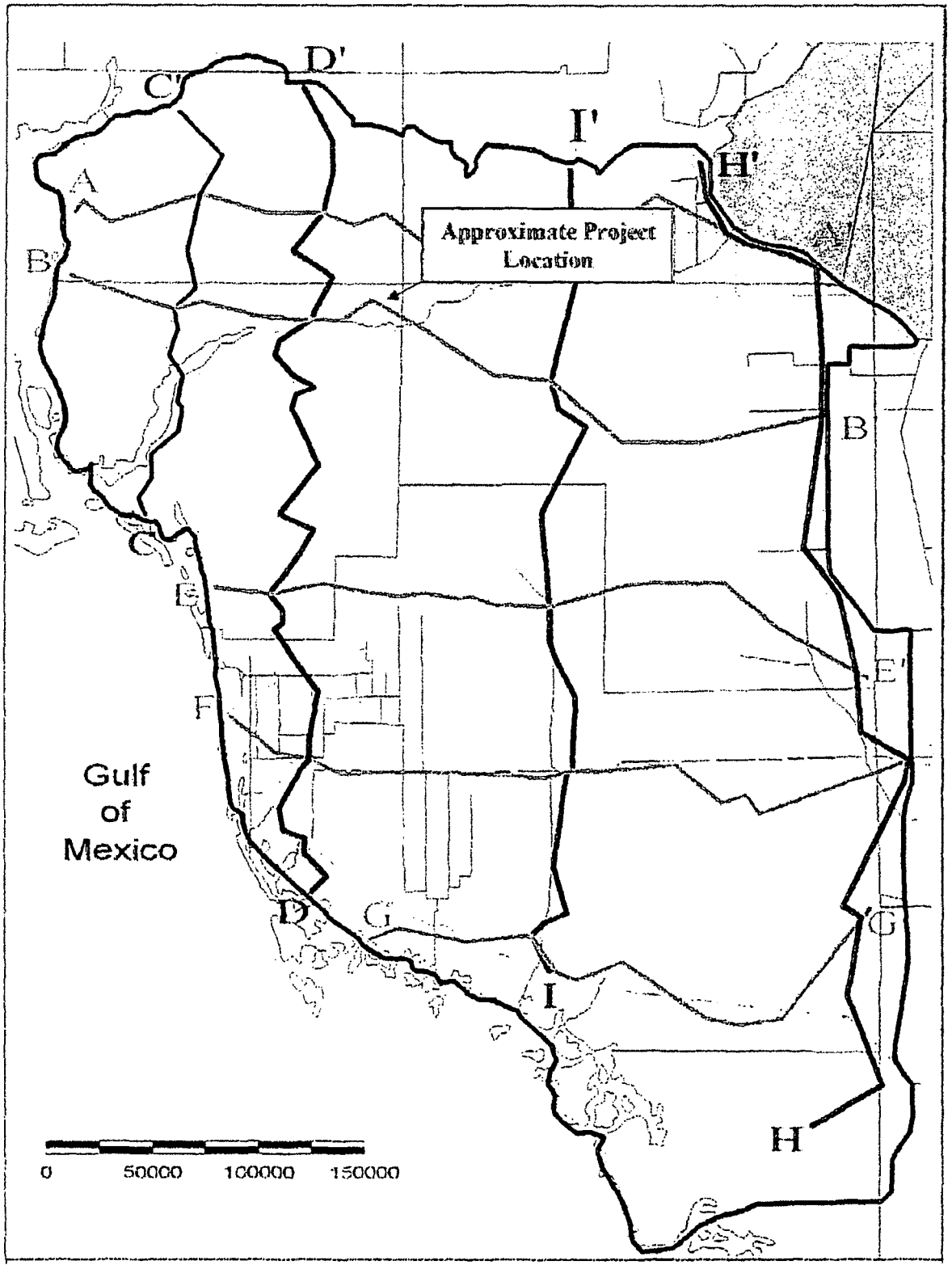


Figure 4. Cross-section location map. (BEM, 2003)

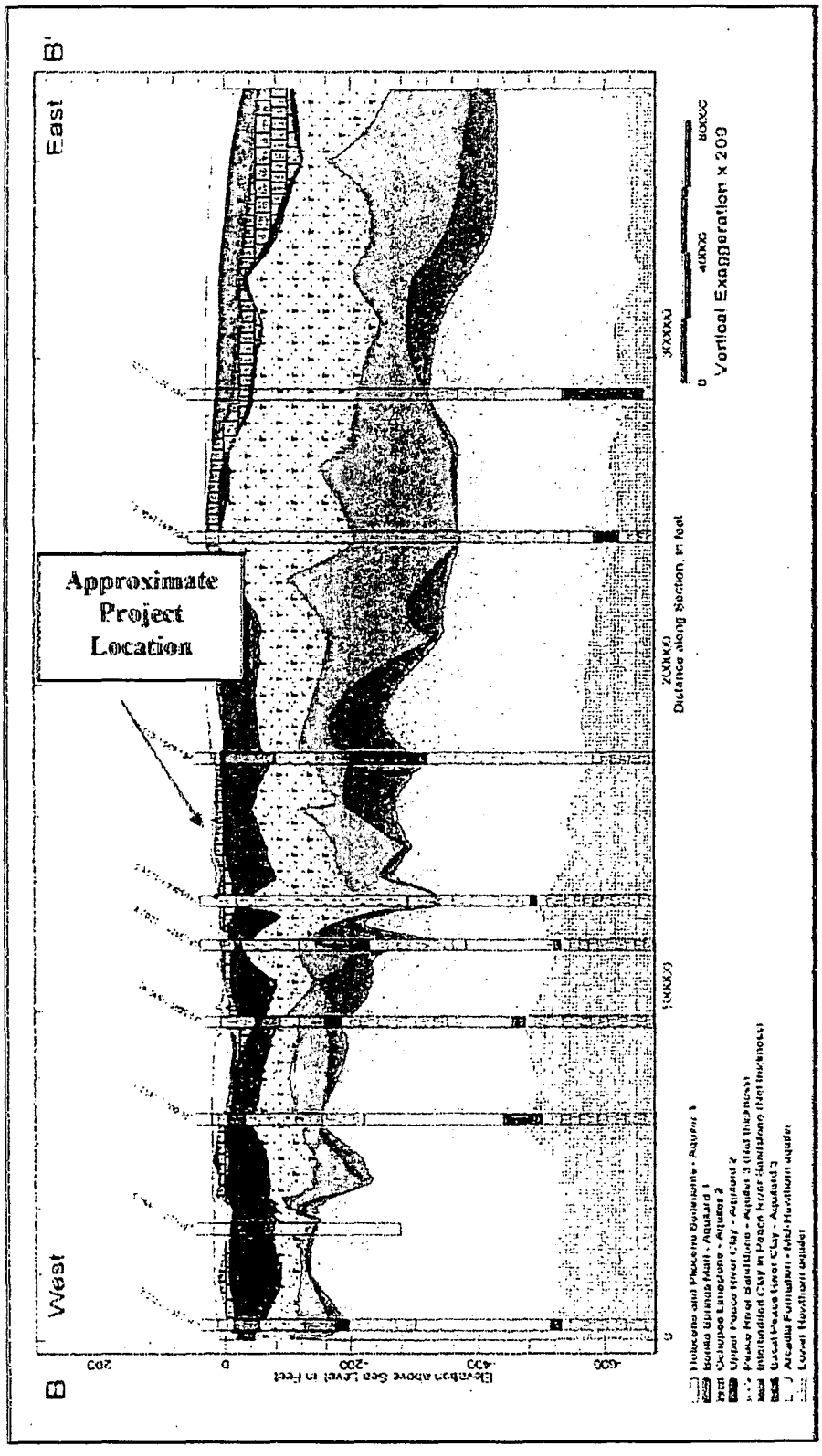


Figure 5. Generalized hydrogeologic cross-section. (BEM, 2003)

A. Surficial Aquifer

The surficial aquifer at this location mainly consists of undifferentiated sands and shell extending from the land surface to approximately 5 to 10 feet below land surface (bls; Figure 6). In some locations, the Ochoppee limestone member of the Tamiami formation may be present close to the surface. Where this limestone does occur, the aquifer will generally display greater productivity. Based on lithologic logs collected near the project site, 20 to 50 feet of confining material may exist between the surficial aquifer and the underlying Sandstone aquifer in northeastern Lee and northwestern Hendry Counties. Lithologic logs from the Florida Geological Survey (FGS) indicate that a mixture of sand and shell extends from land surface to between 5 to 10 feet bls. In selected locations, limestone with varying amounts of fine-grained material may extend from 5 to 40 feet bls. Olive green to yellowish grey silt and clay may form a confining layer between the surficial and Sandstone aquifers from 40 to 60 feet bls. Where silt and clay is not present, mud-rich limestone may act as confinement anywhere from 10 to 40 feet bls. The land surface of the project site averages 20 feet, National Geodetic Vertical Datum (NGVD).

Water level data from USGS surficial aquifer well L-2202, located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD, has recorded water levels ranging from 10.19 to 17.20 feet NGVD for the period of record from 1975 to 2006. Wet season water levels have averaged approximately 15 feet NGVD and dry season water levels have averaged 13 feet NGVD for the past 25 years without any apparent long-term trend (Figure 7). The primary source of water supply to the surficial aquifer is precipitation; however, surface water bodies (*e.g.*, rivers, canals, lakes) may provide recharge to the aquifer when their potentiometric heads are above that of the water table. The Sandstone aquifer may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher. Groundwater in the surficial aquifer at the project site generally flows north to south towards the Caloosahatchee River, following the natural topography, although pumping could alter or reverse the flow gradient.

The hydraulic properties of the surficial aquifer vary depending on the thickness and composition of the formation, with productivity increasing in areas underlain by limestone near the surface. The closest aquifer performance test (APT) conducted on the surficial aquifer was performed 2.17 miles to the southwest of the Spanish Creek property south of the Caloosahatchee River. This test reported a transmissivity of 11,200 gallons per day per foot

(gpd/ft). Another APT performed 2.46 miles to the south, also south of the river, reported a transmissivity value of 71,100 gpd/ft. The County Line Drainage District and other on-site groves have used surficial aquifer wells to irrigate hundreds of acres of citrus grove with no reported production problems. Actual on-site hydraulic properties may vary substantially from those reported by the APTs, as surficial aquifer lithologic and hydraulic characteristics can be highly localized. However, existing surficial aquifer irrigation wells have reported pumping capacities of 200 to 250 gpm and wells at Babcock Ranch, just north of Spanish Creek, produce up to 600 gpm, indicating good productivity at the project site.

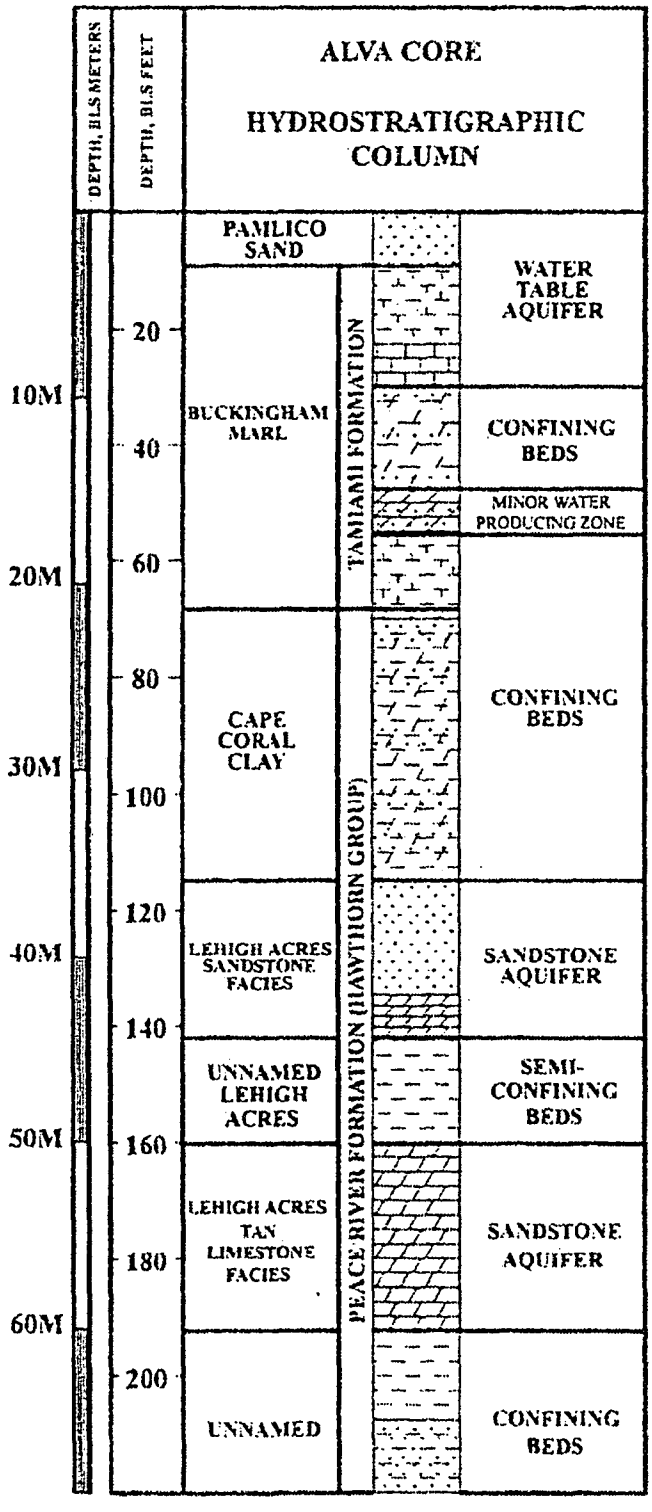


Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida. (Weinberg & Cowart, 2001)

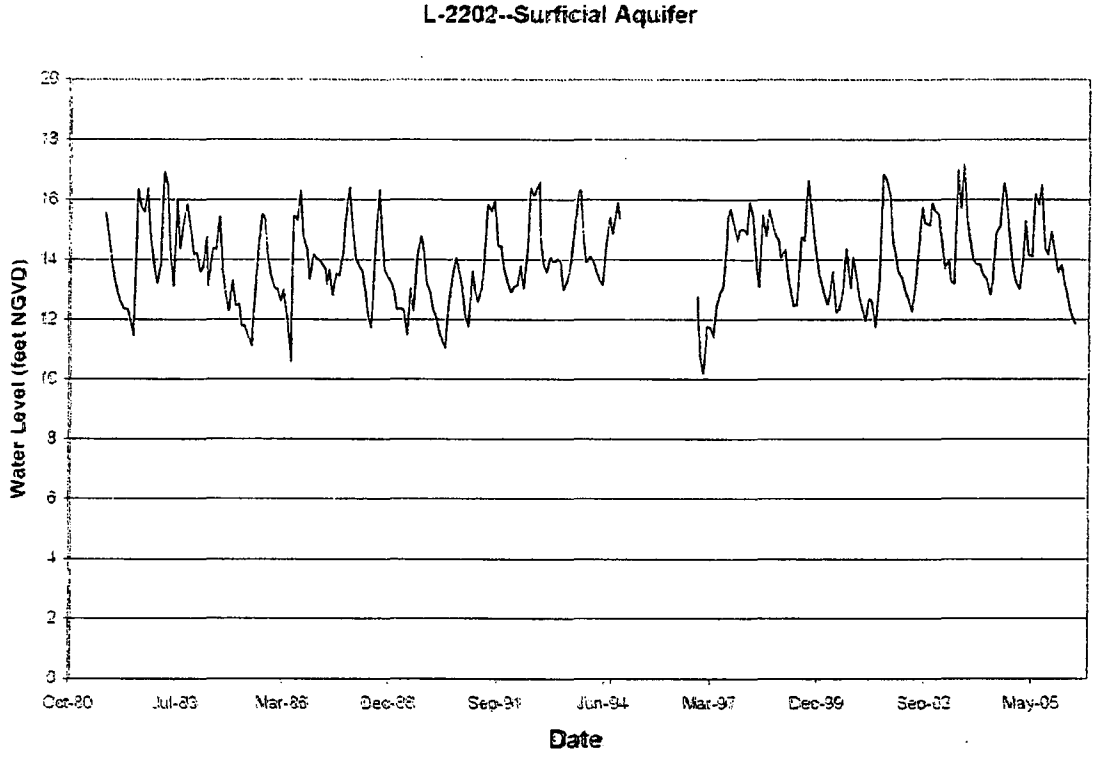


Figure 7. L-2202 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

Long term water quality data for the surficial aquifer near the Spanish Creek property show that chloride concentrations generally remain below 100 mg/L. Chloride concentration data from L-2202 show values ranging from 34 to 124 mg/L for the period of record from 1983 to 1993. Chloride concentrations taken from wells constructed in the surficial aquifer range from 33 to 120 mg/L, as reported in the Lee County Well Construction Database. Because the surficial aquifer at this location could be under the direct influence of surface water, a drinking water system using the surficial aquifer as a source might be subject to specific Florida Department of Environmental Protection (FDEP) filtration and disinfection requirements, as described in 62-550.817, F.A.C. Additionally, the surficial aquifer likely contains high iron concentrations, as is common across southwest Florida, and would require treatment and aeration prior to irrigation usage in order to avoid staining. Furthermore, the surficial aquifer may contain elevated concentrations of dissolved uranium, a potential health concern. According to Weinberg and Cowart (2001), this uranium leaches from phosphatic sands and gravels present in the Buckingham marl of the Tamiami formation, requiring extensive treatment prior to use for public water supply.

B. Sandstone Aquifer

Some legal domestic users in this area use the Sandstone aquifer as their primary source of potable water, although it may have chloride concentrations in excess of 600 mg/L in some locations. Some citrus groves in the area also use Sandstone aquifer wells for primary irrigation or freeze protection. Up to 50 feet of clay, silt and muddy limestone composing the Upper Hawthorn confining zone may separate the surficial and Sandstone aquifers near the Spanish Creek property. Throughout most of Hendry County and the northeastern portion of Lee County, the Sandstone aquifer consists of an upper clastic zone and a lower, generally more productive carbonate zone. Based on lithologic logs from the FGS, the Sandstone aquifer at this location mainly consists of an upper zone of very fine to very coarse quartz sand up to 40 feet thick, followed by limestone, dolomite and, in some cases, shell and sand of the Hawthorn group. The aquifer can extend from approximately 30 to 170 bls, according to lithologic logs and permitted well depths in the area. The lithologic log for FGS well 17416, in Section 10, Township 43 South, Range 27 East to the southwest of the project site, shows the clastic zone extending from

90 to 135 feet bls, followed by the carbonate zone from 135 to 170 feet bls. A lithologic log from FGS well 09015, located in Section 6, Township 43 South, Range 28 East directly east of the project site, shows sands occurring from 30 to 60 feet bls, followed by limestone from 60 to 80 feet bls, followed by shell beds from 80 to 100 feet bls, and more sand from 100 to 160 feet bls. Based on these lithologic logs, little confinement typically exists between the two zones of the Sandstone aquifer, so they generally function as one hydraulic unit.

The land surface of the project site averages 20 feet, NGVD. Data collected at USGS well L-2200 (Figure 8), located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD and open to from 122 to 163 feet bls, show that water levels ranged from 3.51 to 16.32 feet NGVD for the period of record from 1975 to 2006. Water level data collected at USGS well L-1977, located approximately 1.33 miles southwest of the project site at an elevation of 17.1 feet NGVD and open from 65 to 185 feet bls, show that water levels ranged from 2.50 to 15.18 feet NGVD for the period of record from 1974 to 2006 (Figure 9). Recent wet season water levels average approximately 13 feet NGVD, while dry season water levels average 7 feet NGVD at both wells. The long-term water levels at both wells appear to show a slight decline of approximately 2 feet over the period of record.

The primary source of water supply to the Sandstone aquifer is recharge from the overlying surficial aquifer when potentiometric heads in the Sandstone aquifer are lower than those of the surficial. Deeper aquifers may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher; however, more than 100 feet of confining material may separate the Sandstone aquifer from underlying aquifers. Water in the Sandstone aquifer generally flows from the northeast to the southwest towards the Caloosahatchee River across the project site, although pumping could alter or reverse the flow gradient.

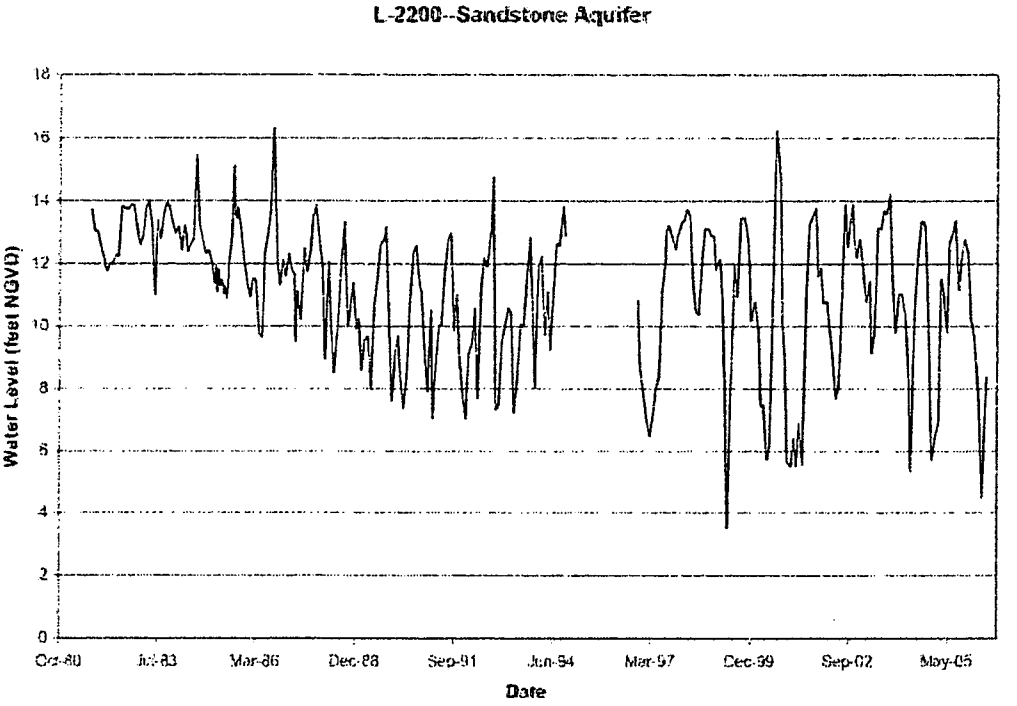


Figure 8. L-2200 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

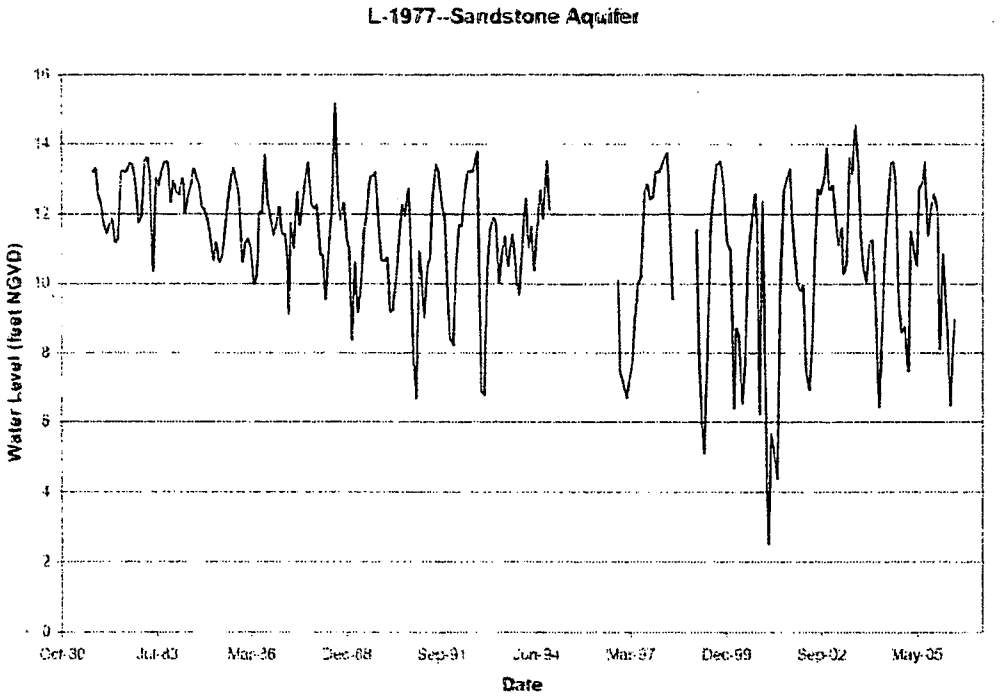


Figure 9. L-1977 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

The hydraulic properties of the Sandstone aquifer vary depending on the thickness and composition of the formation and the open-hole interval of the well tested. The closest APT conducted on the Sandstone aquifer was performed 0.5 miles east of the Spanish Creek property by the SFWMD. The test reported a transmissivity value of 9,100 gpd/ft, with a leakance value of $3.9e^{-2}$/day, and an estimated storage coefficient of $1.61e^{-4}$. Another APT conducted on a well located 1.9 miles to the east reported a transmissivity of 11,700 gpd/ft, a leakance value of 3.74 e^{-4}/day. and a storage coefficient of $2e^{-4}$. A third APT performed on a well located 2.14 miles to the northeast reported a transmissivity value of 16,760 gpd/ft and a storage coefficient of $2e^{-5}$. Based on this information, wells completed in the Sandstone aquifer should be moderately productive at the Spanish Creek property. However, the SFWMD may be reluctant to permit the required withdrawals from this source due to concerns over impacts to legal domestic users and excessive drawdown in the aquifer and under wetlands.

Water quality samples collected from Sandstone aquifer wells L-2200 and L-1977 reported chloride concentrations ranging from 660 to 900 and 500 to 2,100 mg/L, respectively (Figure 10). The Lee County Well Construction Database reports chloride concentrations ranging from 365 to 975 mg/L for Sandstone aquifer wells in the general vicinity of the project site. In 1969, Gee and Jensen conducted a well survey of the area as part of an assessment prepared for the County Line Drainage District. This survey listed Sandstone aquifer chloride concentrations from sampled wells of 630 to 1,300 ppm (roughly equivalent to mg/L). As the data indicates, the Sandstone aquifer exhibits elevated chloride concentrations in this area, causing some users to rely on the surficial aquifer for domestic supply. The water quality of the Sandstone aquifer at the Spanish Creek project site would not be suitable for potable supply without prior advanced treatment, as chloride concentration exceed the secondary maximum contaminant level for drinking water of 250 mg/L. Depending on the specific water quality encountered, direct irrigation of freshwater plants may or may not be possible. Groundwater with chloride concentrations exceeding 600 mg/L would require blending with fresh water sources prior to irrigation.

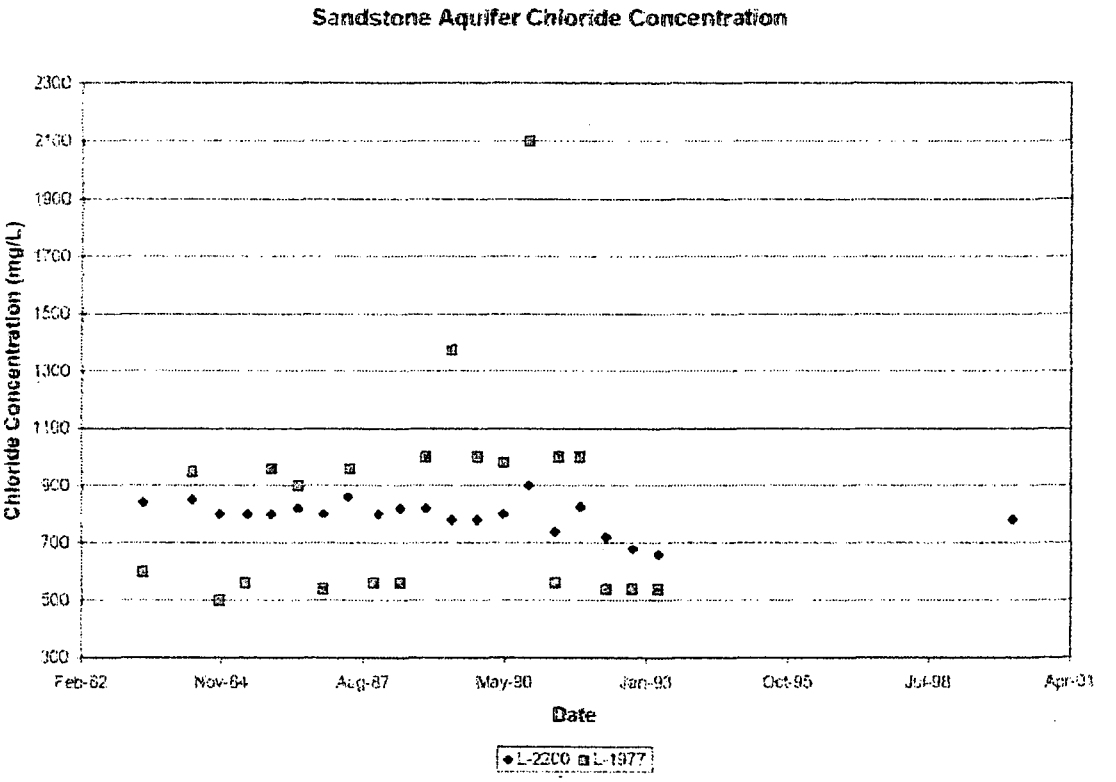


Figure 10. Chloride concentration from USGS wells L-2200 and L-1977.

C. Lower Hawthorn/Floridan Aquifer

Few users of the Floridan aquifer system exist in the vicinity of the project. The nearest SFWMD-permitted user of the Floridan aquifer was Adams Groves (36-00042-W), located 2.84 miles to the south of Spanish Creek. This permit expired June 30, 2005. Some citrus groves in Hendry County use Lower Hawthorn aquifer wells for freeze protection, including the Bob Paul Main Grove and the LaBelle Private Drainage District. These projects lie over five miles east of Spanish Creek. The County Line Drainage District did have an on-site well with a total depth of 567 feet and a cased depth of 145 feet open to the upper Floridan aquifer. This well may have cross-connected the Sandstone and Flordian aquifers, potentially contributing to the elevated chloride concentration levels in the Sandstone aquifer. The County Line Drainage District subsequently abandoned this well. According to the SFWMD water use permit issued for the County Line Drainage District in 1980 (permit 36-00188-W; application 08099-B), the well had a reported pumping capacity of 1,135 gpm. Lithologic logs from FGS wells indicate that the top

of the Lower Hawthorn aquifer, which is part of the Floridan aquifer system, may begin around 530 to 660 feet bls and may extend to around 900 feet bls. USGS well L-5708, located 0.28 miles west of the project site. is reported as being open to the upper Floridan aquifer and has listed cased and total depths of 620 and 920 feet bls, respectively. Water levels recorded at L-5708 ranged from 45.9 to 57.6 feet NGVD for the period of record from 1984 to 2006 (Figure 11).

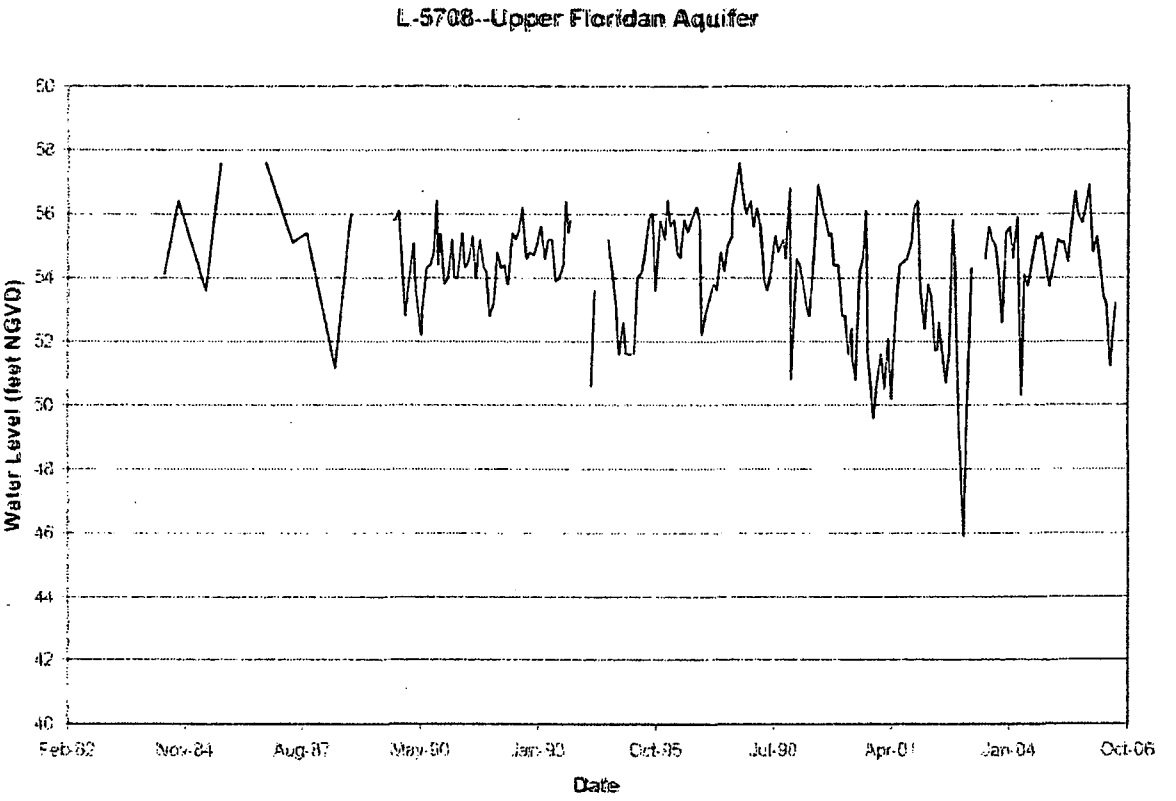


Figure 11. L-5708 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

In 1997, the SFWMD constructed a tri-zone monitor well and a test production well open to the Floridan aquifer system in northern Hendry County west of LaBelle at a site approximately six miles east of Spanish Creek property. According to the SFWMD report (Bennett, 2003), the Floridan aquifer consists of the basal portion of the Arcadia formation composed of sandy carbonate mudstones and wackestones, followed by well-indurated, low porosity limestone. This interval extends from 665-740 feet bls and comprises the first zone of the SFWMD monitor well. The Suwannee limestone begins at 740 feet bls and extends to 810

feet bls, consisting of packestone and grainstone units containing substantially less quartz and phosphate than the Arcadia formation. A low porosity clay unit separates the Suwannee from the Ocala limestone, which begins at 810 feet bls. The Ocala consists of poorly to moderately-indurated wackestones and mudstones to a depth of 1,150 feet, BLS. Well-indurated packestones and dolostones characterize the Avon Park formation, which begins at 1,150 feet bls. The interval from 1,645 to 1,885 predominantly contains well-crystallized, highly fractured dolostones (Figure 12).

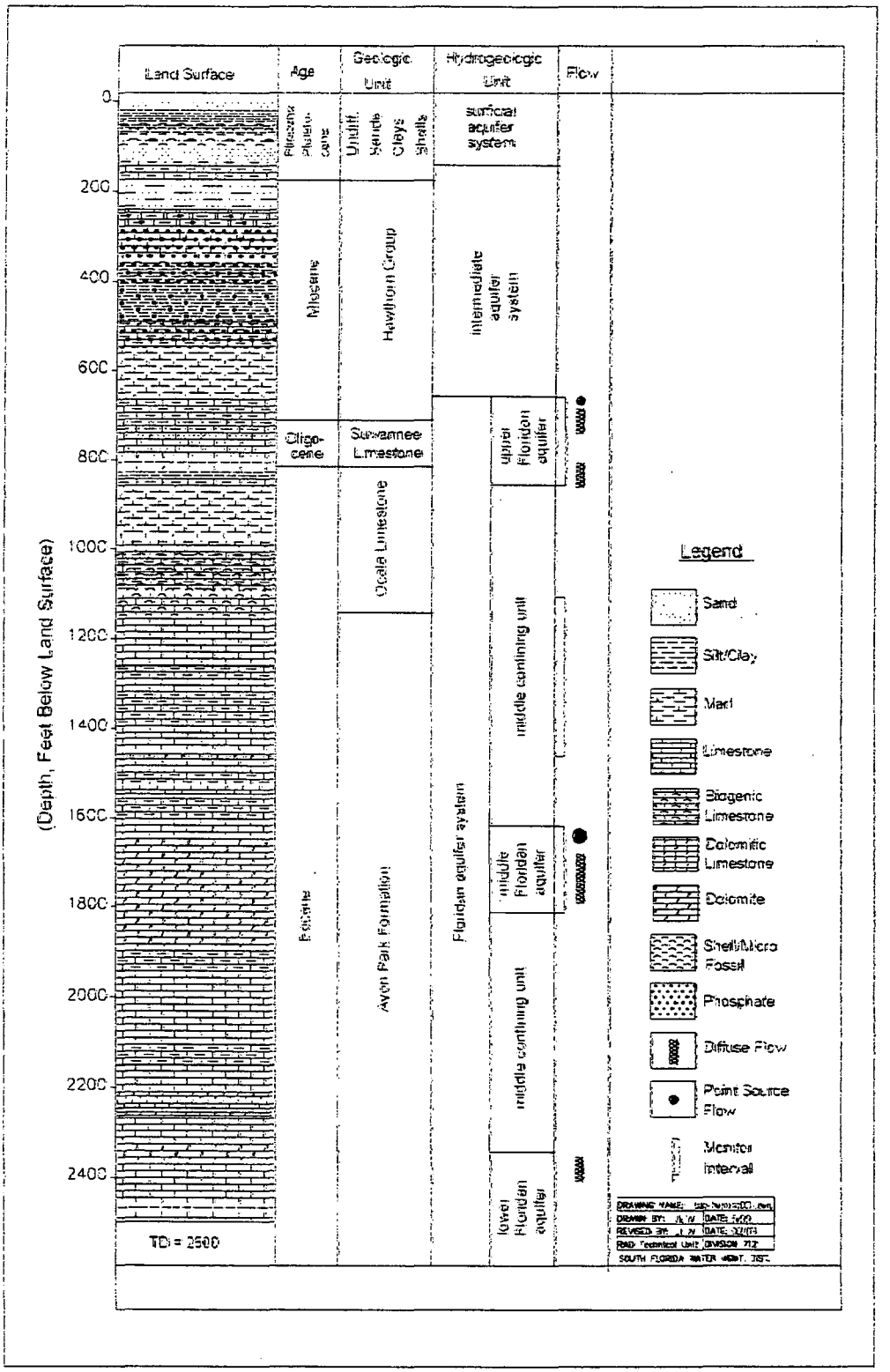


Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site (Bennett, 2003)

The SFWMD conducted an APT on the LaBelle Floridan aquifer test production well for the interval from 670 to 850 feet bls of the Upper Floridan aquifer. The APT, which was performed at a constant pumping rate of 1,700 gpm for 72 hours with a 24 hour recovery period, reported a transmissivity value of 68,630 gpd/ft, a storage coefficient of 6.7 x 10^{-5}, and a leakance value of 3.39 x 10^{-3} gpd/ft^3. This interval had a specific capacity of 17.3 gpm/ft. Chloride concentrations collected during the APT were 591.0 mg/L. The SFWMD performed a second APT on the interval from 1,110 to 1,460 feet bls within the Ocala limestone. This APT, which was performed at a constant pumping rate of 310 gpm for 72 hours with 24 hours of recovery, reported a transmissivity value of 26,460 gpd/ft, a storage coefficient of 1.2 x 10^{-4}, and a leakance value of 2.9 x 10^{-3} gpd/ft^3. Chloride concentrations collected during the test were 566.4 mg/L. The interval from approximately 700 to 900 feet bls within the Upper Floridan aquifer appears to display the highest productivity based on the reported transmissivity values.

Following the APTs, the SFWMD instituted a long-term water level and water quality monitoring program. Data collected from December 1nineninе8 to March 1nineninenine show chloride concentrations of 700 mg/L for the interval from 670 to 837 feet bls, 500 mg/L from 1,142 to 1,458 feet bls, and 9,900 mg/L from 1,645 to 1,75nine feet bls. Monitoring data from March 2002 to August 2005 show that water levels averaged 52.4 feet, NGVD for the zone from 670 to 837 feet BLS, 52.9 feet, NGVD from 1,142 to 1,458 feet bls, and 47.5 feet, NGVD from 1,645 to 1,759 feet bls (Figure 13). Land surface elevation at the site is approximately 17 feet, NGVD. The potentiometric head data, as well as the water chemistry data, suggest that the upper two zones of the Floridan aquifer are hydraulically connected.

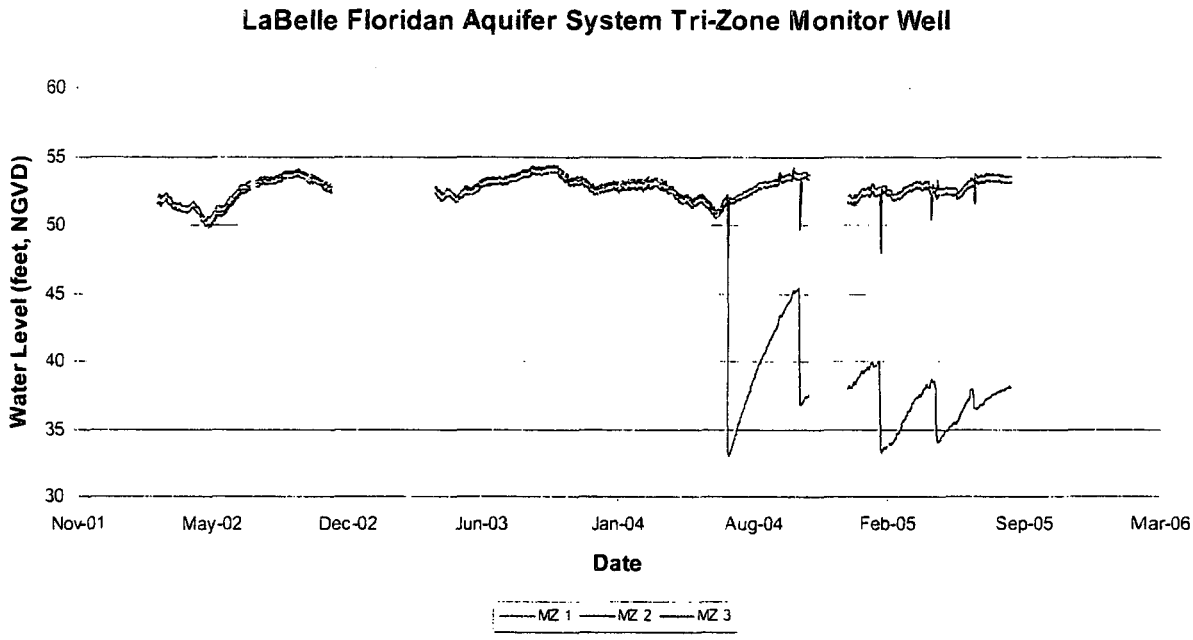


Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph (Bennett, 2003)

The sampled chloride concentrations exceed the secondary drinking water standard of 250 mg/L for drinking water, so groundwater from the Floridan aquifer would require treatment prior to use as a public water supply due to the elevated chloride and total dissolved solid (TDS) concentrations. The Bennett (2003) report identifies the base of the Underground Source of Drinking Water, defined as water having TDS concentrations less than 10,000 mg/L, as occurring at an approximate depth of 1,675 feet, bls. The Lower Hawthorn aquifer could yield ample amounts of water for irrigation, as well as potable supply, but would require blending with fresher sources, such as surface water, prior to irrigation of freshwater plants.

9.0 SUMMARY

The Spanish Creek development will consist of a mixed residential and commercial development covering approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. The project will require potable water for 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, and five schools at build-out in 2025. Due to the lack of utility service, the project will require on-site wastewater treatment and potable water facilities designed to provide approximately 1.81 mgd of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the total acreage) will also require landscape irrigation at build-out. The site currently consists of a 3,600-acre citrus grove that mainly uses surface water with some minor surficial and Sandstone aquifer withdrawals for irrigation. This assessment evaluated the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources of public record including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and reports, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water and groundwater, or any combination thereof. In addition, the estimated landscape irrigation and potable water demands were calculated, and water quality suitability for both potable supply and irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

The Spanish Creek property is located in the northeast corner of Lee County in a heavily agricultural region. Potable water from the City of LaBelle, the closest utility provider, is not a viable option, since the utility does not currently have the distribution system in place to serve the Spanish Creek site. Reclaimed water from outside suppliers is not currently available for irrigation purposes because local utilities dispose of their waste water effluent by other means. However, the proposed on-site wastewater treatment plant will produce up to 1.35 to 1.5 mgd of reclaimed water at build-out. This volume of reclaimed water should be utilized for irrigation to

the greatest extent feasible. Surface water could also serve as a potential source of irrigation water. The project will be required to construct approximately 200 acres of stormwater management lakes, which could be used to at least partially meet the irrigation demand. The project will contain wetland flowway systems, so any surface water withdrawals will have to be managed so as to guard against wetland impacts and meet applicable SFWMD criteria.

The surficial aquifer contains freshwater suitable for irrigation but might not be able supply enough water to meet the total irrigation demands without excessive drawdown. The surficial aquifer typically contains high iron concentrations and would require aeration in the on-site lake system prior to irrigation usage. The surficial aquifer would not be the preferable source of potable water, although chloride concentrations remain below 250 mg/L, as it might be under the direct influence of surface water and would require additional monitoring and treatment. This aquifer may also contain elevated uranium and radionuclide concentrations, requiring extensive treatment prior to public supply use. Many residences in the area also rely on the surficial aquifer for domestic supply, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit substantial withdrawals from this source for either potable or irrigation supply.

The Sandstone aquifer might be able to produce adequate volumes of irrigation or potable water for the project at build-out, although probably not both. Due to the lack of site-specific data and variability within the aquifer, on-site testing would be required prior to consideration of this aquifer as a viable source. Chloride concentrations in the Sandstone aquifer near the project regularly exceed 600 mg/L, which would require blending in the on-site lake system or advanced treatment prior to irrigation or potable usage, respectively. Some legal domestic users in the area rely on the Sandstone aquifer as a potable water source, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit withdrawals from this source on the scale required by the project at build-out for either potable or irrigation supply.

The Floridan aquifer represents a potential source of both irrigation and potable water at the project site, although this source would require blending with fresher sources prior to irrigation use and advanced treatment prior to potable supply. The chloride concentrations of water encountered in the Floridan aquifer range from 680 to 9,900 mg/L and generally increase with depth. The aquifer could easily supply volumes of water sufficient to meet the project's

irrigation demands, but use of the source would have to be limited in order to prevent the blended irrigation water quality from becoming too saline. If blended in the on-site lake system, the SFWMD would limit Lower Hawthorn withdrawals so that the resultant chloride concentration in the stormwater ponds did not exceed 200 mg/L after 90 days without rainfall recharge. The Floridan aquifer may also serve as the primary drinking water source. If this is the case, appropriate water treatment and brine disposal methods would be necessary.

10.0 RECOMMENDATIONS

Based on the assessment described above, withdrawals from the upper Floridan aquifer represent the best source of irrigation and potable water in terms of both quantity and permittability. A Floridan aquifer wellfield and reverse-osmosis water treatment plant would be the most viable potable water supply system for the project. In terms of irrigation supply, the project should use as much reclaimed water generated by the proposed on-site wastewater treatment plant as possible, which will supply less than half of the average daily irrigation demand at build-out. Floridan aquifer withdrawals blended in the on-site lake system in order to reduce chloride concentrations should supply the remainder.

Prior to constructing the potable supply or irrigation systems, Johnson Engineering recommends constructing at least one Floridan aquifer test well in order to more thoroughly assess the water quality and yield of this aquifer at the project site. A testing program will provide more information on the hydrogeology of the Spanish Creek site, particularly depths of tops of aquifers, aquifer thicknesses, and specific hydraulic characteristics of the water-producing units. Variations in chloride concentration with depth should be assessed during test well construction and compared with reported values in cases where no recent monitor data exists. Johnson Engineering recommends conducting an aquifer performance test prior to using the Floridan aquifer as a drinking water and/or irrigation source in order to ascertain the anticipated yield and water quality of this aquifer. For potable water supply, in particular, this information will be required for the design of the water treatment plant and public supply wellfield. Information gathered during test well construction and aquifer performance testing could also be used in support of SFWMD water use permit applications for both public water supply and landscape irrigation. If successful, the test wells could later be converted into production or monitoring wells as part of the public supply and/or irrigation systems.

Previous investigations and monitoring data indicate that the Floridan aquifer can readily supply the necessary quantities of water without harm to the resource or other users of the aquifer. No other active legal users of the Floridan aquifer exist in the area surrounding Spanish Creek. However, most neighboring legal and domestic users do rely on the surficial and Sandstone aquifers to meet their potable supply needs. These aquifers represent the only economical sources of potable water to most residences and businesses in this area of Lee

County, although chloride concentrations in the Sandstone aquifer may be elevated, and the surficial aquifer may contain high uranium and radionuclide concentrations. By targeting the Floridan aquifer as its main water source, Spanish Creek would avoid competition with and adverse impacts to these existing users, along with associated mitigation responsibilities. The SFWMD considers such factors in the water use permitting process, in addition to best management of the resource, and encourages the use of the lowest quality water available. The SFWMD defines the Floridan aquifer as an alternative water supply, making the use of this source eligible for District funding. The Spanish Creek project will require a water treatment plant for disinfection and distribution regardless of the public supply source, establishing the infrastructure necessary to accommodate the use of brackish groundwater.

11.0 REFERENCES

BEM Systems, Inc., 2003, Hydrostratigraphy Review Report, for SFWMD Southwest Florida Feasibility Study, Southwest Florida Regional Model Development.

Bennett, M.W., 2003, Hydrogeologic Investigation of the Floridan Aquifer System LaBelle, Hendry County, Florida, SFWMD Technical Publication WS-15.

Johnson Engineering, 2004, Executive Summary Paul Property Public Water Supply Water Resource Assessment, prepared for the Bonita Bay Group.

SFWMD, 2006, Water Use Permit Shapefiles, http://www.sfwmd.gov/org/gisit/index.html

SFWMD, 2006, Environmental Resource Regulation Application and Permit Information Database, http://wdweb02.sfwmd.gov/apps/reg/query_apps_permits.cfm

SFWMD, 2006, DBHYDRO Browser, http://glades.sfwmd.gov/pls/dbhydro_pro_plsql/show_dbkey_info.main_page

USGS, 2006, Water Resources Groundwater Levels for Florida, http://nwis.waterdata.usgs.gov/fl/nwis/gwlevels

USGS, 2006, Water Resources Groundwater Conditions in Southern Florida, http://www.sflorida.er.usgs.gov/

Weinberg, J. M. and J.B. Cowart, 2001, Hydrogeologic Implications of Uranium-Rich Phosphate in Northeastern Lee County, in Florida Geological Survey Special Publication No. 49.

Appendix A

Calculations Of Irrigation Requirements (1-in-10)

Rainfall Station:	La Belle
Irrigation System:	Sprinkler
Irrigated Acreage:	900.00
Crop:	Turf Grass
Soil Type:	0.80
Multiplier	1.33
Efficiency	0.75

Calculations	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Average Rainfall (inches)	1.95	2.11	2.02	2.54	4.57	9.38	8.19	7.85	6.82	3.80	1.73	1.72	52.68
Evapotranspiration (inches)	1.78	2.10	3.62	4.98	6.65	7.42	7.75	7.48	6.27	4.75	2.98	2.10	57.88
Average Effective Rainfall (inches)	0.90	0.99	1.03	1.37	2.51	4.85	4.40	4.18	3.47	1.93	0.86	0.82	27.31
1-in-10 Effective Rainfall (inches)	0.67	0.83	0.25	0.67	1.98	3.94	3.86	3.93	2.90	1.51	0.92	0.90	22.36
Average Irrigation (inches)	0.88	1.11	2.59	3.61	4.14	2.57	3.35	3.30	2.80	2.82	2.12	1.28	30.57
1-in-10 Irrigation (inches)	1.11	1.27	3.37	4.31	4.67	3.48	3.89	3.55	3.37	3.24	2.06	1.20	35.52

1-in-10 Annual Supplemental Crop Requirement = 35.52 inches

Annual Supplemental Crop Water Use:

35.52 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 1154.35 MG

1-in-10 Maximum Monthly Supplemental Crop Requirement = 4.67 inches

Maximum Monthly Supplemental Crop Water Use:

4.67 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 151.77 MG

Notes:
Evapotranspiration was calculated using a modified Blaney-Criddle method.
Average effective rainfall is the amount that is useful to crops in an average year.
2-in-10 drought rainfall is the rainfall minimum expected with a probability of 2 year in 10.
2-in-10 effective rainfall is the amount that is useful to crops in a 2-in-10 drought rainfall.
Average irrigation is the net amount that should be required for maximum yields during an average year.
2-in-10 irrigation is the net amount that should be required for maximum yields during a 2-in-10 drought year.

SPANISH CREEK

UTILITY COST PLAN

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

JOHNSON ENGINEERING

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

The purpose of this effort was to determine the utilities infrastructure costs and phasing required to supply potable water, wastewater, and irrigation water services to the Spanish Creek community. The costs are differentiated by Backbone System and Development System. The Backbone System is the portion of the utilities that is typically associated with a Public Service Commission-permitted utility company. The Development System is the portion of the utilities that is typically constructed by private developers.

The cost plan was based in part on the following Build-Out Schedule:

Year	Single Family Units	Multi Family Units	Commercial / Retail SF
2008	105	45	0
2009	105	45	0
2010	141	59	0
2011	141	59	0
2012	176	74	0
2013	176	74	0
2014	211	89	157,500
2015	246	104	0
2016	281	119	0
2017	316	134	0
2018	351	149	157,500
2019	386	164	0
2020	422	178	0
2021	492	208	35,000
2022	492	208	0
2023	422	178	0
2024	386	164	0
2025	351	149	0
Total	5200	2200	350,000

The wastewater treatment plant will be a secondary treatment system that meets EPA Class One Reliability Standards. Integral to the proposed facilities is the non-potable reuse central irrigation systems for effluent disposal. The wastewater treatment plant will require approximately 15 acres of land. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum month demand capacity of 0.7, 1.4, and 2.1 MGD

coming online in the years 2008, 2016, and 2021, respectively. Each interim phase will include oversized plant components, and yard and process piping to allow for easy expansion in subsequent phases.

The water treatment plant will likely be a brackish water reverse osmosis facility. The treatment facility assumes a brackish raw water quality allowing a conservative 70% recovery. The water treatment plant will require approximately five acres of land, not including the wellfield. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum day demand capacity of 0.5, 1.5, and 2.8 MGD coming online in the years 2008, 2013, and 2019, respectively. Each interim phase will include oversized plant components and yard and process piping to allow for easy expansion in subsequent phases.

The disposal method for the brine concentrate (a by-product of the water treatment process) and effluent (a by-product of the wastewater treatment process) is through deep well injection. One deep injection well can be used for disposal of both the brine and effluent. It should be recognized that the primary method of effluent disposal is through reuse water irrigation; however, a backup disposal method is required during the wet season when there will be excess effluent to dispose.

The irrigation system will consist of reservoirs (lakes and/or aboveground storage tanks), wells, and high-service pumps. The primary irrigation water supply will be reuse water from the wastewater plant. Backup wells will be used to supplement the reuse water during periods of high irrigation demand. The irrigation pump station will maintain a pressurized irrigation system at all times. Also, the irrigation pump station will be designed based on alternating odd and even numbered addresses irrigating eight hours a day, three days a week. The irrigation pump station will likely require no more than three acres of land, not including the wellfield.

Manifolded master pump stations will be used to convey wastewater to the wastewater plant. The individual subdivisions will be required to provide the infrastructure to convey wastewater to the master pump stations through a series of smaller lift stations. The master pump stations will reduce the required pump sizes for the smaller lift stations by limiting the number of lift stations on any given manifolded force main system. This allows for more

efficient designs so that the smaller lift stations can operate within more narrow flow and head conditions while build-out is occurring.

The costs are presented in the remainder of this document.

The Opinion of Probable Construction Costs – Backbone System shows the cost at 100 percent build-out in 2006 dollars of the backbone system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Opinion of Probable Construction Costs – Development System shows the cost at 100 percent build-out in 2006 dollars of the development system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Wastewater Treatment Plant, Water Treatment Plant, and Irrigation Pump Station Cost and Phasing sections show when these respective facilities are expected to be expanded and the costs for each expansion.

The Yearly Cost Breakdown Tables show the cost by year for the Backbone System and Development System. The Backbone System is depicted in two variations, including and excluding treatment facilities and the irrigation pump station, respectively.

The Utility Cost Breakdown Charts show costs by year for the Backbone System and Development System in a graphical format.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
BACKBONE SYSTEM

Part 1: Backbone - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	2.1 MGD Wastewater Treatment Plant and Injection Well	1	EA	$36,000,000	$36,000,000
1-2	Master Pump Station	5	EA	$1,500,000	$7,500,000
1-3	Force Mains	1	LS	$687,500	$687,500
				PART 1 SUB-TOTAL	$44,187,500

Part 2: Backbone - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	2.8 MGD Water Treatment Plant	1	EA	$20,000,000	$20,000,000
2-2	Potable Water Mains	1	LS	$2,641,085	$2,641,085
2-3	Potable Well and Appurtenances	5	EA	$400,000	$2,000,000
2-4	Raw Water Mains	1	LS	$675,000	$675,000
				PART 2 SUB-TOTAL	$25,316,085

Part 3: Backbone - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Pump Station (With Storage)	1	EA	$6,000,000	$6,000,000
3-2	Irrigation Distribution Pipe	1	LS	$5,670,000	$5,670,000
3-3	Irrigation Well and Appurtenances	2	EA	$300,000	$600,000
3-4	Raw Water Irrigation Pipeline	1	LS	$120,000	$120,000
				PART 3 SUB-TOTAL	$12,390,000

PART	PHASE	TOTALS
1	Wastewater System	$44,187,500
2	Potable Water System	$25,316,085
3	Irrigation System	$12,390,000
	SUBTOTAL:	$81,893,585
	25% Contingency Fee:	$20,473,396
	TOTAL ESTIMATED PRICE	$102,366,981

Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
DEVELOPMENT SYSTEM

Part 1: Development - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	Gravity Sewer	1	LS	$32,179,000	$32,179,000
1-2	Lift Stations	1	LS	$3,075,000	$3,075,000
1-3	Force Mains	1	LS	$2,565,000	$2,565,000
				PART 1 SUB-TOTAL	$37,819,000

Part 2: Development - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	Potable Water Mains	1	LS	$23,161,203	$23,161,203
				PART 2 SUB-TOTAL	$23,161,203

Part 3: Development - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Distribution Pipe	1	LS	$13,760,946	$13,760,946
				PART 3 SUB-TOTAL	$13,760,946

PART	PHASE	TOTALS
1	Wastewater System	$37,819,000
2	Potable Water System	$23,161,203
3	Irrigation System	$13,760,946
	SUBTOTAL:	$74,741,149
	25% Contingency Fee:	$18,685,287
	TOTAL ESTIMATED PRICE	$93,426,436

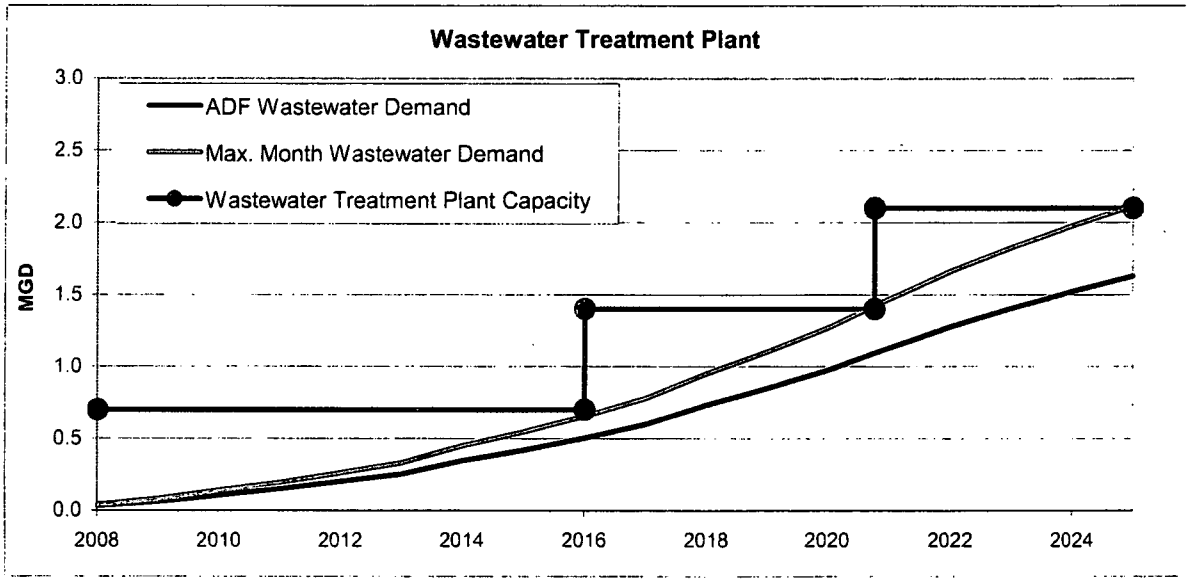
Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

WASTERWATER TREATMENT PLANT COST AND PHASING

Wastewater Demand		
Average Day Demand	90%	of Potable ADF
Max Month Demand	1.3	Peak Factor



Wastewater Treatment Plant

Year	Max Month Flow Capacity MGD	Cost (In Millions)
2008	0.70	$27.00
2016	1.40	$9.00
2021	2.10	$9.00
	Total	$45.00

Notes:

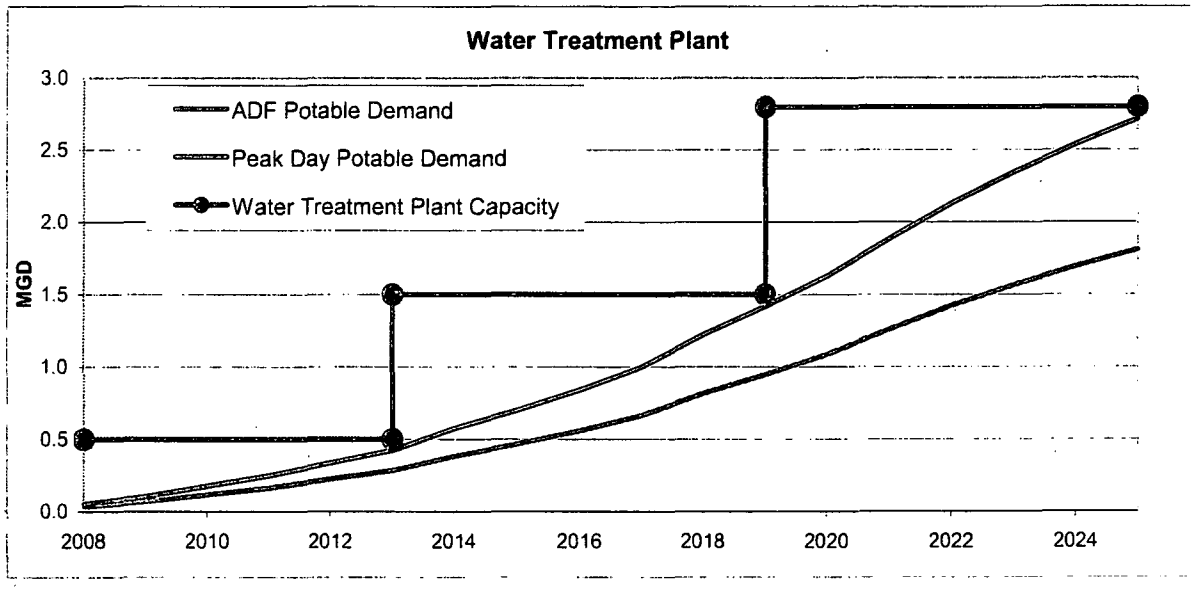
1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

WATER TREATMENT PLANT COST AND PHASING

Potable Water Demand		
Single Family	250	GPD / Unit, ADF
Multi-Family	200	GPD / Unit, ADF
Commercial/Retail	0.2	GPD / SF, ADF
Max Day Demand	1.5	Peak Factor



Water Treatment Plant

Year	Max Day Flow Capacity MGD	Cost (In Millions)
2008	0.5	$8.75
2013	1.5	$3.75
2019	2.8	$12.50
	Total	$25.00

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

IRRIGATION PUMP STATION COST AND PHASING

Irrigation Pump Station

Year	Capacity (Percent)	Cost (In Millions)
2008	50%	$3.75
2016	50%	$3.75
	Total	$7.50

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

YEARLY COST BREAKDOWN TABLES

All Infrastructures For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$27.40	$9.01	$4.06	$40.47
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$4.12	$0.45	$5.15
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$9.60	$0.39	$4.22	$14.20
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$13.02	$0.62	$14.44
2020	$0.97	$0.63	$0.76	$2.36
2021	$9.93	$0.60	$0.73	$11.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$55.23**	**$31.65**	**$15.49**	**$102.37**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand for water and wastewater, plus the cost of the treatment facilities and irrigation pump station as shown above. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

All Infrastructures Less Treatment Facilities and Irrigation Pump Station For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.40	$0.26	$0.31	$0.97
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$0.37	$0.45	$1.40
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$0.60	$0.39	$0.47	$1.45
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$0.52	$0.62	$1.94
2020	$0.97	$0.63	$0.76	$2.36
2021	$0.93	$0.60	$0.73	$2.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$10.23**	**$6.65**	**$7.99**	**$24.87**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand of water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

All Infrastructures For Development System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.92	$0.56	$0.34	$1.82
2009	$0.92	$0.56	$0.34	$1.82
2010	$1.23	$0.75	$0.45	$2.43
2011	$1.23	$0.75	$0.45	$2.43
2012	$1.54	$0.94	$0.56	$3.03
2013	$1.54	$0.94	$0.56	$3.03
2014	$2.67	$1.63	$0.97	$5.27
2015	$2.15	$1.32	$0.78	$4.25
2016	$2.46	$1.50	$0.89	$4.85
2017	$2.76	$1.69	$1.01	$5.46
2018	$3.89	$2.38	$1.42	$7.69
2019	$3.38	$2.07	$1.23	$6.68
2020	$3.68	$2.26	$1.34	$7.28
2021	$4.48	$2.74	$1.63	$8.86
2022	$4.30	$2.63	$1.56	$8.50
2023	$3.68	$2.26	$1.34	$7.28
2024	$3.38	$2.07	$1.23	$6.68
2025	$3.07	$1.88	$1.12	$6.07
Totals	**$47.27**	**$28.95**	**$17.20**	**$93.43**

Notes:

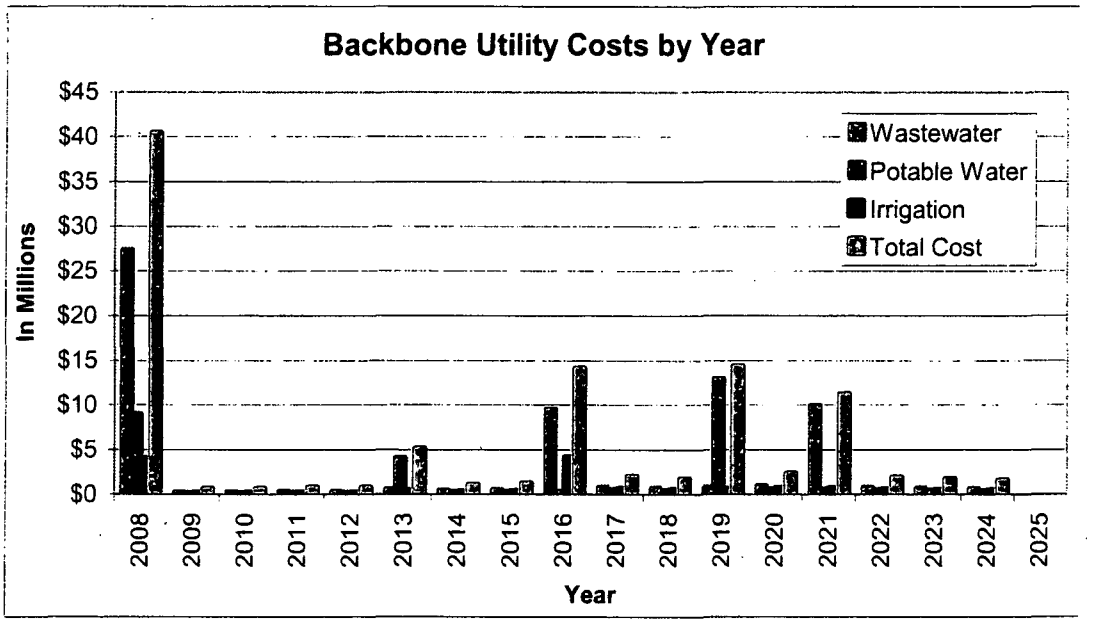
1. All costs are in 2006 dollars and include 25% contingency.

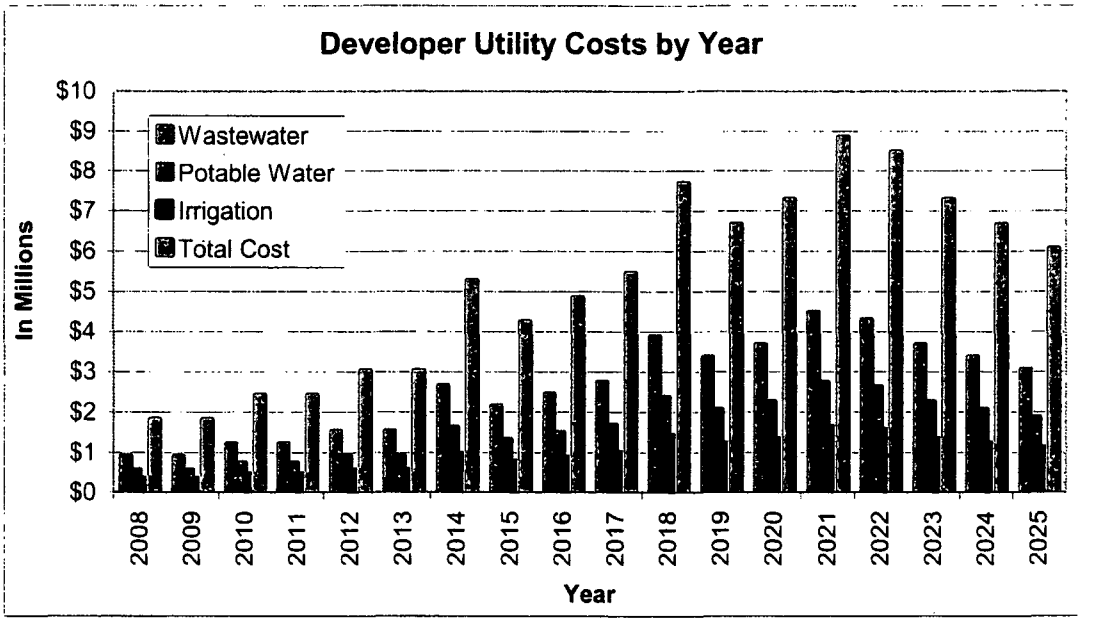
2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost for the development system prorated over 17 years based on average day demand for water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

JOHNSON ENGINEERING

UTILITY COST BREAKDOWN CHARTS





Notes:

1. The charts above depict the information contained in the Yearly Cost Breakdown Table for all infrastructures.

Overall Notes:

1. All costs are in 2006 dollars. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

2. Conceptual level costs and phasing concepts for the treatment facilities are presented. These numbers will be refined once the actual treatment schemes are developed and the phasing and costs refined through master planning, preliminary design, permitting, and final design. The actual phasing capacities and costs may/will change.

3. Johnson Engineering's opinions of probable construction cost provided herein are made on the basis of Johnson Engineering's experience and qualifications and represent Johnson Engineering's best judgment as a consulting company generally familiar with the construction industry. However, since Johnson Engineering has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, Johnson Engineering cannot and does not guarantee that proposals, bids or actual construction cost will not vary from opinions of Probable Construction Cost prepared by Johnson Engineering.

#04525
8/09/06

FLORIDA CITRUS
CPA 2004-00006, NORTHEAST LEE RURAL VILLAGE

SUFFICIENCY RESPONSE TO 3RD ROUND SUFFICIENCY QUESTIONS IN MEMO DATED JANUARY 27, 2006 FROM DAVID LOVELAND, TRANSPORTATION PLANNING MANAGER, TO PAUL O'CONNOR, PLANNING DIRECTOR

Comment:

The Department of Transportation has reviewed the applicant's September 30, 2005 resubmittal, which attempts to respond to the issues we raised in our memo of April 27, 2005 and a subsequent meeting. Some of the referenced exhibits in the resubmittal were missing, but the applicant did provide revised Exhibits 9 and 10 upon staff request (via a December 13, 2005 e-mail). However, a key premise of the applicant's submittal is that a new east-west extension of CR 78 bypassing "downtown" Alva will mitigate the project's impacts on CR 78 (North River Road) and Broadway. The applicant did not submit any model runs that demonstrated that the alternative road (aka, the "Alva Bypass") in fact relieved the impacted segments and such information is critical to the County's review of the application. The applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the Alva Bypass in place to demonstrate that the relief is in fact realized. The applicant should also submit copies of his model runs for staff review. (There is one reference to a revised Exhibit 8 that might contain this information but that was not included in the submittal to staff.)

Response:

DPA responded fully and at length to the staff's previous sufficiency comments and questions. Unfortunately, the staff did not receive all of the exhibits that DPA prepared. Among the missing exhibits was Exhibit 8, which provided the level of service analysis demonstrating that the proposed CR 78 Alva By-Pass will provide sufficient relief to CR 78 and Broadway so that the widening of these two roads would not be necessary.

DPA regrets the inconvenience that this may have caused the staff. DPA was unaware that the staff did not have all of the materials needed to complete the staff's review. DPA called the staff in early December, 2005, to check on the status of the staff review and learned that Exhibits 9 and 10 were missing. DPA immediately provided these two exhibits to the staff via e-mail on December 13. However, DPA was unaware that Exhibit 8 was also missing.

To make sure that the staff has all of the materials from DPA's prior sufficiency response, DPA delivered the complete sufficiency response, including Exhibits 7-10 and the CPA travel model assignments both with and without the proposed new road, in a letter to Mr. David Loveland on March 1, 2006, with copies of the letter provided to Mr. Matt Noble and Mr. Lili Wu.

Finally, there have been minor modifications to the preliminary alignment shown in Exhibit 7 (Revised), which is attached. As before, this is a preliminary alignment for discussion purposes. The actual alignment will be determined through a more detailed corridor study.

Comment:

As part of the latest submittal, the applicant indicates "(I)n conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially Feasible Plan be amended to include the proposed new two-lane road." Staff has a couple of concerns with this concept. First, the applicant presumes that the impact fees he is expected to generate ($20.8 million) will be enough to cover the Lee County portion of the Alva Bypass ($21.8 million), even though it is actually $1 million short. The presumption is that a future update of the road impact fees will lead to enough of a rate increase that the shortfall will be covered, but the applicant doesn't get the privilege of this beneficial presumption – at this point we don't know what the road impact fee update study will show and what will be approved by the Board of County Commissioners. Under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass.

Response:

The County has recently proposed road impact fee increases up to three times the current rates. With these huge increases, Spanish Creek's anticipated road impact fee payments under the new fee schedule would easily cover the difference (5%) between the current estimate of the cost of the road and the anticipated impact fee collections under the current fee schedule.

In any event, as part of the CPA, the Applicant has proposed several Comprehensive Plan Policies under Objective 21.7 intended to ensure the financial-feasibility of the proposed new road, with the stipulation that the new road be fully funded by the private sector.

Policy 21.7.3 states (bold for emphasis):

> If the road impact fees generated, in total, by Spanish Creek Community do not address the total costs of the bypass in Lee County a MSBU, MSTU, or a CDD shall provide an additional **one (1) million dollars** (2005) to provide the road by 2015.

Comment:

The Alva Bypass also wouldn't provide the necessary relief without the Hendry County portion, estimated by the applicant to cost another $10.1 million. Lee County couldn't agree to amending the 2020 Financially Feasible Plan to add the Alva Bypass in conjunction with the applicant's requested land use change without a firm commitment by Hendry County to include their portion of the Alva Bypass in their financially feasible plan. The applicant has not provided any evidence that Hendry County is willing to do this. It is worth noting that this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Response:

The Applicant has anticipated this issue and has met with both of the affected property owners in Hendry County. Both property owners, Mr. Bryan Paul and Mr. Fred Burson have expressed their support for the new road in letters to Mr. Joe Beale. These are included in Appendix A.

The proposed new road is already included in the draft Hendry County 2030 Needs Plan, which is included in Appendix B. The Hendry County portion of the new road is shown in the draft 2030 Needs Plan as Road N in the inset (Box A).

Applicant has also met with the Hendry County officials to discuss the new road. They generally support the new road, but indicated that they would support its inclusion in the 2030 Financially-Feasible Plan only if a funding source is identified. They indicated that road impact fees would be an appropriate funding source.

Comment:

Finally, the applicant makes the argument that, because the County does not assume any significant amount of development on his site by 2020, it would not affect the 2020 Financially Feasible Plan by pipelining the project's road impact fees to build the Lee County portion of the new Alva Bypass. However, the revenue projections used in building the Financially Feasible Plan are not site specific, they are projected based on historic collection trends countywide. Therefore, there is not a direct relationship between the assumed level of development on this site and the projection of available impact fees, so you can't necessarily conclude that pipelining the Florida Citrus CPA road impact fees won't affect the future revenue forecasts.

Response:

The revenue projections used in building the Financially Feasible Plan may be based on historic collection trends, however historic collections in this part of the county have been de minimis and would not have been considered. Furthermore, the legal basis to obtain impact fees is the dual rational nexus test. The expenditure of these funds in North Fort Myers or Cape Coral would not meet the test. The Applicant should not be compelled to contribute impact fees that will not be used in any manner to serve this part of the county and then be asked to construct a significant east/west roadway in addition to the payment of impact fees, as this would raise legal issues.

The applicant also seems to assume that there are no other competing projects in this part of the County in the plan. The Alva area is part of the North Road Impact Fee District, which includes everything north of the Caloosahatchee River from Pine Island to the Hendry County line. There are in fact a large number of projects within that road impact fee district in the 2020 Plan that could compete for the road impact fees generated by Florida Citrus CPA.

Response:

The staff is correct that there are other road improvement projects in the long-range transportation plan, which are located within the North Road Impact Fee District. And, it's understood that the County can spend fees collected from Florida Citrus anywhere within that district.

But, it must be pointed out that the impacts of this CPA would be felt primarily east of I-75. A review of the adopted 2030 Financially-Feasible Plan shows that there are no road improvements planned in the North Road Impact Fee District east of I-75. The improvement in the adopted Financially-Feasible Plan that is closest to the Florida Citrus CPA is located 16 road miles away.

The Applicant intends to fully mitigate the traffic impacts of the CPA. This would be accomplished if the County spends the fees where they will do the most good in off-setting those impacts. That is, in the Alva area.

Finally, the expenditure of the Florida Citrus CPA road impact fees on the proposed new road would be of great benefit to the Alva community. Even without the development associated with the Florida Citrus CPA, traffic volumes on CR 78 can be expected to increase significantly due to development further east in Hendry and Glades Counties and to the northwest along SR 31 in Lee and Charlotte Counties. Without the proposed CR 78 Alva By-Pass, those increased volumes will pass through the center of Alva and past the elementary school. The proposed new road will divert the increased traffic volumes around the center of town, allowing the town to retain its rural character.

Muse Area Development

Recently, Glades County approved the Muse Planning Area Land Use Plan Amendment. Appendix C includes excerpts from the Transportation Analysis prepared by Tindale-Oliver in support of that Plan Amendment.

The Tindale-Oliver study essentially ignores the potential traffic impacts of the Muse area Plan Amendment on Lee County. As shown in Figure 2 and Figure 4 in Appendix C, CR 78 south and west of Kirby Thompson Road is identified as "Not on Study Network". SR 80 west of Cowboy Way is also identified as "Not on Study Network". In other words, the study did not evaluate the impacts of the Plan Amendment on roads leading into Lee County or in Lee County itself.

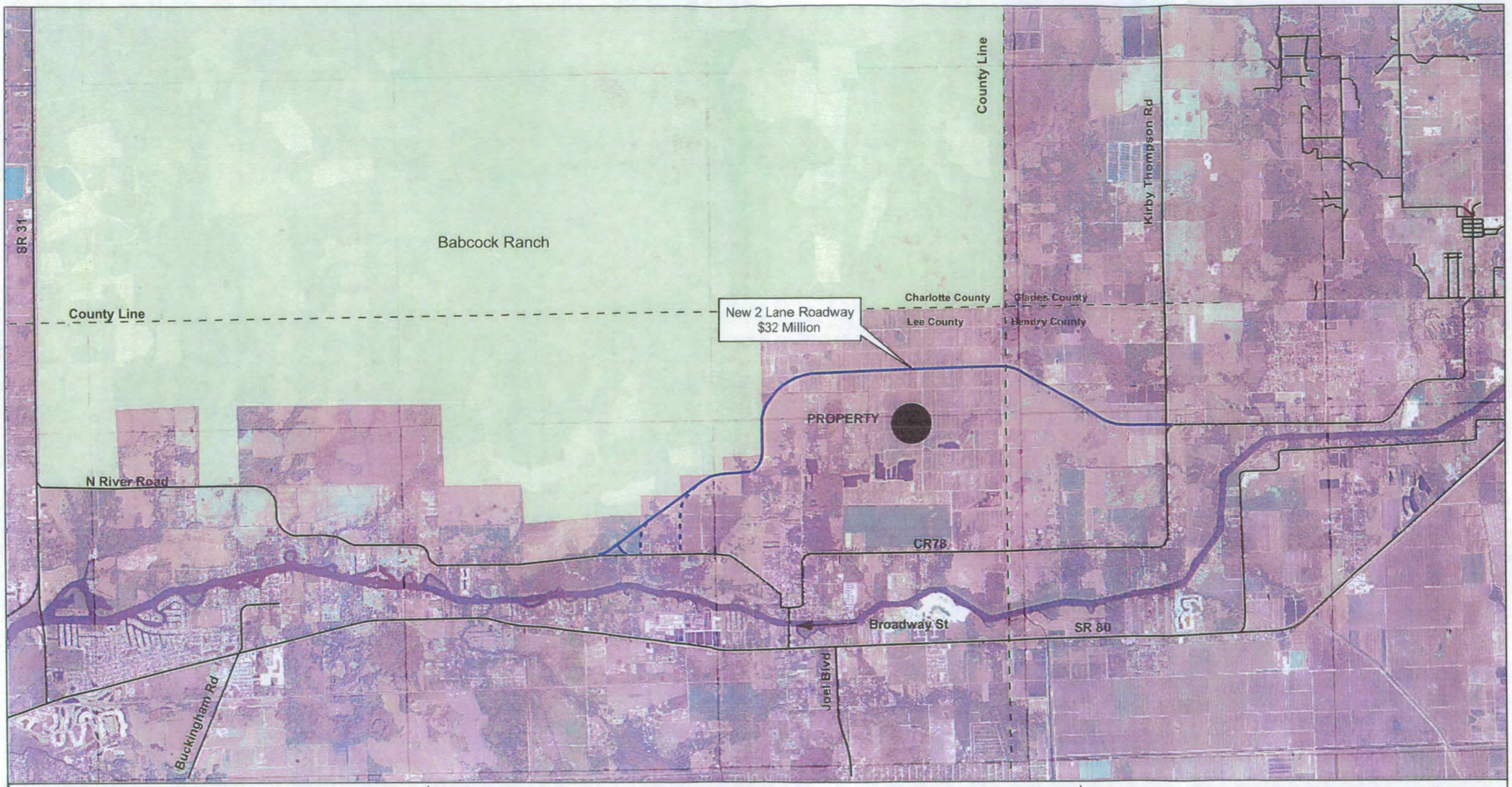
Traffic generated in the Muse area of Glades County will certainly impact Lee County in general and Alva in particular. As shown in Figures 2 and 4, access from the Muse area is provided to the east via SR 29 and to the south via CR 78. The nearest major urban area is the Ft. Myers/Cape Coral urban area to the southwest. Many Muse area residents will take advantage of the employment, shopping and service opportunities in Ft. Myers and Cape Coral. This traffic will travel south on Kirby Thompson Road and west on CR 78 into Lee County, where it will pass through the center of Alva. The proposed CR 78 Alva By-Pass will be needed to divert this Muse area traffic around, rather than through, Alva.

As shown in Table 2 in Appendix C, the Muse area Plan Amendment assumed that there will be 3,590 residential units, including 2,540 single-family units and 1,050 multifamily units. In addition, there will be 250,000 sq. ft. of retail development and 50,000 sq. ft. of office development.

Tindale-Oliver has estimated that these uses will generate approximately 45,575 daily trips. If 20% of these trips travel to Lee County, then approximately 9,115 daily trips will enter Lee County on CR 78 from the Muse area alone. This would more than triple the estimated external volume (3,856 vehicles per day) entering Lee County on CR 78, as assumed in the Lee County 2030 travel model assignments.

Then, of course, there will be additional traffic generated by future development along CR 78 in Hendry County. The Florida DCA is currently reviewing the West LaBelle Land Use Study, which was prepared in support of proposed Comprehensive Plan Amendments in northwest Hendry County.

Whether or not the Florida Citrus CPA is approved, Lee County will need to reconsider its transportation plans for the area north of the Caloosahatchee River and east of SR 31. The County's long range transportation plans should be amended to include an CR 78 Alva By-Pass. The Florida Citrus CPA provides the County with an opportunity to pursue this CR 78 Alva By-Pass for the betterment of the Alva community.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 4/28/06)

Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles
0 0.5 1 2

dpa

04525/06G/0406

APPENDIX A

LETTERS FROM HENDRY COUNTY PROPERTY OWNERS IN SUPPORT OF PROPOSED CR 78 ALVA BY-PASS

Bryan Paul Citrus, Inc.

March 3, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, FL 32968

RE: **Proposed CR 78 Alva By-Pass, #04525**

Dear Joe,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would agree.

The proposed new road is already in the draft Hendry County 2030 Needs Plan. I support including the proposed new road in the 2030 Financially-Feasible Plan, once it is adopted.

In addition, I will coordinate with you and the other affected property owner to set an alignment and will cooperate in providing the right-of-way for that alignment. I also support the use of road impact fees generated by development on my property for this new road.

Good luck in your efforts to advance this new road.

Very truly yours,

Bryan Paul

P.O. Box 2357 • LaBelle, Florida 33975-2357 (863) 675-4410 • FAX (863) 675-4570

Burson·Weathers
Real Estate Company

March 2, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, Florida 32968

RE: Proposed CR 78 Alva By-Pass, number 04525

Dear Mr. Beale,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and I am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would also agree with your efforts to help keep traffic out of their neighborhood.

The proposed new road is already in the draft Hendry County 2030 Future land Use Plan. I support including the proposed new in the 2030 Financially-Feasible Plan.

In addition, I will coordinate with you and the other affected property owner(s) to set alignment and will cooperate in providing the right-of way for that alignment. I also support the use of road impact fees generated by new construction for this new road.

Respectfully yours,

Fred Burson

2260 Bay Street, Suite 11, Fort Myers, FL 33901
(239) 332-0030 • FAX (239) 337-3939 • Toll Free 1-888-332-3345 • FAX 1-888-337-3939
Commercial Properties • Investments • Property Management • Real Estate Tax Consultant

APPENDIX B

DRAFT HENDRY COUNTY 2030 NEEDS PLAN

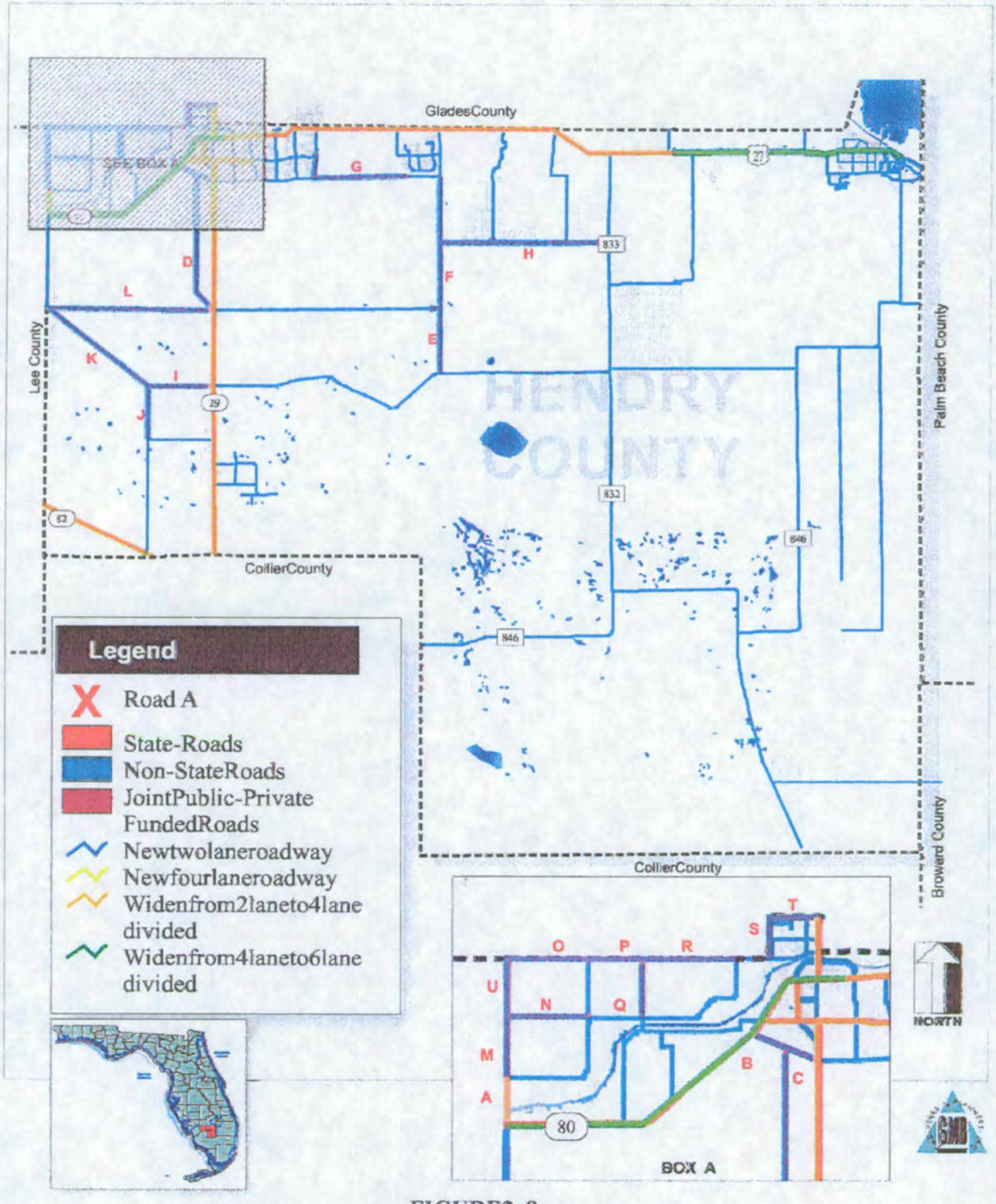


FIGURE3 .8

Year 2030 Hendry County Needs Plan

Source: Hendry County Long Range Transportation Plan, Draft Report, April 2005

APPENDIX C

EXCERPTS FROM THE MUSE PLANNING AREA TRANSPORTATION ANALYSIS FOR LAND USE PLAN AMENDMENT REPORT

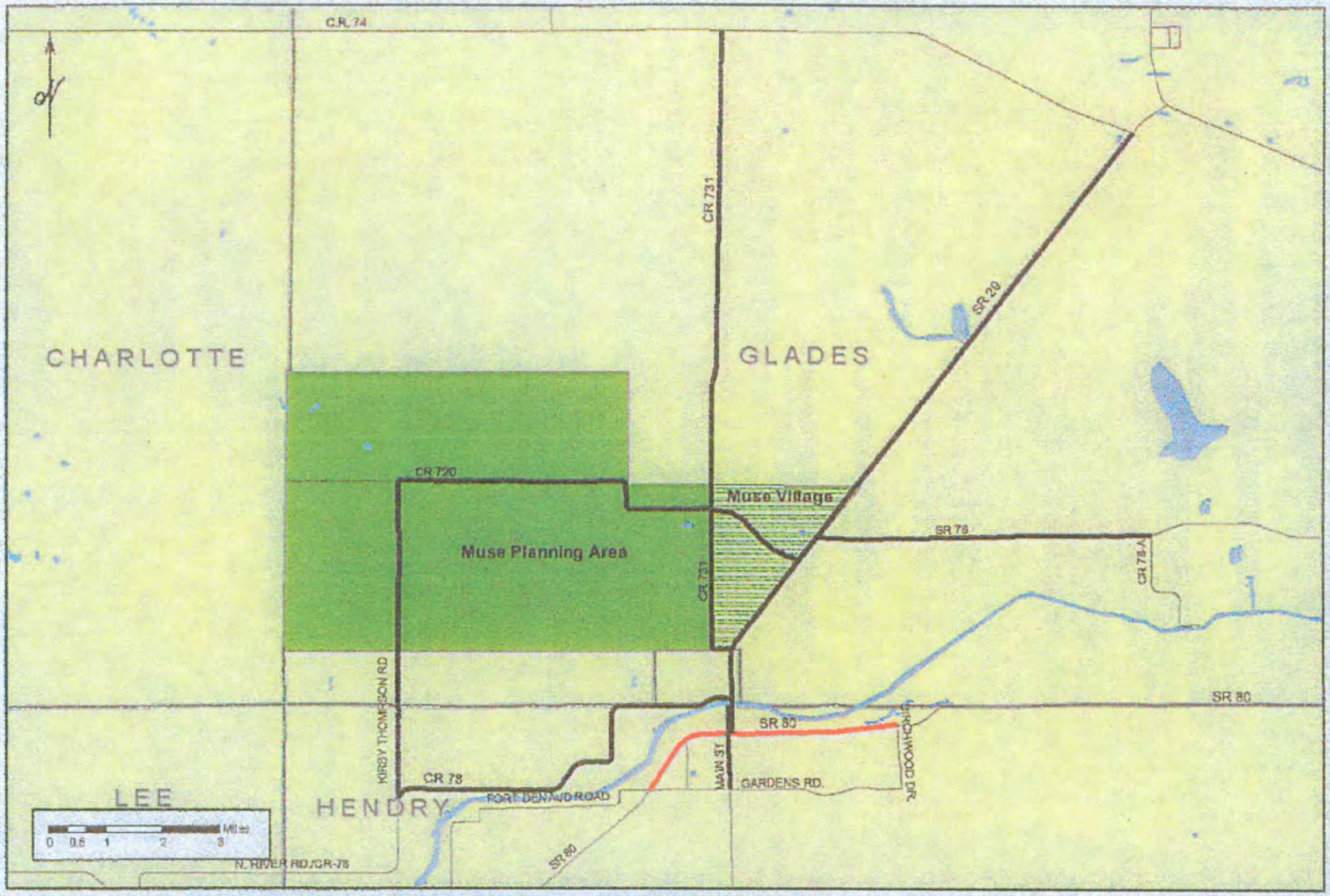
Prepared by Tindale-Oliver & Associates, April 26, 2006

MUSE PLANNING AREA
TRANSPORTATION ANALYSIS
FOR LAND USE PLAN AMENDMENT
REPORT

Prepared for:
Lykes Brothers, Inc.

Prepared by:
Tindale-Oliver & Associates, Inc.

Tampa, Florida
April 28, 2006
44501.05
COPR



Legend (Number of Lanes)

2 —— Not on Study Network

4

Figure 2
2006 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida

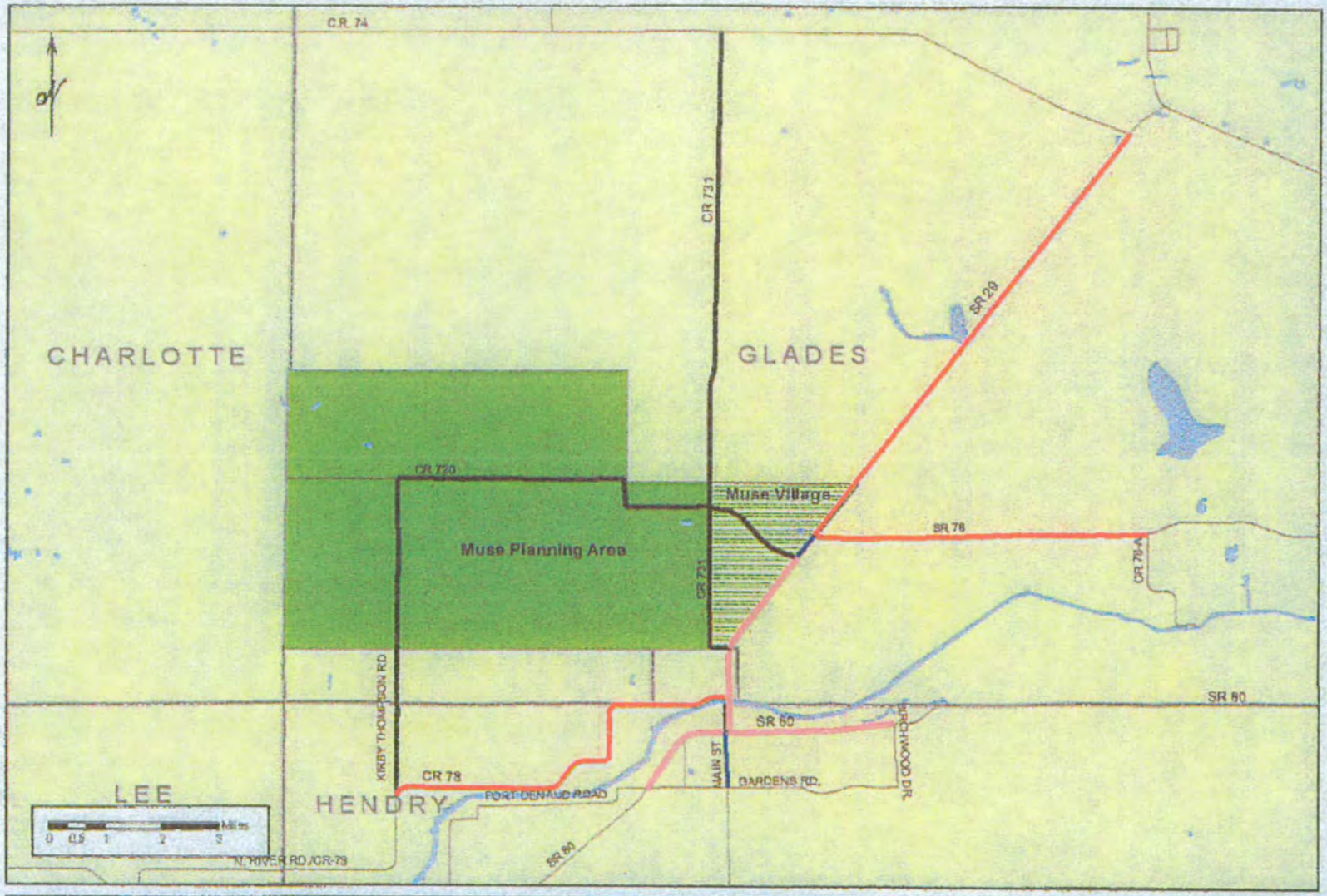


Figure 4
2030 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida

Proposed Land Uses and Trip Generation

The quantities of development for the proposed Muse Area for both the 2010 and 2030 scenarios are summarized in Table 2. The daily and peak hour of the adjacent street trip generation of the proposed development scenarios were estimated using data published in *Trip Generation* (Institute of Transportation Engineers, 7th Edition, 2004). As shown in Table 2, the proposed development is estimated to generate 4,905 daily trip-ends in the "short-term" 2010 development scenario, and 45,575 daily trip-ends at project build-out. Daily trip generation was used for this generalized future capacity analysis.

Table 2: Muse Village Development Quantities

2010 ITE Trip Generation Estimate

ITE Land Use, Code, and Size				Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
SFDU	210 (Fitted Curve)	325	units	2,519	59	178	237	195	115	310
RETAIL	820 (Fitted Curve)	20,000	sf	2,386	37	23	60	104	112	216
Total Site Generated Trips				**4,905**	**96**	**201**	**297**	**299**	**227**	**526**

2030 ITE Trip Generation Estimate

	ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	SFDU	210 (Fitted Curve)	635	units		4,921	114	340	454	357	209	566
2323	SFDU	210 (Fitted Curve)	508	units		3,937	91	274	365	292	171	463
2324	SFDU	210 (Fitted Curve)	381	units		2,953	69	207	276	225	132	357
2325	SFDU	210 (Fitted Curve)	635	units		4,921	114	340	454	357	209	566
2326	SFDU	210 (Fitted Curve)	381	units		2,953	69	207	276	225	132	357
Total SFDU Trips			**2,540**		**7.75**	**19,685**	**457**	**1,368**	**1,825**	**1,456**	**853**	**2,309**

	ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	MFDU	220 (Fitted Curve)	263	units		1,728	26	106	132	97	52	149
2323	MFDU	220 (Fitted Curve)	210	units		1,412	27	80	107	76	44	120
2324	MFDU	220 (Fitted Curve)	158	units		1,097	20	61	81	57	34	91
2325	MFDU	220 (Fitted Curve)	263	units		1,728	33	99	132	94	55	149
2326	MFDU	220 (Fitted Curve)	158	units		1,097	20	61	81	57	34	91
Total MFDU Trips			**1,050**		**6.73**	**7,062**	**126**	**407**	**533**	**381**	**219**	**600**

	ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	RETAIL	820 (Fitted Curve)	50,000	sf		4,328	63	40	103	190	206	396
	OFFICE	710 (Fitted Curve)	25,000	sf		459	55	7	62	18	89	107
2323	RETAIL	-	-	-		-	-	-	-	-	-	-
	OFFICE	-	-	-		-	-	-	-	-	-	-
2324	RETAIL	820 (Fitted Curve)	100,000	sf		6,791	96	61	157	300	326	626
	OFFICE	710 (Fitted Curve)	25,000	sf		459	55	7	62	18	89	107
2325	RETAIL	820 (Fitted Curve)	100,000	sf		6,791	96	61	157	300	326	626
	OFFICE	-	-	-		-	-	-	-	-	-	-
2326	RETAIL	-	-	-		-	-	-	-	-	-	-
	OFFICE	-	-	-		-	-	-	-	-	-	-
Total RETAIL + OFFICE Trips			300,000			**18,828**	**365**	**176**	**541**	**826**	**1,036**	**1,862**

Total Gross Site Generated Trips	**45,575**	**948**	**1,951**	**2,899**	**2,663**	**2,108**	**4,771**

RECEIVED
MAR 16 2005
PERMIT COUNTER

FLORIDA CITRUS
CPA 2004-06, NORTHEAST LEE RURAL VILLAGE

COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Project #04525

February 28, 2005

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
1531 Hendry Street
Fort Myers, Florida 33901

FLORIDA CITRUS
CPA 2004-06, NORTHEAST LEE RURAL VILLAGE

COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Introduction

The Florida Citrus property (the Property) includes approximately 3,713 acres located northeast of Alva, on the north side of CR 78 (Exhibit 1). The Property has access to CR 78 east of Alva.

An application has been submitted to amend The Lee Plan to change the land use designation for this Property from "Rural" to a new category called "Rural Village". This report provides the traffic analysis in support of the Comprehensive Plan Amendment (CPA) identified as CPA 2004-06, Northeast Lee Rural Village. This report addresses the comments from the Lee County DOT staff in the memo dated October 26, 2004, from Mr. David Loveland of the Lee County DOT to Mr. Paul O'Connor of the Lee County DCD.

A traffic circulation analysis was performed in accordance with the guidelines provided in Section IV.B.1 (Traffic Circulation Analysis) of Lee County's Application for a Comprehensive Plan Amendment. Based on these guidelines, future 2020 traffic conditions, both with and without the CPA, were forecasted for the area within a three-mile radius of the site, for comparison purposes.

Proposed Development Parameters

This comparative analysis considered three different sets of development parameters for the Property: (1) the land uses assumed in the 2020 socioeconomic data used in the Lee County travel model to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan; (2) the land uses allowed on the Property under the current, adopted Lee Plan; and (3) the land uses allowed on the Property under the proposed amendment. Here is a summary of those uses.

	Model Forecasts (TAZ 103)	Allowed Under Adopted Plan	Proposed Plan
Single-Family Units	42 units	1,289 units	5,200 units
Multifamily Units	13 units	0 units	2,226 units
Total Units	55 units	1,289 units	7,426 units

Industrial Floor Area	2,646 sq. ft.	0 sq. ft.	0 sq. ft.
Commercial/Retail Floor Area	0 sq. ft.	20,000 sq. ft.	75,000 sq. ft.
Service/Office Floor Area	3,750 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Total Floor Area	6,396 sq. ft.	30,000 sq. ft.	100,000 sq. ft.
Golf	Not Applicable	0 holes	36 holes
Recreation	Not Applicable	0 acres	50 acres

The commercial floor area estimates under the Model Forecasts were derived from the employment estimates in the 2020 socioeconomic data (ZDATA2 file), assuming 1.89 employees per 1,000 sq. ft. for industrial development and 4.0 employees per 1,000 sq. ft. for service/office development.

Traffic Circulation Analysis

The traffic circulation analysis of future 2020 traffic conditions with and without the proposed amendment reflects conditions under the adopted Lee County 2020 Financially-Feasible Transportation Plan, which is Map 3A in The Lee Plan and was amended most recently by the Lee County MPO on February 20, 2004. The current MPO 2020 Financially-Feasible Plan is provided in Appendix A.

Travel model assignments were performed using the Lee County FSUTMS travel model assignment for the adopted 2020 Financially-Feasible Plan, as amended through February 20, 2004. The travel model assignment was provided by the Lee County MPO. The comparative travel model assignments will be provided to the review agencies on disk under separate cover.

Except as noted below, no adjustments were made to the zone structure, zonal data or 2020 highway network to ensure consistency with the adopted Plan. In addition, roadway level of service analysis was performed for the two comparative travel model assignments using Lee County adjustment factors and roadway service volumes.

In meetings with the County staff on December 6 and December 20, 2004, the staff emphasized that the traffic analysis prepared for this CPA must consider proposed development in Hendry and Glades Counties, as well as in Lee County. For this reason, the traffic volumes entering and leaving Lee County on CR 78 (North River Road) and SR 80 were controlled to the 2020 volumes at the Lee/Hendry County Line from the new Hendry County travel model. At a presentation to the Hendry County Board of County Commissioners on January 25, 2005, the Hendry County Engineer confirmed that the new Hendry County model reflects proposed development in both Hendry and Glades Counties.

Exhibit 2 provides a comparison of the traffic volumes crossing the Lee/Hendry County Line at the Lee County and Hendry County external stations. As shown in Exhibit 2, the volumes crossing the County Line on CR 78 and SR 80 are much higher in the Hendry County model than

in the Lee County model. The Hendry County 2020 volumes were used in the CPA travel model assignments.

The external-external (EE) trips and internal-external (IE) trips at the external stations on CR 78 and SR 80 in the Lee County model were retained. However, the difference between the Hendry County 2020 external volumes and the Lee County 2020 external volumes were added as attractions in the ZDATA3 file. This was done to allow some of the trips generated by the residential development in the Alva area to be attracted to the east into Hendry County.

As noted above under Proposed Development Parameters, the Lee County travel model was run for the following three 2020 land use scenarios: (1) the land uses assumed in the 2020 socioeconomic data used in the Lee County travel model to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan; (2) the land uses allowed on the Property under the current, adopted Lee Plan; and (3) the land uses allowed on the Property under the proposed amendment. For each scenario, the assigned 2020 traffic volumes, which represent peak season daily volumes, were posted in a spreadsheet and then converted to annual average daily traffic (AADT) and peak season, peak hour, directional volumes. Levels of service were then estimated for all road segments within a three-mile radius of the site using Lee County generalized service volumes.

For the land use scenarios with the development allowed under the current plan (2) and with the proposed CPA (3), the Property's development parameters, which are given above, were converted to housing, population and employment estimates and input into the ZDATA1 and ZDATA2 files in the model, consistent with all other development reflected in the model. Full buildout of the Property was assumed under both scenarios.

Findings of the Traffic Circulation Analysis

The findings and conclusions of the traffic circulation analysis are discussed below.

The travel model was first run for future 2020 conditions with the land uses assumed in the 2020 socioeconomic data used by the MPO to develop the adopted Lee County 2020 Financially-Feasible Transportation Plan. It's important to note that these MPO 2020 land use projections do not fully reflect the potential development in this area of the County and, therefore, the land use projections are much lower than those that would be allowed under either the current Lee Plan or the proposed CPA. The results of this travel model assignment are shown in Exhibit 3. As shown in Exhibit 3, all roads in the study area operate at an acceptable level of service.

The travel model was next run for future 2020 conditions with the land uses allowed on the Property under the current adopted Lee Plan. The results of this travel model assignment are shown in Exhibit 4. As shown in Exhibit 4, all roads in the study area operate at an acceptable level of service. As before, the MPO projections for other tracts of land in this area do not fully reflect the potential development under the current adopted Plan.

Finally, the travel model was run for future 2020 conditions with the land uses allowed on the Property under the proposed amendment. The results of this travel model assignment are shown in Exhibit 5. As shown in Exhibit 5, two road segments exceed the Lee County level of service standard.. These deficient roadway segments are listed below and shown in Exhibit 6.

- CR 78 from Broadway Street to the entrance to the Property
- Broadway Street from CR 78 to SR 80

With one important exception, these are the same road segments that were identified as deficient in the Lee County DOT staff memo dated October 26, 2004. The staff report indicates that CR 78 is deficient from Broadway Street to the Lee/Hendry County Line. On the contrary, Exhibit 5 demonstrates that, while CR 78 is deficient from Broadway Street to the Property entrance, CR 78 is not deficient east of the Property entrance.

The 2020 projected traffic volumes and levels of service on CR 78 from the Property entrance to the Lee/Hendry County Line do not exceed Lee County's level of service standard (LOS "E"). In addition, the projected 2020 volumes and levels of service on CR 78 from the Lee/Hendry County Line to the east, which were derived from a Hendry County 2020 travel model assignment, do not exceed Hendry County's adopted level of service standard (LOS "C").

Recommended Improvements

One way to improve these deficient segments would be to widen CR 78 and Broadway Street, including the bridge over the Caloosahatchee River to four lanes. In the Lee County DOT staff memo dated October 26, 2004, the Lee County staff estimated that these improvements would cost approximately $44.5 million.

As shown in Exhibit 9, DPA has developed a preliminary cost estimate of approximately $40.9 million in current dollars for these improvements. This is about $ 3.6 million less than Lee County's estimate.

However, the widening CR 78 and Broadway Street to four lanes would change the character of the Alva community and the area in general. As pointed out in the Lee County DOT staff memo dated October 26, 2004, there is community interest in preserving the "Old Alva" core area and making it more pedestrian-friendly. For this reason, other alternatives were evaluated.

It is recommended that, instead of widening CR 78 and Broadway Street, a new two-lane road be constructed from the CR 78/Kirby Thompson Road intersection in Hendry County to an intersection with CR 78 about three miles east of SR 31, as shown in Exhibit 7. This new road, which would by-pass the Alva community, has several advantages over the widening of the existing roads.

First, the new road would provide a more direct route both to the east and to the west. Existing CR 78 has several sharp 90-degree turns in Alva and to the east and west of Alva that limit its

effectiveness as a major east-west corridor. As a result, much of the east-west traffic north of the river crosses over the Alva bridge to use SR 80 instead of CR 78. The new road would by-pass many of these sharp 90-degree turns and would reduce the travel distance to the east and west. This in turn would make CR 78 a more attractive alternative to SR 80 and would help divert east-west traffic off of SR 80 and the Alva bridge.

This diversion of traffic off of SR 80 will be very beneficial to the State of Florida, Lee County and the general public. SR 80 has been included in the State's Florida Intrastate Highway System (FIHS) because it is an important route connecting the East and West Coasts of Florida and is the only major east-west road between Ft. Myers and LaBelle. The State has adopted very stringent level of service standards for roads on the FIHS: LOS "C" in urban and transitioning urban areas and LOS "B" in rural areas. It will be very difficult to maintain these stringent levels of service on SR 80 unless there are parallel east-west roads to divert traffic off on SR 80.

Second, the new road will help preserve the current character of the Alva community. CR 78 and the Alva bridge would remain two-lane facilities, with projected volumes and levels of service that meet County standards.

Of course, the precise alignment of the new road would be determined through a more-detailed corridor study that considers environmental and community impacts and, to the extent practical, minimizes those impacts. The preliminary alignment shown in Exhibit 7 is provided for discussion purposes and is subject to change. This preliminary alignment, which was developed in consultation with environmental and water management experts, would pass just north of the Caloosahatchee River State Park to minimize impacts to the Babcock Ranch, which may eventually be purchased by the State for preservation purposes.

As shown in Exhibit 10, DPA has estimated that this new two-lane road would cost approximately $38-$42 million in current dollars, depending upon the alignment. This cost estimate considers the costs of construction, design, construction engineering inspection, right-of-way acquisition, storm water management and environmental mitigation. Of course, the actual cost will vary as more-detailed information becomes available.

Revenues Projections

As shown in Exhibit 11, it has been estimated that the development allowed on the Property under the proposed amendment would generate approximately $20.8 million in road impact fees, based on the current Lee County road impact fee schedule.

In addition, the development on the Property will generate millions of dollars in additional revenues through ad valorem taxes, sales taxes, motor fuel taxes, and so on. For example, based on the motor fuel tax credits reported in Table 17 of the report titled Road Impact Fee Update , Lee County, Florida by Duncan Associates, the development in the Property will receive credit for payment of approximately $12.2 million in motor fuel taxes.

The road impact fee payments ($20.8 million) plus motor fuel taxes ($12.2 million) indicate that the development on this Property will contribute at least $33 million in transportation revenues

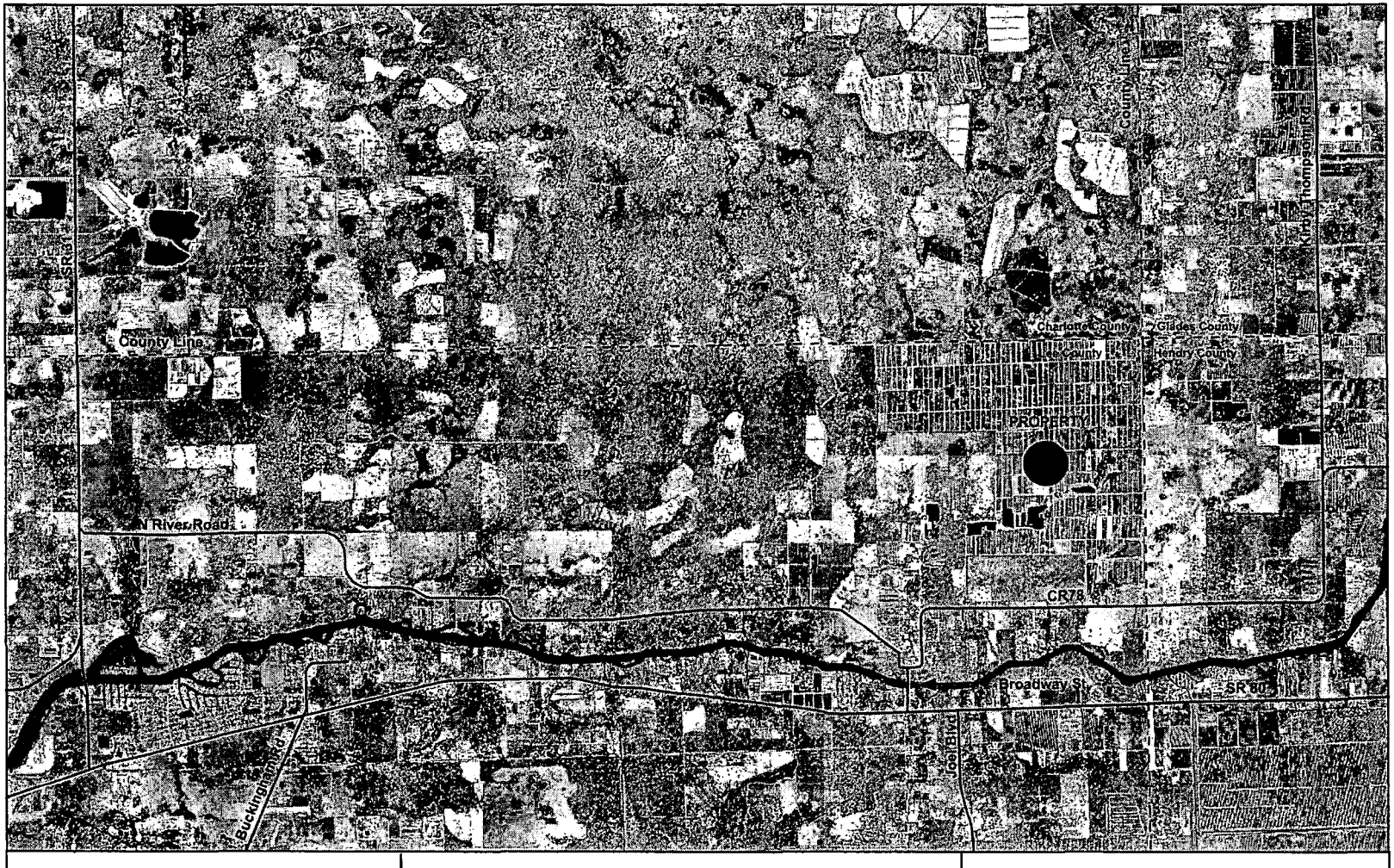
through these two revenue sources alone. Again, additional revenues will be generated through other sources.

The additional revenues generated by this proposed amendment have been examined in far greater detail by the economist in the fiscal impact report. Please see that document for further information regarding this issue.

Of course, other developments north of the river should contribute toward the construction of this new road. That would include developments in northwestern Hendry County, as well as northeastern Lee County. Preliminary discussions have been held with other affected property owners regarding the alignment of the new road.

Financial Feasibility

As noted in the preceding section of this report, development of this Property will generate approximately $33 million in transportation revenues through road impact fees and motor fuel taxes alone. Millions more will be generated through other revenue sources. These additional revenues will offset the additional costs for road improvements due to this proposed amendment. Thus, the proposed amendment is financially feasibility.



FLORIDA CITRUS COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY	EXHIBIT 1 PROPERTY LOCATION	Project: #04525 Aerial Photograph: USGS DOQQ 1999 Albers Meters Projection Miles 0 0.5 1 2 dpa 04525/04AA0105

EXHIBIT 2

TRAVEL MODEL EXTERNAL VOLUMES
LEE COUNTY VS. HENDRY COUNTY

		Lee County Model		Hendry County Model		CPA Model
CR 78						
Year 1990		1,326		-		
Year 2000		1,658	Est.	2,300	Est.	
Year 2010		2,166		4,012		
Year 2020		2,326		5,728	Est.	5,728
Year 2030		N/A		7,446		
SR 80						
Year 1990		9,058		-		
Year 2000		11,338	Est.	10,490	Est.	
Year 2010		13,620		18,328		
Year 2020		15,900		26,168	Est.	26,168
Year 2030		N/A		34,012		

EXHIBIT 3
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH MPO PROJECTIONS FOR TAZ 103

TOTAL TRAFFIC

ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) PSWDT/ FSUTMS PSWDT	(4) AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	Total Peak Hr Volume SW	(5) SERVICE VOLUME @ LOS C	@ LOS D	@ LOS E	@ STD	LOS NE	LOS SW	V/C NE	V/C SW
BAYSHORE RD.	West	SR 31	2LU	E	11,172	1.100	10,160	0.099	1,010	525	485	760	900	920	920	C	C	0.57	0.53
BROADWAY ST.	North River Rd.	SR 80	2LU	E	8,354	1.193	7,000	0.095	670	389	281	760	900	920	920	C	C	0.42	0.31
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	25,265	1.030	24,530	0.104	2,550	1,377	1,173	1,900	1,950	1,950	1,900	B	B	0.72	0.62
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,431	1.030	6,240	0.104	650	351	299	760	900	920	920	C	C	0.38	0.33
	Orange River Blvd.	SR 80	2LU	E	8,960	1.030	8,700	0.104	900	486	414	760	900	920	920	C	C	0.53	0.45
JOEL BLVD.	SR 80	12 St.	2LU	E	14,398	1.030	13,980	0.104	1,450	783	667	760	900	920	920	D	C	0.85	0.73
	12 St.	8 St.	4LD	E	14,006	1.030	13,600	0.104	1,410	761	649	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	11,973	1.030	11,620	0.104	1,210	653	557	1,900	1,950	1,950	1,900	B	B	0.34	0.29
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	3,078	1.193	2,580	0.095	250	145	105	760	900	920	920	B	B	0.16	0.11
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	2,533	1.193	2,120	0.095	200	116	84	760	900	920	920	B	B	0.13	0.09
	Cypress Creek Ln.	Broadway	2LU	E	2,805	1.193	2,350	0.095	220	128	92	760	900	920	920	B	B	0.14	0.10
	Broadway	Project Entrance	2LU	E	5,732	1.193	4,800	0.095	460	267	193	760	900	920	920	B	B	0.29	0.21
	Project Entrance	County Line	2LU	E	5,732	1.193	4,800	0.095	460	267	193	760	900	920	920	B	B	0.29	0.21
SR 31	SR 80	Bayshore Rd.	2LU	E	15,040	1.193	12,610	0.095	1,200	696	504	760	900	920	920	C	C	0.76	0.55
	Bayshore Rd.	North River Rd.	2LU	E	11,147	1.193	9,340	0.095	890	516	374	760	900	920	920	C	C	0.56	0.41
	North River Rd.	County Line	2LU	E	8,929	1.100	8,120	0.099	800	416	384	760	900	920	920	C	C	0.45	0.42
PALM BEACH BLVD.	I-75	SR 31	6LD	C	39,419	1.193	33,040	0.095	3,140	1,821	1,319	2,850	2,920	2,920	2,850	B	B	0.64	0.46
(SR 80)	SR 31	Davis Blvd.	4LD	C	32,482	1.193	27,230	0.095	2,590	1,502	1,088	1,900	1,950	1,950	1,900	B	B	0.79	0.57
	Davis Blvd.	Tropic Ave.	4LD	C	32,714	1.193	27,420	0.095	2,600	1,508	1,092	1,900	1,950	1,950	1,900	B	B	0.79	0.57
	Tropic Ave.	Buckingham Rd.	4LD	C	24,150	1.193	20,240	0.095	1,920	1,114	806	1,900	1,950	1,950	1,900	B	B	0.59	0.42
	Buckingham Rd.	South Olga Drive	4LD	B	22,346	1.193	18,730	0.095	1,780	1,032	748	1,900	1,950	1,950	1,630	B	B	0.63	0.46
	South Olga Drive	Hickey Creek	4LD	B	22,760	1.193	19,080	0.095	1,810	1,050	760	1,900	1,950	1,950	1,630	B	B	0.64	0.47
	Hickey Creek	Broadway St.	4LD	B	22,132	1.193	18,550	0.095	1,760	1,021	739	1,900	1,950	1,950	1,630	B	B	0.63	0.45
	Broadway St.	Joel Blvd.	4LD	B	22,513	1.193	18,870	0.095	1,790	1,038	752	1,900	1,950	1,950	1,630	B	B	0.64	0.46
	Joel Blvd.	County Line	4LD	B	332	1.193	280	0.095	30	17	13	1,900	1,950	1,950	1,630	B	B	0.01	0.01

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

[redacted]XHIBIT [redacted]

FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH DEVELOPMENT ALLOWED UNDER CURRENT PLAN

					TOTAL TRAFFIC															
												(5) SERVICE VOLUME				LOS		V/C	
ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	(4) PSWDT/ AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	Total Peak Hr Volume SW	@ LOS C	@ LOS D	@ LOS E	@ STD	NE	SW	NE	SW
BAYSHORE RD.	West	SR 31	2LU	E	11,709	1.100	10,640	0.099	1,050	546	504	760	900	920	920	C	C	0.59	0.55
BROADWAY ST.	North River Rd.	SR 80	2LU	E	11,073	1.193	9,280	0.095	880	510	370	760	900	920	920	C	C	0.55	0.40
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	25,559	1.030	24,810	0.104	2,580	1,393	1,187	1,900	1,950	1,950	1,900	B	B	0.73	0.62
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,599	1.030	6,410	0.104	670	362	308	760	900	920	920	C	C	0.39	0.34
	Orange River Blvd.	SR 80	2LU	E	9,238	1.030	8,970	0.104	930	502	428	760	900	920	920	C	C	0.55	0.47
JOEL BLVD.	SR 80	12 St.	2LU	E	14,442	1.030	14,020	0.104	1,460	788	672	760	900	920	920	D	C	0.86	0.73
	12 St.	8 St.	4LD	E	14,056	1.030	13,650	0.104	1,420	767	653	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	12,092	1.030	11,740	0.104	1,220	659	561	1,900	1,950	1,950	1,900	B	B	0.35	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	3,766	1.193	3,160	0.095	300	174	126	760	900	920	920	B	B	0.19	0.14
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	3,205	1.193	2,690	0.095	260	151	109	760	900	920	920	B	B	0.16	0.12
	Cypress Creek Ln.	Broadway	2LU	E	3,233	1.193	2,710	0.095	260	151	109	760	900	920	920	B	B	0.16	0.12
	Broadway	Project Entrance	2LU	E	10,084	1.193	8,450	0.095	800	464	336	760	900	920	920	C	C	0.50	0.37
	Project Entrance	County Line	2LU	E	5,592	1.193	4,690	0.095	450	261	189	760	900	920	920	B	B	0.28	0.21
SR 31	SR 80	Bayshore Rd.	2LU	E	15,121	1.193	12,670	0.095	1,200	696	504	760	900	920	920	C	C	0.76	0.55
	Bayshore Rd.	North River Rd.	2LU	E	11,847	1.193	9,930	0.095	940	545	395	760	900	920	920	C	C	0.59	0.43
	North River Rd.	County Line	2LU	E	8,838	1.100	8,030	0.099	790	411	379	760	900	920	920	C	C	0.45	0.41
PALM BEACH BLVD.	I-75	SR 31	6LD	C	41,199	1.193	34,530	0.095	3,280	1,902	1,378	2,850	2,920	2,920	2,850	B	B	0.67	0.48
(SR 80)	SR 31	Davis Blvd.	4LD	C	34,011	1.193	28,510	0.095	2,710	1,572	1,138	1,900	1,950	1,950	1,900	B	B	0.83	0.60
	Davis Blvd.	Tropic Ave.	4LD	C	34,214	1.193	28,680	0.095	2,720	1,578	1,142	1,900	1,950	1,950	1,900	B	B	0.83	0.60
	Tropic Ave.	Buckingham Rd.	4LD	C	25,625	1.193	21,480	0.095	2,040	1,183	857	1,900	1,950	1,950	1,900	B	B	0.62	0.45
	Buckingham Rd.	South Olga Drive	4LD	B	24,143	1.193	20,240	0.095	1,920	1,114	806	1,900	1,950	1,950	1,630	B	B	0.68	0.49
	South Olga Drive	Hickey Creek	4LD	B	24,580	1.193	20,600	0.095	1,960	1,137	823	1,900	1,950	1,950	1,630	B	B	0.70	0.51
	Hickey Creek	Broadway St.	4LD	B	23,936	1.193	20,060	0.095	1,910	1,108	802	1,900	1,950	1,950	1,630	B	B	0.68	0.49
	Broadway St.	Joel Blvd.	4LD	B	23,084	1.193	19,350	0.095	1,840	1,067	773	1,900	1,950	1,950	1,630	B	B	0.65	0.47
	Joel Blvd.	County Line	4LD	B	25,794	1.193	21,620	0.095	2,050	1,189	861	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.

EXHIBIT 5
FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH PROPOSED CPA

					TOTAL TRAFFIC															
										Total		(5) SERVICE VOLUME				LOS		V/C	
			(1)	(2)	(3) FSUTMS	(4) PSWDT/AADT		(4) K100	Total Peak Hr	Peak Hr Volume									
ROADWAY	FROM	TO	# of Lanes	LOS Std	PSWDT	Factor	AADT	Factor	Volume	NE	SW	@ LOS C	@ LOS D	@ LOS E	@ STD	NE	SW	NE	SW
BAYSHORE RD.	West	SR 31	2LU	E	13,805	1.100	12,550	0.099	1,240	645	595	760	900	920	920	C	C	0.70	0.65
BROADWAY ST.	North River Rd.	SR 80	2LU	E	23,211	1.193	19,460	0.095	1,850	1,073	777	760	900	920	920	F	D	1.17	0.84
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	26,408	1.030	25,640	0.104	2,670	1,442	1,228	1,900	1,950	1,950	1,900	B	B	0.76	0.65
	Gunnery Rd.	Orange River Blvd.	2LU	E	7,152	1.030	6,940	0.104	720	389	331	760	900	920	920	C	C	0.42	0.36
	Orange River Blvd.	SR 80	2LU	E	10,850	1.030	10,530	0.104	1,100	594	506	760	900	920	920	C	C	0.65	0.55
JOEL BLVD.	SR 80	12 St.	2LU	E	14,614	1.030	14,190	0.104	1,480	799	681	760	900	920	920	D	C	0.87	0.74
	12 St.	8 St.	4LD	E	14,560	1.030	14,140	0.104	1,470	794	676	1,900	1,950	1,950	1,900	B	B	0.42	0.36
	8 St.	Bell Blvd.	4LD	E	12,407	1.030	12,050	0.104	1,250	675	575	1,900	1,950	1,950	1,900	B	B	0.36	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
	Project Entrance	County Line	2LU	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	N/A	N/A
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	6,999	1.193	5,870	0.095	560	325	235	760	900	920	920	C	B	0.35	0.26
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	6,432	1.193	5,390	0.095	510	296	214	760	900	920	920	C	B	0.32	0.23
	Cypress Creek Ln.	Broadway	2LU	E	6,453	1.193	5,410	0.095	510	296	214	760	900	920	920	C	B	0.32	0.23
	Broadway	Project Entrance	2LU	E	27,034	1.193	22,660	0.095	2,150	1,247	903	760	900	920	920	F	E	1.36	0.98
	Project Entrance	County Line	2LU	E	5,574	1.193	4,670	0.095	440	255	185	760	900	920	920	B	B	0.28	0.20
SR 31	SR 80	Bayshore Rd.	2LU	E	14,716	1.193	12,340	0.095	1,170	679	491	760	900	920	920	C	C	0.74	0.53
	Bayshore Rd.	North River Rd.	2LU	E	14,826	1.193	12,430	0.095	1,180	684	496	760	900	920	920	C	C	0.74	0.54
	North River Rd.	County Line	2LU	E	8,956	1.100	8,140	0.099	810	421	389	760	900	920	920	C	C	0.46	0.42
PALM BEACH BLVD.	I-75	SR 31	6LD	C	47,062	1.193	39,450	0.095	3,750	2,175	1,575	2,850	2,920	2,920	2,850	B	B	0.76	0.55
(SR 80)	SR 31	Davis Blvd.	4LD	C	39,767	1.193	33,330	0.095	3,170	1,839	1,331	1,900	1,950	1,950	1,900	C	B	0.97	0.70
	Davis Blvd.	Tropic Ave.	4LD	C	39,982	1.193	33,510	0.095	3,180	1,844	1,336	1,900	1,950	1,950	1,900	C	B	0.97	0.70
	Tropic Ave.	Buckingham Rd.	4LD	C	31,780	1.193	26,640	0.095	2,530	1,467	1,063	1,900	1,950	1,950	1,900	B	B	0.77	0.56
	Buckingham Rd.	South Olga Drive	4LD	B	31,939	1.193	26,770	0.095	2,540	1,473	1,067	1,900	1,950	1,950	1,630	B	B	0.90	0.65
	South Olga Drive	Hickey Creek	4LD	B	32,407	1.193	27,160	0.095	2,580	1,496	1,084	1,900	1,950	1,950	1,630	B	B	0.92	0.66
	Hickey Creek	Broadway St.	4LD	B	31,869	1.193	26,710	0.095	2,540	1,473	1,067	1,900	1,950	1,950	1,630	B	B	0.90	0.65
	Broadway St.	Joel Blvd.	4LD	B	24,782	1.193	20,770	0.095	1,970	1,143	827	1,900	1,950	1,950	1,630	B	B	0.70	0.51
	Joel Blvd.	County Line	4LD	B	25,822	1.193	21,640	0.095	2,060	1,195	865	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

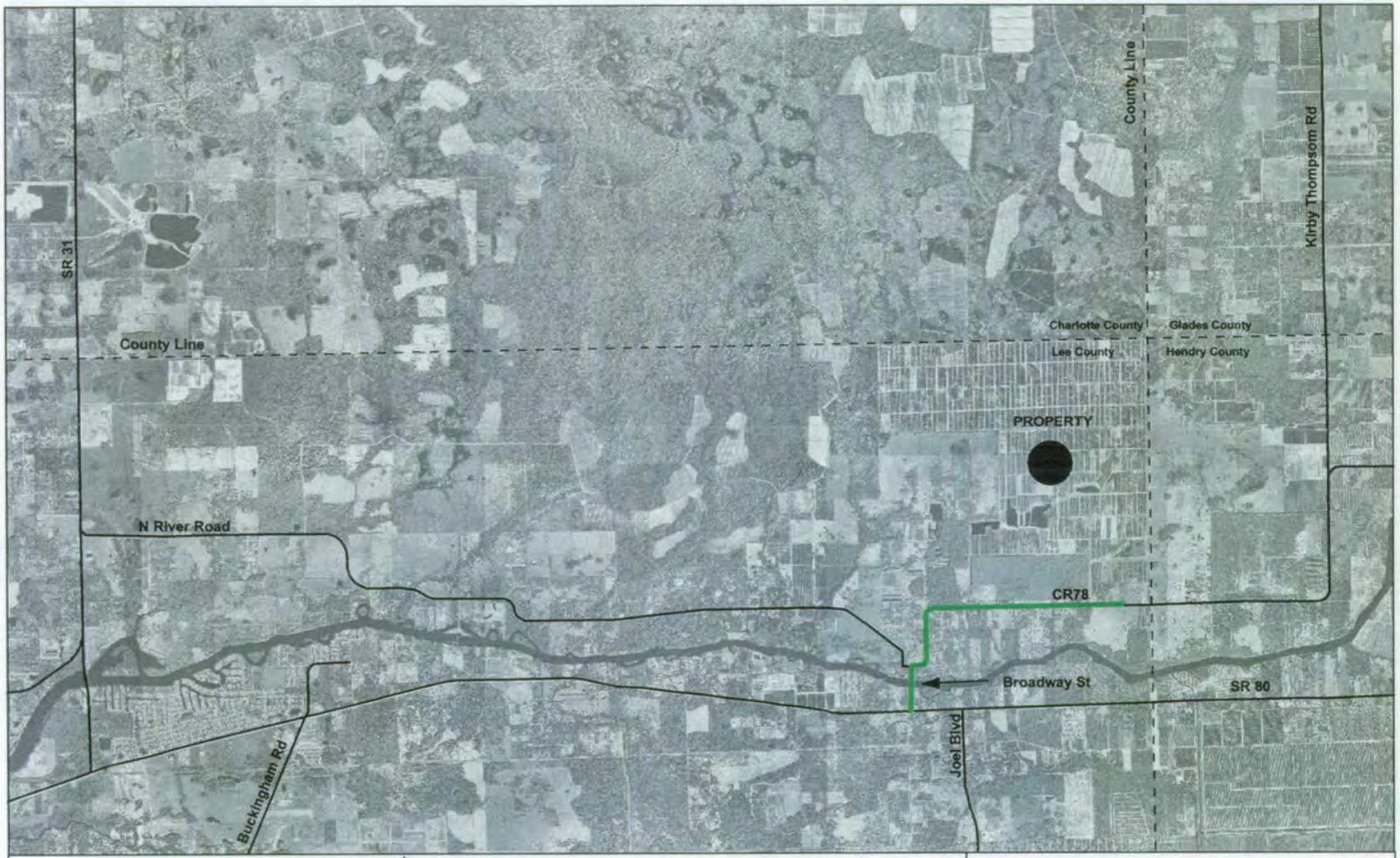
(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

(5) Lee County Generalized Service Volumes, February 2003.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 6

ROAD SEGMENTS EXCEEDING LOS STANDARD
WITH PROPOSED AMENDMENT

Project: #04525

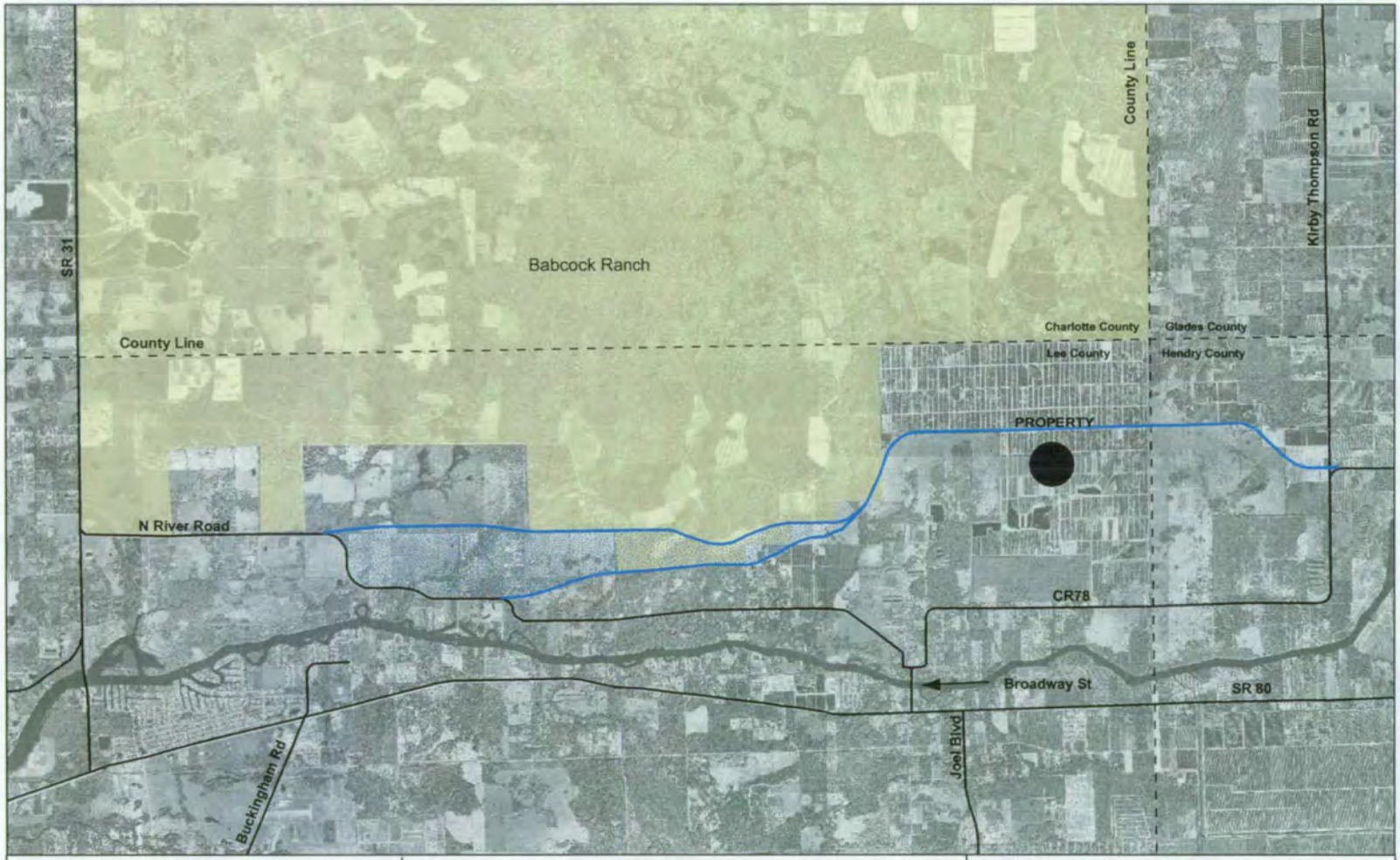
Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles
0 0.5 1 2

dpa

04525/038/0205



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7

PROPOSED NEW 2-LANE ROAD
(Revised 2/28/05)

Preliminary Alignment For Discussion Purposes Only, Subject to Change

EXHIBIT 8

FLORIDA CITRUS CPA TRAFFIC STUDY #04525
FUTURE TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON (K100)

2020 FINANCIALLY FEASIBLE PLAN WITH PROPOSED CPA AND NEW 2L ROAD

TOTAL TRAFFIC

ROADWAY	FROM	TO	(1) # of Lanes	(2) LOS Std	(3) FSUTMS PSWDT	(4) PSWDT/ AADT Factor	AADT	(4) K100 Factor	Total Peak Hr Volume	Total Peak Hr Volume NE	Total Peak Hr Volume SW	(5) SERVICE VOLUME @ LOS C	@ LOS D	@ LOS E	@ STD	LOS NE	LOS SW	V/C NE	V/C SW
BAYSHORE RD.	West	SR 31	2LU	E	15,896	1.100	14,450	0.099	1,430	744	686	760	900	920	920	C	C	0.81	0.75
BROADWAY ST.	North River Rd.	SR 80	2LU	E	18,647	1.193	15,630	0.095	1,480	858	622	760	900	920	920	D	C	0.93	0.68
BUCKINGHAM RD.	SR 82	Gunnery Rd.	4LD	E	26,416	1.030	25,650	0.104	2,670	1,442	1,228	1,900	1,950	1,950	1,900	B	B	0.76	0.65
	Gunnery Rd.	Orange River Blvd.	2LU	E	6,981	1.030	6,780	0.104	710	383	327	760	900	920	920	C	C	0.42	0.36
	Orange River Blvd.	SR 80	2LU	E	10,533	1.030	10,230	0.104	1,060	572	488	760	900	920	920	C	C	0.62	0.53
JOEL BLVD.	SR 80	12 St.	2LU	E	14,018	1.030	13,610	0.104	1,420	767	653	760	900	920	920	D	C	0.83	0.71
	12 St.	8 St.	4LD	E	13,945	1.030	13,540	0.104	1,410	761	649	1,900	1,950	1,950	1,900	B	B	0.40	0.34
	8 St.	Bell Blvd.	4LD	E	12,241	1.030	11,880	0.104	1,240	670	570	1,900	1,950	1,950	1,900	B	B	0.35	0.30
NEW EW 2L RD.	North River Rd.	Project Entrance	2LU	E	10,104	1.193	8,470	0.095	800	464	336	760	900	920	920	C	C	0.50	0.37
	Project Entrance	County Line	2LU	E	2,254	1.193	1,890	0.095	180	104	76	760	900	920	920	B	B	0.11	0.08
NORTH RIVER RD.	SR 31	N Olga Rd.	2LU	E	12,110	1.193	10,150	0.095	960	557	403	760	900	920	920	C	C	0.61	0.44
(CR 78)	N Olga Rd.	Cypress Creek Ln.	2LU	E	1,718	1.193	1,440	0.095	140	81	59	760	900	920	920	B	B	0.09	0.06
	Cypress Creek Ln.	Broadway	2LU	E	1,833	1.193	1,540	0.095	150	87	63	760	900	920	920	B	B	0.09	0.07
	Broadway	Project Entrance	2LU	E	17,305	1.193	14,510	0.095	1,380	800	580	760	900	920	920	D	C	0.87	0.63
	Project Entrance	County Line	2LU	E	3,514	1.193	2,950	0.095	280	162	118	760	900	920	920	B	B	0.18	0.13
SR 31	SR 80	Bayshore Rd.	2LU	E	16,180	1.193	13,560	0.095	1,290	748	542	760	900	920	920	C	C	0.81	0.59
	Bayshore Rd.	North River Rd.	2LU	E	19,329	1.193	16,200	0.095	1,540	893	647	760	900	920	920	D	C	0.97	0.70
	North River Rd.	County Line	2LU	E	9,245	1.100	8,400	0.099	830	432	398	760	900	920	920	C	C	0.47	0.43
PALM BEACH BLVD.	I-75	SR 31	6LD	C	46,658	1.193	39,110	0.095	3,720	2,158	1,562	2,850	2,920	2,920	2,850	B	B	0.76	0.55
(SR 80)	SR 31	Davis Blvd.	4LD	C	37,048	1.193	31,050	0.095	2,950	1,711	1,239	1,900	1,950	1,950	1,900	C	B	0.90	0.65
	Davis Blvd.	Tropic Ave.	4LD	C	37,263	1.193	31,230	0.095	2,970	1,723	1,247	1,900	1,950	1,950	1,900	C	B	0.91	0.66
	Tropic Ave.	Buckingham Rd.	4LD	C	28,850	1.193	24,180	0.095	2,300	1,334	966	1,900	1,950	1,950	1,900	B	B	0.70	0.51
	Buckingham Rd.	South Olga Drive	4LD	B	28,687	1.193	24,050	0.095	2,280	1,322	958	1,900	1,950	1,950	1,630	B	B	0.81	0.59
	South Olga Drive	Hickey Creek	4LD	B	29,135	1.193	24,420	0.095	2,320	1,346	974	1,900	1,950	1,950	1,630	B	B	0.83	0.60
	Hickey Creek	Broadway St.	4LD	B	28,619	1.193	23,990	0.095	2,280	1,322	958	1,900	1,950	1,950	1,630	B	B	0.81	0.59
	Broadway St.	Joel Blvd.	4LD	B	24,356	1.193	20,420	0.095	1,940	1,125	815	1,900	1,950	1,950	1,630	B	B	0.69	0.50
	Joel Blvd.	County Line	4LD	B	25,836	1.193	21,660	0.095	2,060	1,195	865	1,900	1,950	1,950	1,630	B	B	0.73	0.53

FOOTNOTES:

(1) Lee County 2020 Financial Feasible plan number of lanes.

(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.

(3) Peak season weekday traffic (PSWDT) volumes based on FSUTMS travel model assignment.

(4) PSADT/AADT factor and K(100) factors based on Lee County 2003 permanent count station data.

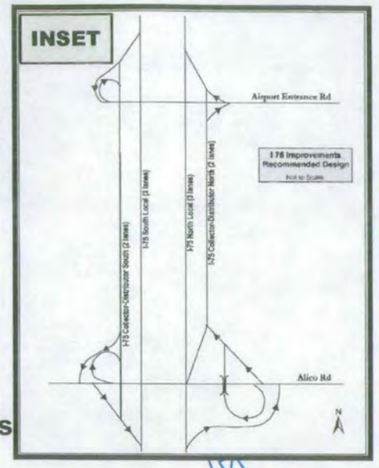
(5) Lee County Generalized Service Volumes, February 2003.

APPENDIX A

LEE COUNTY MPO 2020 FINANCIALLY-FEASIBLE HIGHWAY PLAN

LEE COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

BONITA SPRINGS · CAPE CORAL · FORT MYERS · FORT MYERS BEACH · LEE COUNTY · SANIBEL



Existing & Committed Roads

- 2 Lanes
- 3 Lanes (2+1 Lanes)
- 4 Lanes
- 6 Lanes
- 8 Lanes

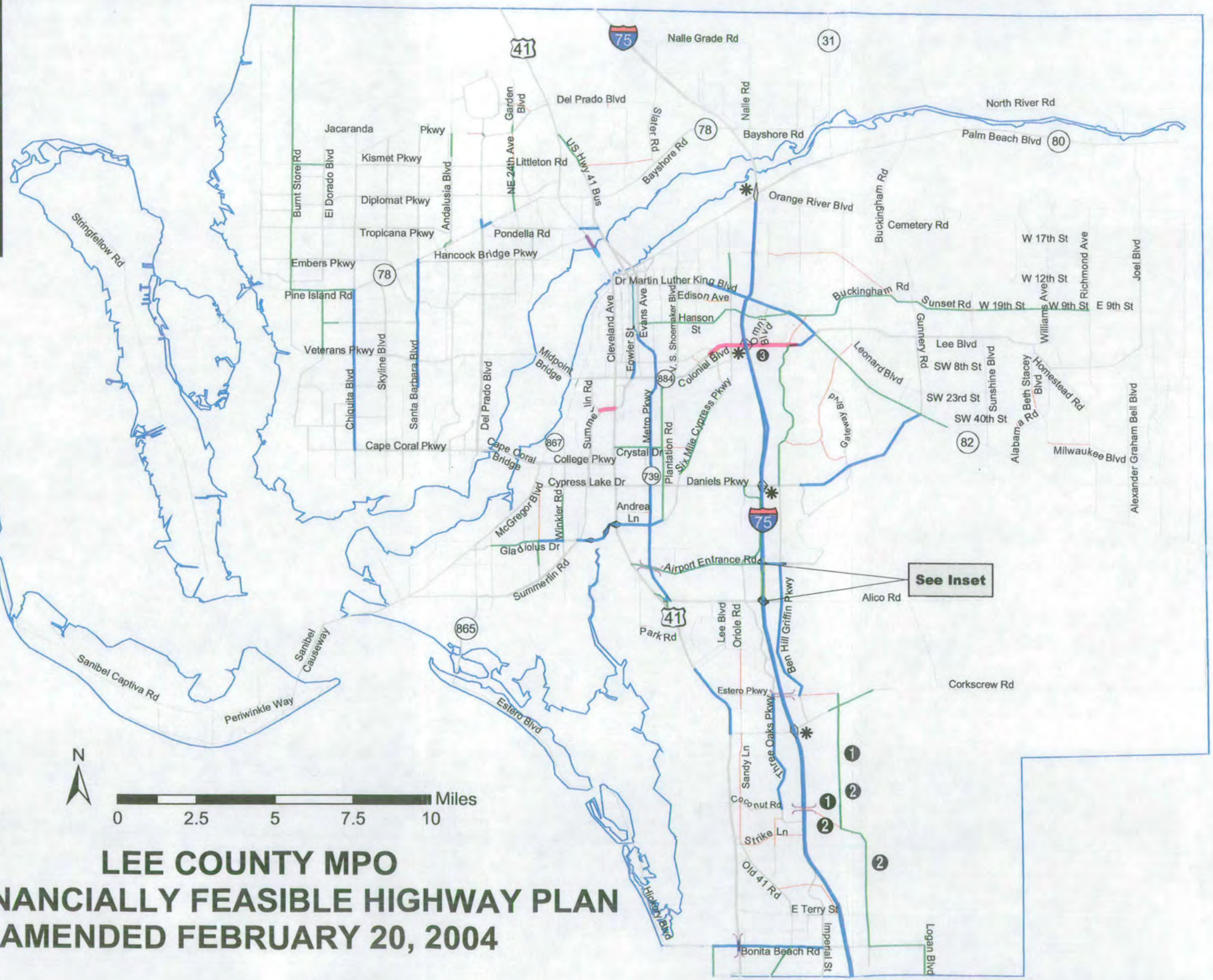
Financially Feasible Improvements

- New Interchanges
- 2 Lanes
- 3 Lanes (2+1 Lanes)
- 3 Lanes (One Way)
- 4 Lanes
- 5 Lanes (3+2 Lanes)
- 6 Lanes
- 7 Lanes (4+3 Lanes)
- 8 Lanes
- Overpass
- ✱ Interchange Improvements
- Future Corridor Evaluation

The lines on this plan represent only the general routes. Specific alignments will be determined through corridor and design studies.

NOTES APPLYING TO SPECIFIC IMPROVEMENTS

1. No access should be permitted to these roads east of I 75, south of Corkscrew Road, and north of the Bonita Springs city limits.
2. The feasibility and alignment of these roads should be determined through studies that adequately address their growth management and environmental impacts, including their secondary and cumulative effects on wildlife, wetlands, and water management. Extending Strike Lane should be evaluated as an alternative to extending Coconut Road east of I 75.
3. A 4 lane toll expressway, open to transponder users only, with no access points en route, is to be constructed within the median of Colonial Boulevard from west of Winkler Avenue to east of Treeline Avenue.



LEE COUNTY MPO
2020 FINANCIALLY FEASIBLE HIGHWAY PLAN
AMENDED FEBRUARY 20, 2004

CPA 2004-00006

RECEIVED
MAR 14 2005
PERMIT COUNTER

Parcel History of County Line Drainage District, Township 43, Range 27 East, Lee County, Florida.

Prepared by:
B. Alex Brown
12/20/04

Table of Contents

Memorandum..... 3
District Parcel History..... 4
Parcel Count.....5

Section Maps

Section 1.....6
Section 2.....7
Section 3.....8
Section 11.....9
Section 12.....10
Section 13.....11
Section 14.....12

Parcel History

In 1965, ASPIC Investment Company from Miami owned Sections 1, 2, 3, 11, and 12. Sections 13 and 14 were owned by ASPIC and a series of small property owners. By 1966 South Florida Citrus Industries ("SFCI") had purchased/merged ASPIC's interest.

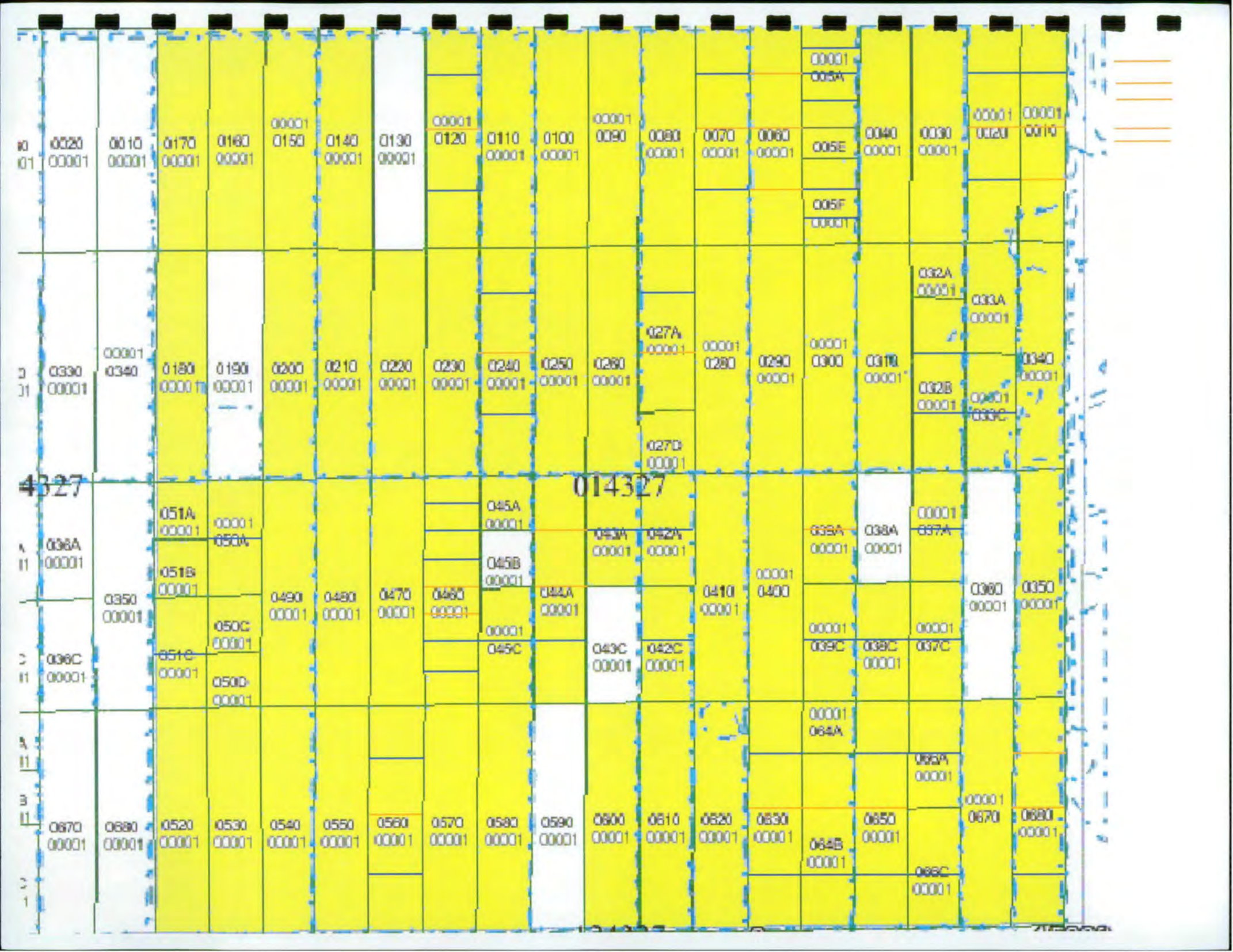
SFCI began subdividing the property. By 1971, SFCI, while still owning over 2600 acres, had sold over 70 parcels in the District. SFCI continued to divide and sell their interests over the next decade.

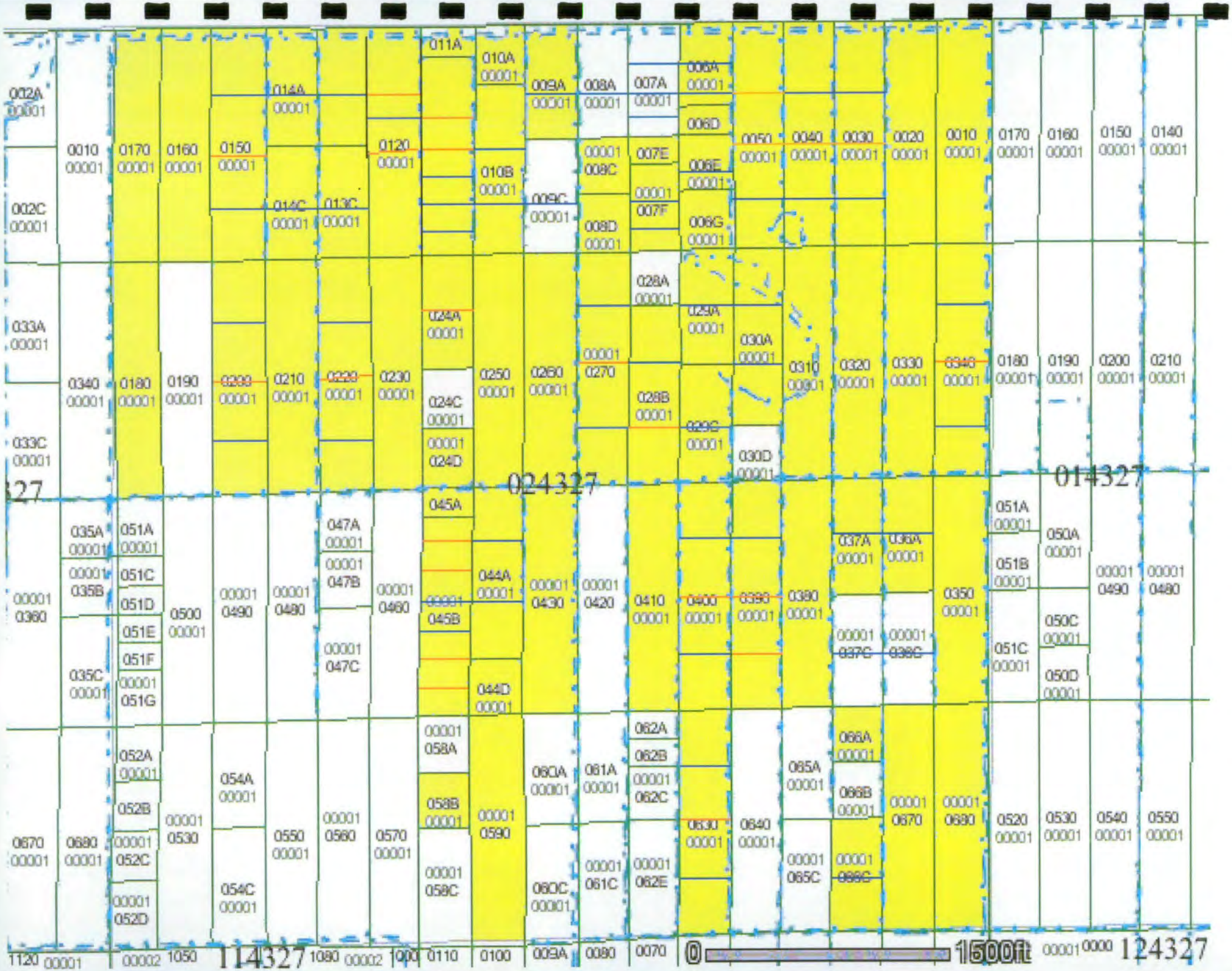
Concurrent with SFCI's 15-year sell-off of their holdings in the district, American Agronomics ("AA") was acquiring parcels. Beginning in 1968, AA purchased all of the underlying oil, gas, and mineral rights in Township 43, Range 27 East from Jack Freeman. By 1981, AA owned the vast majority of the parcels in the District. Interestingly, the grantor/grantee indexes do not indicate transactions directly between AA and SFCI, the two biggest buyers and sellers of District parcels during the 1970's.

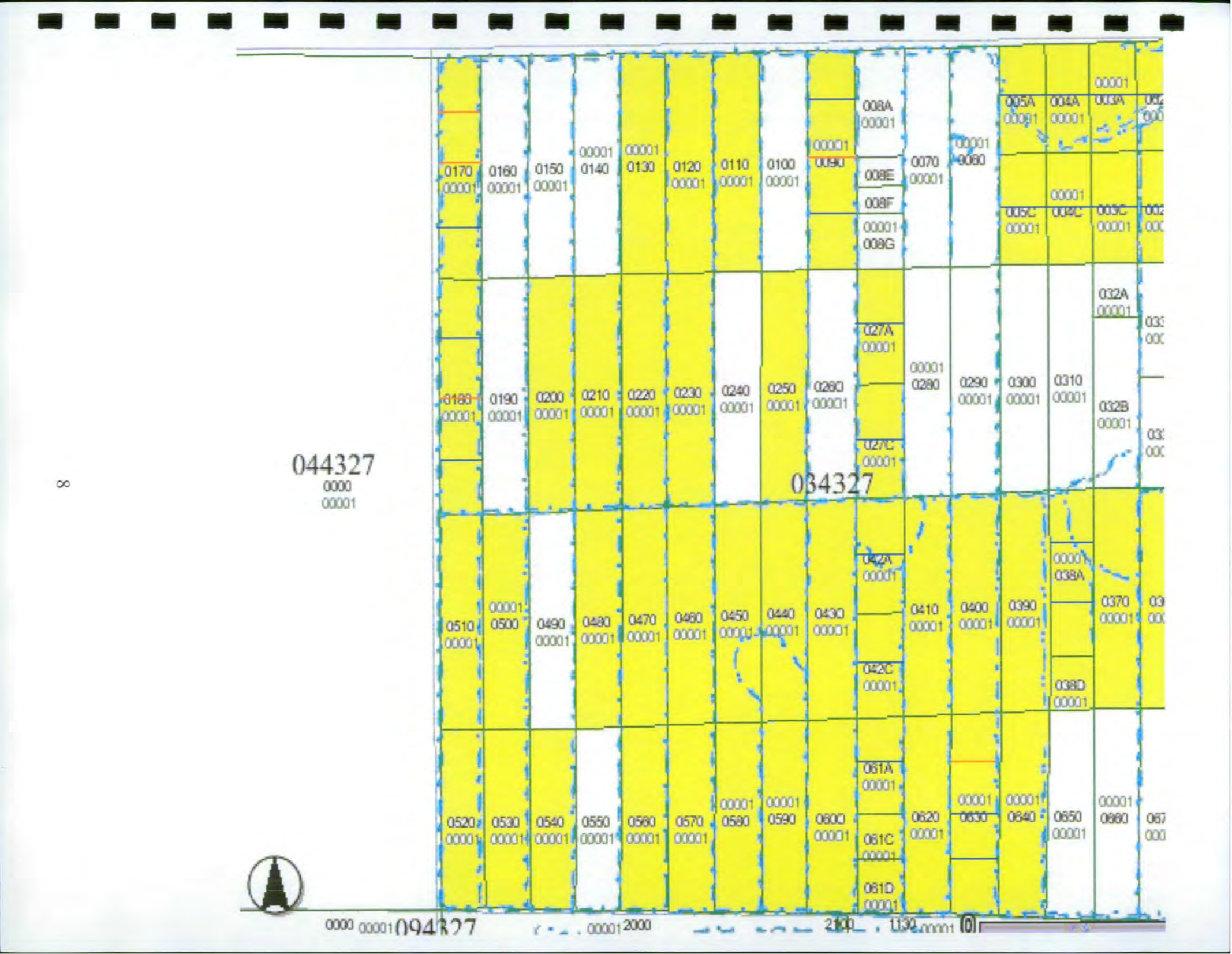
After spending more than 13 years acquiring parcels in the District, AA began selling in the early 1980's. By 1985, AA didn't own a parcel. They had all been sold to Certified Financial Services and it's related entities, i.e. Double Z Groves trust. Significantly, the District became even more fractured during this time between 1981 and 1985. For example, Section 1 went from 84 parcels in 1981 to 107 parcels in 1985. In 1985, the District contained 620 parcels, all of which were 10 acres or less.

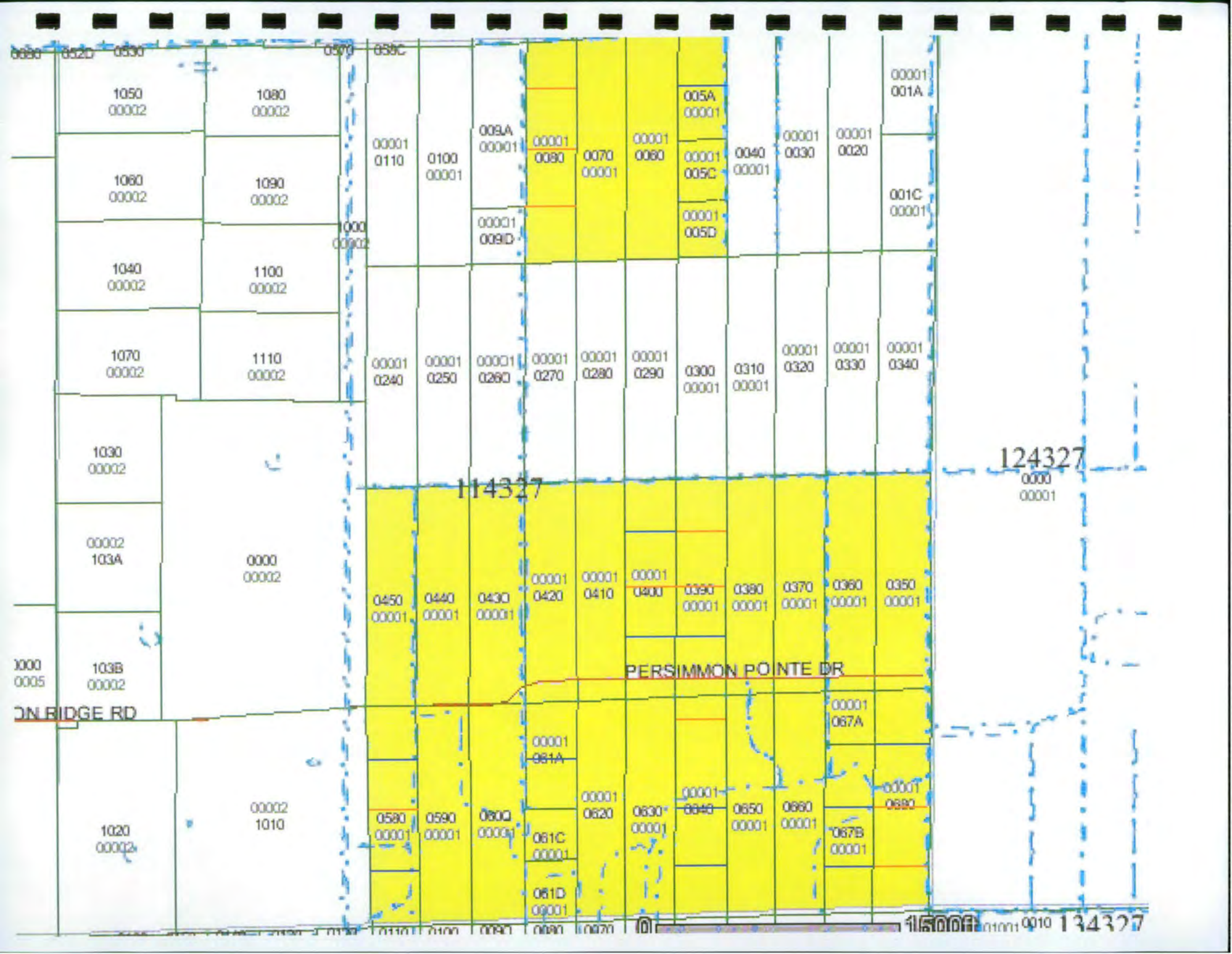
Parcel Count

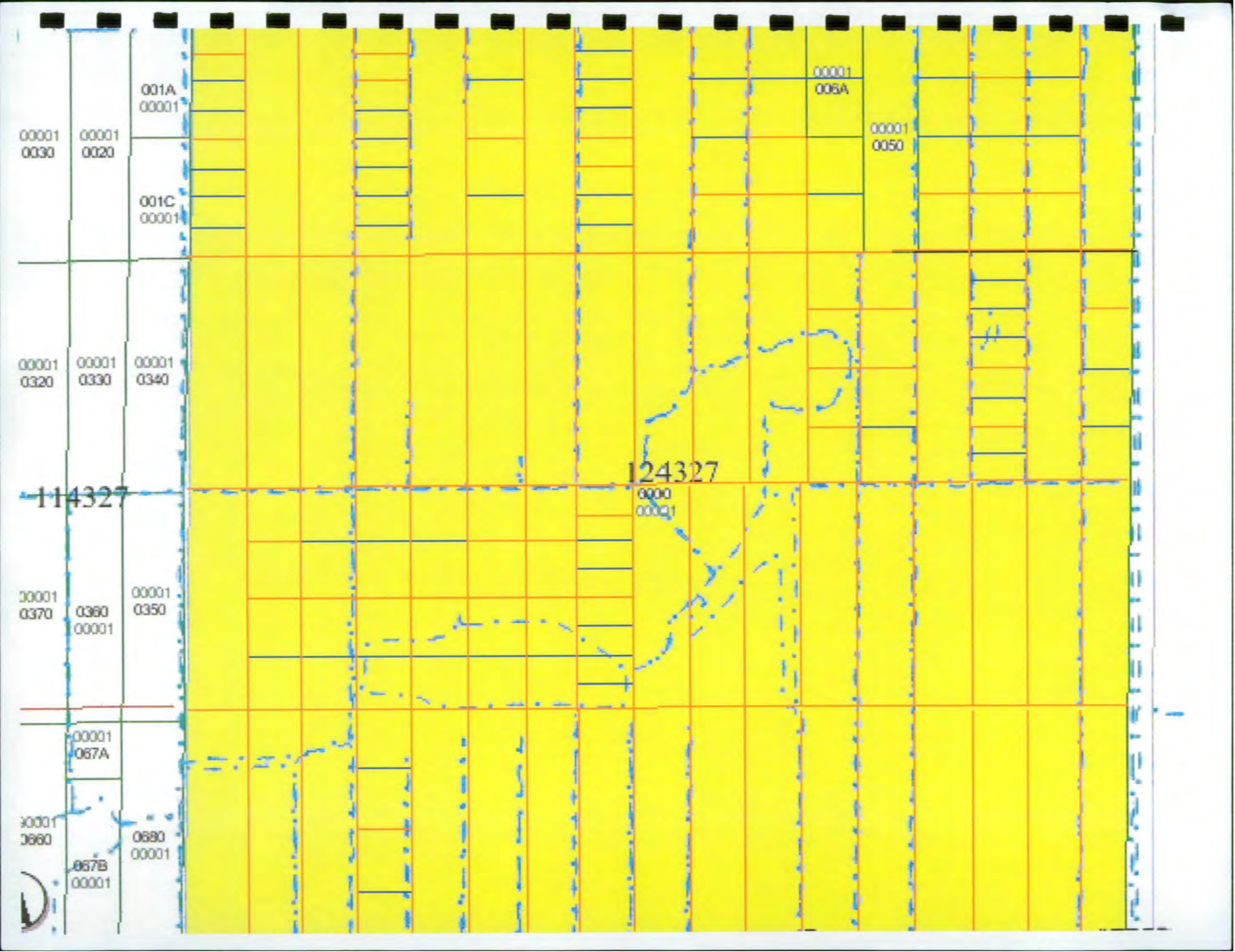
Section #	1985	Pre-1985 (includes 1985)
1	100	141
2	89	142
3	62	85
11	41	53
12	100	151
13	68	102
14	28	43
Total	488	674

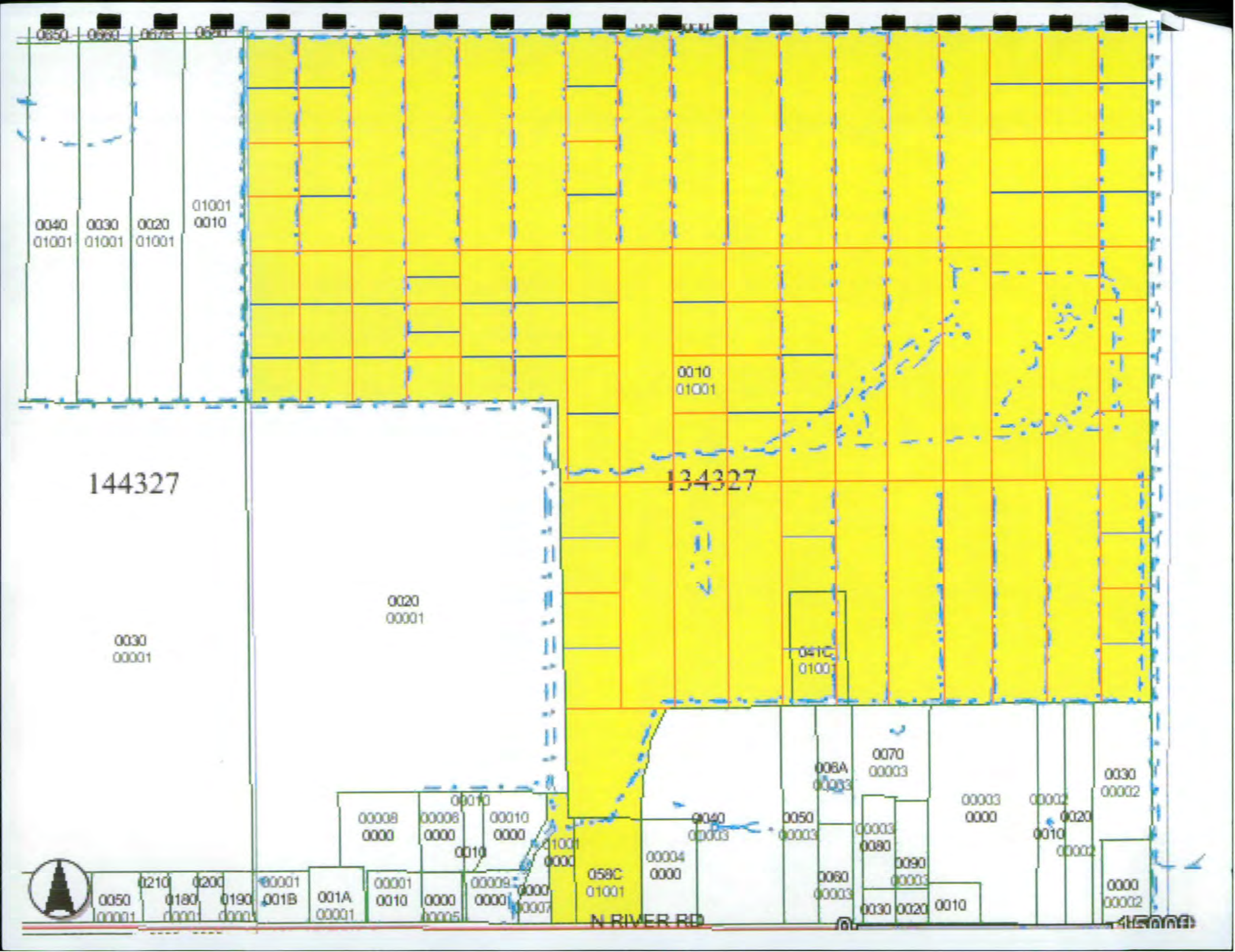

014327
0010
0020
0030
0040
0050
0060
0070
0080
0090
0100
0110
0120
0130
0140
0150
0160
0170
0180
0190
0200
0210
0220
0230
0240
0250
0260
0270
0280
0290
0300
0310
0320
0330
0340
0350
0360
0370
0380
0390
0400
0410
0420
0430
0440
0450
0460
0470
0480
0490
0500
0510
0520
0530
0540
0550
0560
0570
0580
0590
0600
0610
0620
0630
0640
0650
0660
0670
0680
0690
00001

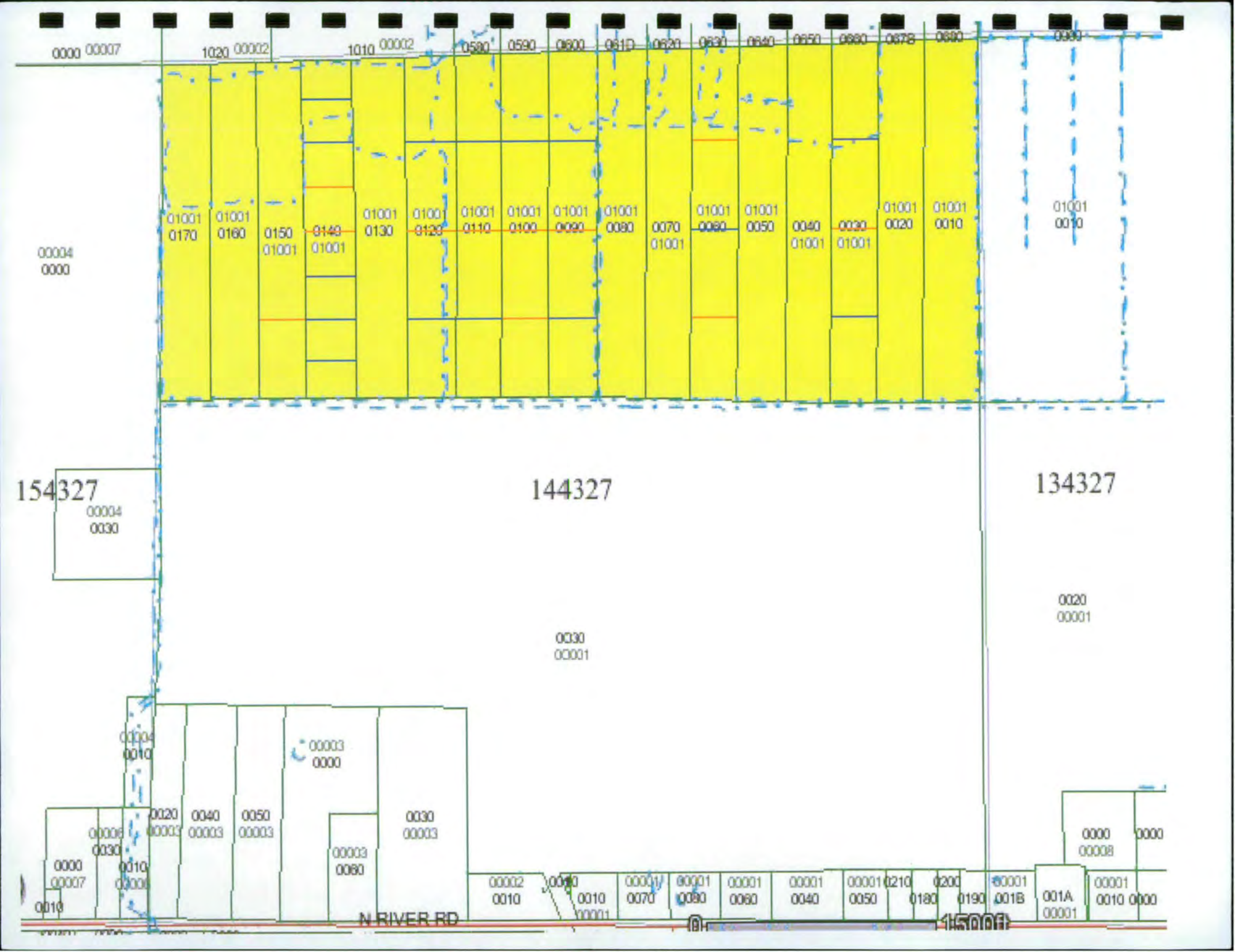

024327
014327
114327
124327
0 1500ft


044327
0000
00001
034327
0170 00001
0160 00001
0150 00001
00001 0140
00001 0130
0120 00001
0110 00001
0100 00001
00001 0090
008A 00001
008E
008F
00001 008G
0070 00001
00001 0080
005A 00001
004A 00001
00001
005C 00001
004C
00001
032A 00001
032B 00001
0180 00001
0190 00001
0200 00001
0210 00001
0220 00001
0230 00001
0240 00001
0250 00001
0260 00001
027A 00001
027C 00001
00001 0280
0290 00001
0300 00001
0310 00001
0510 00001
00001 0500
0490 00001
0480 00001
0470 00001
0460 00001
0450 00001
0440 00001
0430 00001
042A 00001
042C 00001
0410 00001
0400 00001
0390 00001
00001 038A
038D 00001
0370 00001
0520 00001
0530 00001
0540 00001
0550 00001
0560 00001
0570 00001
00001 0580
00001 0590
0600 00001
061A 00001
061C 00001
061D 00001
0620 00001
00001 0630
00001 0640
0650 00001
00001 0660
0000 00001 094327
00001 2000
2100
1130 00001
0


1050
00002
1080
00002
1060
00002
1090
00002
1040
00002
1100
00002
1070
00002
1110
00002
1030
00002
00002
103A
0000
00002
103B
00002
1020
00002
00002
1010
0110
0100
009A
009D
0090
0070
0060
005A
005C
005D
0040
0030
0020
001A
001C
0240
0250
0260
0270
0280
0290
0300
0310
0320
0330
0340
114327
124327
0000
0450
0440
0430
0420
0410
0400
0390
0380
0370
0360
0350
PERSIMMON POINTE DR
ON RIDGE RD
067A
067B
0690
981A
061C
061D
0620
0630
0640
0650
0660
0580
0590
060Q
134327


001A
00001
00001
0030
00001
0020
001C
00001
00001
006A
00001
0050
00001
0320
00001
0330
00001
0340
114327
124327
0000
00001
00001
0370
0360
00001
00001
0350
00001
067A
0680
00001
067B
00001


144327
134327
0040
01001
0030
01001
0020
01001
01001
0010
0010
01001
0020
00001
0030
00001
041C
01001
0070
00003
006A
00003
0030
00002
00003
0000
00002
0020
0010
00002
0040
00003
0050
00003
0080
0090
0060
00003
0030
0020
0010
0000
00002
00008
0000
00006
0000
00010
0000
0010
00010
1001
0000
00004
0000
058C
01001
0210
0200
0180
0190
0050
00001
00001
001B
001A
00001
00001
0010
0000
00005
00009
0000
0000
0007
N RIVER RD


154327
144327
134327
N RIVER RD

Spanish Creek

Comprehensive Plan Amendment Application Resubmittal

CPA 2004-06

Lee County, Florida

September 15, 2005

CPA 2004-00006

DeLisi Fitzgerald, Inc.
Planners, Engineering, and Project Management

TABLE OF CONTENTS

1. SUFFICIENCY RESPONSE LETTER
2. REVISED POLICIES AND MASTER PLAN
3. SMART GROWTH ANALYSIS (LEE PLAN OBJECTIVES 2.1 AND 2.1 ANALYSIS)
4. FACILITIES ANALYSIS (RESUBMITTAL)
5. WATER ANALYSIS
6. TRANSPORTATION ANALYSIS

DeLisi Fitzgerald, Inc.

Planning, Engineering and Project Management

C/A 2004-00006

September 15, 2006

Mathew Noble, AICP
Principal Planner
Lee County Board of County Commissioners
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Mr. Noble:

In response to your sufficiency letter dated February 3, 2006, please see the attached information. Since the previous resubmittal, and the original submittal, development patterns in the east Lee County, western Hendry County and Glades County have changed. Two and a half years ago we proposed this amendment in response to the changes that were being anticipated at the time, as you well know the anticipation has diminished and now the reality is apparent.

In taking into account all of the changes that are occurring to the east and west of this property and after reviewing the pattern of development in eastern Lee and western Hendry County, it is my sincere hope that Lee County will view this proposal as an opportunity to make the needed infrastructure in the area feasible, both practically and financially. If we decide against updating our planning for the area north of the river along C.R. 78, the eastern portion of Lee County will simply be overrun by the development that is planned for and occurring around the subject property. The Spanish Creek area should be seen as a vehicle to keep the greater community whole.

Maintaining current citrus production or allowing for development of this property under the current Lee Plan designations is not a good option for several reasons. The current land use and developed state of the property causes problems to the area's environment ranging from flooding to pollution of the Caloosahatchee River. The applicant has been approached by the SFWMD to partner on a flowway restoration project that would restore historic flowways and alleviate many of the area's flooding problems. As part of the flowway restoration project, a water quality component will be introduced to decrease the pollutants that are currently flowing into the Caloosahatchee River. The proposed policies in this plan amendment commit us to this process. Keeping the current land use does not allow for the partnership opportunities with the SFWMD because restoring the flowway would be counter to maximizing citrus productivity. Developing under the current Lee Plan also does not achieve the county's goals of environmental enhancement. Changing the land use of the Spanish Creek property can be used as a vehicle for the county to achieve environmental goals as well as planning goals.

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2)

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2) dwelling units per acre with commercial development limited to those uses that could service the needs of future residents and existing neighborhoods north of the river. The idea behind this proposal is to create a whole, self contained community, rather then one that is dependant on crossing the river to meet all shopping needs. It is not the intent of this plan amendment to create regional levels of commercial, but rather create two neighborhood centers servicing the units north of the river. The Babcock proposal adequately covers the regional commercial uses and the more destination oriented uses. The intent of this proposal has always been to create the right balance between residential and commercial uses so that internal capture is maintained and enhanced, and the existing residents would no longer need to travel over the Broadway Bridge to SR 80 or travel to North Fort Myers for their regular shopping needs.

To graphically commit to the environmental and land use goals that we have articulated, we have created an overlay map that all future development will need to comply with. This map is being proposed as Map 21 in the Future Land Use Map series. Map 21 shows an overall plan of development which all future development will need to comply. Map 21 presents a real opportunity for Lee County to master plan for a large area of land - to allow us to create a development that enhances the environment and increases the quality of life. The current form of development in Lee County allows each individual parcel to be planed outside of the context of surrounding neighborhoods as separate entities. Map 21 features connected green spaces, community greenways, open space areas, a town center and contiguous areas of preserve and flowway restoration. This master plan of development will serve to guide us in creating real community benefits through this planning process.

The attached submittal and the responses below are in reply to the information that staff requested in the February letter. Staff comments are in **bold** type while the responses are *italicized.*

Staff noted in the previous sufficiency letter that there are additional property owners within the plan amendment boundary. The sufficiency letter also asked the applicant to provide the owner of record information as well as authorization from each property owner. Staff finds that the resubmittal materials do not fully address these issues. In conjunction with the County Attorney's Office, staff has concluded that the County Line Drainage District's authority over landowners in the district can not reasonably be construed to encompass a change to the future land use classification of district property. The County has no issues with the District becoming a "co-applicant" but this does not substitute for the consent of all property owners of the affected property. Please revise the amendment to provide the owner of record information as well as authorization from each property owner.

The applicant maintains that the authority exists with the County Line Drainage District. Even if the County does not agree with the letter sent by Lewis, Longman & Walker, P.A., stating that the County Line Drainage District has the authority to submit this amendment, Lee County does have the authority to change land use designations. However, master planning for this property, in partnership with the South Florida Water

Management District and the County Line Drainage District is an opportunity that will be short lived.

The applicant is willing to provide notice by certified mail to all owners within the area that would be affected by the new land use category so the county can be assured that all owners are aware of the pending changes. The applicant can provide notice prior to the transmittal hearing, and prior to adoption. The applicant can send the proposed text language so the notice would be more informative than just a simple notice that a plan amendment is being considered.

Time is of the essence. We hope that the County will join us as a partner in this worthwhile effort to create a better alternative plan of development for this area. The county is experiencing considerable problems due to uncontrolled run-off and due to the usage of septic tanks. The applicant is of the opinion that putting this entire area into a land use category that will address these issues is far better for the county.

Part III

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

The exhibit has been prepared and submitted prior to this resubmittal.

Part IV

A. 1. Planning staff is not clear, based upon the resubmittal, what language is proposed to be amended into the Lee Plan. Please provide any modifications to the Lee Plan in a strike-thru, underlined format.

The Policies have been revised to include only the subject property under the new title Spanish Creek Community. A series of Policies that correspond to a map amendment have been proposed. The Policies are listed starting with Objective 1.9, a section of the Lee Plan that lends itself to the proposed amendment. For example, the New Community land use category starts at Objective 1.6 and has implementing policies to follow.

Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

We have removed this policy from the revised Objective 1.9.

The first sufficiency letter also questioned the applicant's commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish

services. Lee County Utilities staff provide that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer should donate this facility to Lee County for ownership and maintenance. Staff assumes an appropriate fifty acre site would be needed for this facility.

Water and sewer have also been addressed within the proposed policies and the attached analysis by Johnson Engineering. Water and sewer capacity is a very important part of this proposal and part of the reason why increased density is necessary. With the adoption of this land use category, utilities will be a requirement of development. However, there are many options for utilities. If Lee County Utilities wants to expand the franchise area to include Alva, then the property owner would need draw water and sewer capacity from Lee County utilities. If Lee County Utilities does not choose to cover the subject property, then an on-site water/sewer plant is an option. Another potential option is working with the adjacent properties in Hendry County that are seeking development approval to create a joint facility. Because sparse low density development makes extending water and sewer lines into Alva financially infeasible, Lee County Utilities may not be the most practical vehicle for getting central water and sewer to Alva.

In any of these options, the applicant will set aside sufficient land to construct the necessary facilities. If a private facility is constructed, it will be done to county standards so that Lee County Utilities would have the ability to take over the plant at a future date. It is the desire of the applicant to be serviced by water and sewer, and to bring the option of these facilities to this area. The means by which this happens is less of a concern to the applicant.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

Deeds for the subject property have been submitted to the County with a STRAP number map for review prior to this resubmittal.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.

The County Line Drainage District has joined the application as a co-applicant as permitted by Florida Statutes. The Drainage District includes all property included within this application. Please see the previous response.

B.1. Please see attached comments from the Lee County Department of Transportation (LCDOT). The LCDOT comments, in part, provide that the applicant did not submit any model runs that demonstrated that the applicant proposed alternative road in fact relieved the impacted segments. The memo states that the applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the "Alva Bypass" in place to demonstrate that the relief is in fact realized. The memo also nooted that "under

today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass." The memo also provides that Lee County would need a firm commitment from Hendry County for the Hendry County portion of the proposed bypass. The memo notes that "this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.3a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

Any development on the property will have to be serviced by the Alva Fire Department. Whether the property develops in ranchettes, or in the proposed better form of development, the Fire Department does not currently have adequate facilities. Any development of the site will have to pay fire impact fees, which is designed to address the impacts of new development on the fire department. Furthermore, Dr. Fishkind has analyzed the proposed development and has demonstrated that the provision of necessary infrastructure will be financially feasible. It is anticipated that the civic areas shown on Map 21 will provide for uses like fire stations. If the proposed form of development is permitted, it will make it much easier for the Fire Department to service this property and to service other properties. An alternate 78 will help the response time for all of properties located within the Alva Fire Department's jurisdiction.

B.3.b. & e Please provide the required letters from the appropriate agencies.

A letter from Florida Power and Light will be included when it is received.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

The only issues that could be raised by adjacent local governments would involve drainage, transportation and utilities. Drainage will be addressed through the SFWMD widening of the existing canal on the eastern edge of the property to 330'. The SFWMD has approached the applicant with a proposal to restore the historic flowways on the Spanish Creek property to address regional flooding problems. Map 21 commits the applicant to this restoration project.

The proposed plan amendment is also consistent with the planning effort that has been occurring in Hendry County over the last two years. The Hendry Board of County Commissioners has created a Plan for Western Hendry County that includes the CR 78 bypass corridor, which would extend west across this property. We have been coordinating with property owners in Hendry County in order to implement the goals and objectives of the Hendry County Plan. The CR 78 bypass is very important to diverting traffic away from downtown Alva and maintaining the quality of life in that area.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Two possible roadway locations have been included within this resubmittal that would create an adequate road network and address any possible impacts that this development may cause. Please refer to this exhibit, additional information provided by David Plummer and Associates, as well as responses to Lee County Department of Transportation for further information. Both alternatives provide benefits to the preservation of downtown Alva.

Public Works

1. **Based on the information provided in the application for this request staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition the applicant does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space.**

Attached is an analysis of Objectives 2.1 and 2.2 in the context of FAC 9J5 and the indicators of sprawl. The application is consistent with Objective 2.1 because the property is adjacent to and nearby parcels that are seeking or have obtained increased development entitlements. Because of this activity the area has established itself as a major growth corridor, where the subject property is not on the extreme edge of proposed development but instead located directly in the middle between the South LaBelle Community(a development of regional impact in LaBelle) and east Fort Myers.

The proposed text amendment is also consistent with Objective 2.2 due to the fact the vast majority of residential units and commercial uses will be clustered within portions of the subject property and provided with central public facilities if approved at an adequate density as mentioned in the proposed text. As previously stated and also included within the proposed text amendment, water and sewer will be provided on-site.

Alva Fire Control & Rescue Service District

1. **Please be advised that we do not have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).**

Public facility locations have been identified on Map 21 included within this resubmittal. One of the intended uses for these locations is a fire department. The exact location will be determined during the zoning process with coordination from the Alva Fire Control & Rescue Service District.

Should you have any questions, please do not hesitate to contact me.

Best regards,

Daniel DeLisi, AICP
DeLisi Fitzgerald, Inc.

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

Objective 1.9 To create a land use category that will provide the opportunity for the eastern Lee County area north of the Caloosahatchee River to provide for a mix of housing types, commercial services, as well as the educational, recreational and civic uses that will both accommodate anticipated growth within northeast Lee area and build a well rounded community. Through guidelines on development, the Spanish Creek implementation policies create innovative planning and environmental strategies that result in a net improvement in habitat on site, improve water quality for run off into the Calosahatchee River and provide utility infrastructure for the surrounding area.

This land use category is intended to provide guidance related to the appropriate mix of uses, but allow for the necessary market flexibility as it relates to the location of land uses and the total area of each land use. The overall size of the Spanish Creek Community Land Use Category is approximately 3,713 acres, and will accommodate a full range of uses including residential, commercial, office, recreational and public facilities. The public facilities are intended to allow a full range of public and quasi-public uses including, but not limited to educational facilities (public and private), utilities, libraries, fire/EMS and police substations. Overall density/intensity of development will be limited in accordance with the table in Policy 1.9.1. The following policies establish land use districts within the Spanish Creek Community that provide the structure for how the development will occur, and policies to provide for the provision of environmental enhancement, flowway restoration, an overall master plan for greenways and the provision of infrastructure.

Policy 1.9.1 Gross development program: The Spanish Creek Community will contain an allowable gross density residential units and intensity of commercial area. The specific land use areas within the Spanish Creek Community will have more specific gross density allocations. The total gross density of the Spanish Creek Community will act as a maximum development program for the area.

Use	*Minimum development*	*Maximum development*
Residential	*3,700 du*	*7,426 du*
Retail	*100,000 square feet*	*185,000 square feet*
Office (general and medical)	*25,000 square feet*	*75,000 square feet*
Civic	*N/A*	*200 acres*

Land Use Policies

Policy 1.9.2 Lands Designated as Ranchette Residential within the Spanish Creek Community will be primarily low density residential in nature. Ranchette Residential uses are intended for areas adjacent to areas that are more rural in character and are intended to provide a transition into the Spanish Creek Community from surrounding historic Alva to the south along CR 78 and Babcock Ranch to the west. Ranchette Residential uses may be developed at a gross density no greater than 1 dwelling units per acre. Uses include single family residential uses and recreational facilities.

Policy 1.9.3 Lands designated as Transitional Residential within the Spanish Creek Community will be primarily medium density residential in nature. Transitional Residential areas will be designed to be suburban in nature and design. Densities shall range from a minimum of 1 dwelling unit per acre to 5 dwelling units per acre. The Transitional Residential area is intended to provide for a mix of residential unit types and housing options including multi-family and single family units sold either fee-simple or as condo units. Residential uses within the Transitional Residential land use category must provide for on-site, public or private recreational facilities in accordance with Policy XXX.

Policy 1.9.4: Town Center Residential will define areas that are primarily for higher density residential uses around the Town Center. And may be developed at a gross density no greater than 15 dwelling units per acre, but not less than 2.5 dwelling units per acre. Uses in the Town Center Residential areas include both single and multi-family units, as well as town house, duplex and any other similar unit type. Recreational facilities, public or private, as well as minor commercial centers intended to provide for the needs of the adjacent neighborhoods are allowed. Town Center Residential areas are anticipated to be located around or near the Town Center, with direct access to an arterial or collector road.

Policy 1.9.5 Town Center Mixed Use will define areas of mixed residential and commercial uses, where intensity of development is appropriate due to the mix of uses and the interconnectivity of uses. Town Center properties will be designed as more urban in clode proximity to the main east-west spine road. Residential densities in the Town Center area are allowed at up to 25 dwelling units per gross acre and no less then 5 dwelling units per gross acre, and commercial intensities are allowed at a floor area ratio not to exceed 1.0. Town Center areas must be designed in accordance with Lee County's Mixed Use Overlay design guidelines (Policy XXX, tob be filled in when established). Due to the limited commercial area, it is not a requirement for residential uses to be integrated within the same building as commercial uses. However strong pedestrian connections between residential and commercial uses must be created.

Policy 1.9.6: Civic will define areas that are intended for public facilities including schools, fire, EMS substations, city or county office buildings, and quasi public uses such as, but not limited to YMCAs and similar uses. These land uses will by necessity be developed based on ultimate demand for the services, and otherwise have no limit. In the case where land area is not wanted or needed, lands designated as civic shall retain the same land use development rights as can be reasonably expected from adjacent properties. Impact fee credits will be granted upon dedication of land for any public benefit, in accordance with the applicable Lee County impact fee ordinance.

Policy 1.9.7: Any rezoning within the Spanish Creek Community must be reviewed as a Planned Development zoning.

Policy 1.9.8 Land Use Area Table

Land Use	**Approximate Area**
Ranchette Residential	513 acres
Transitional Residential	1,557 acres
Town Center Residential	562 acres
Town Center Mixed Use	76 acres
Civic Uses	200 acres
Other Uses	803 acres

Infrastructure Policies

Policy 1.9.9 To ensure that adequate funding sources are available for the provision of infrastructure, improvements will be funded through a variety of mechanisms that include Community Development Districts (CDDs), Municipal Service Taxing Benefit Units (MSTBUs) and impact fees. Concurrent with Planned Development review, the developer must enter into a development agreement with Lee County to provide for a proportionate share cost for road, school and utility infrastructure. Payment may include the dedication of land or the construction of facilities. Depending on the projected timing of impacts to the infrastructure network, payment of the establish proportionate share may be paid in a lump sum or phased with the development.

Policy 1.9.10 Prior to the issuance of any local development order for any development outside of the Residential Ranchette land use category, the developer must demonstrate the availability of central potable water and sewer service. Water and sewer service may be through an area wide franchise extending in to western Hendry County, through extending the Lee County Utility Franchise area or through an independent district. The cost for the provision and expansion of services and facilities that benefit new development will be borne primarily by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and connection fees and maintenance funds.

Policy 1.9.11 Development within the Spanish Creek Community will be required to accept reuse water if the utility is prepared to supply reuse water and a sufficient supply is available to meet all or a portion of the irrigation needs of proposed development.

Policy 1.9.12 Residential and mixed use development must be served by an internal transportation system of pedestrian and bicycle facilities.

Policy 1.9.13: The Development within the Spanish Creek Community will work with the Lee County School Board, the Lee County Sheriff's Office and Lee County Government to identify sites within the Spanish Creek Community for schools, parks, libraries, police stations and Fire/EMS stations. The number and type of facilities shall be in direct relationship to the generation rates for students established in the latest Impact Fee studies adopted by Lee County and the density that is actually approved at the time of Planned Development approval.

Environmental Policies

Policy 1.9.14 To provide the opportunity to restore natural water flows, Lee County will require, through the Planned Development process, restored or created flow ways in the areas depicted on Map 21. The proposed flow ways will connect surface water management lakes and on-site wetlands. Littoral shelves should be planted along the proposed flow way to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flow way is proposed, so long as the hydrological integrity of the flow way is maintained through drainage crossings. Development within the Spanish Creek Community must be coordinated with the South Florida Water Management District to provide for the restoration and reconnection of the flowways in substantial compliance with Map 21.

Policy 1.9.15 Greenway – Lee County will require, through the planned development process, the creation of a greenway to along the roads shown on Map 21 outside of the Town Center land use area. The intent is to provide for recreational linkages between parks, open space areas and destination centers. The Greenways will range in size from a minimum of 20 feet to 50 feet in

certain locations. Recreational open space may be incorporated in to the greenway. Development along a greenway is encouraged to provide for public use of the greenway by providing sidewalks and pedestrian connections to adjacent properties.

Policy 1.9.16 To encourage the preservation of common areas of open space and on-site recreational areas, residential development must be clustered and provide for open space in accordance with county regulations. Flowways, greenways, and lakes may be used to meet the open space requirements to the extent allowed in the land development code. Residential development shall be designed to incorporate conservation areas into the overall design and development pattern, where possible, to promote multi-purpose use of open space and conservation of natural resources. Residential developments within the Transitional Residential land use category must provide on site public or private recreational needs to help offset the active recreational needs of their residents.

Policy 1.9.17 Planned Development applications for properties on the perimeter of the Spanish Creek Community will incorporate an area of open space and "rural buffer" of a minimum of 100' in width around the perimeter of the Spanish Creek Community. This open space area may contain water bodies, road crossings, and neighborhood levels of commercial in accordance with site location standards only.

General Policies

Policy 1.9.18: Lee County will continue to work with the property owner(s) in the Spanish Creek Community to reevaluate the commercial intensity limitations as set forth in this Objective to ensure available commercial area is provided to service the needs to the surrounding community, while at the same time ensure that overbuilding of commercial does not occur.

Policy 1.9.19: While there are specifically delineated areas for development shown on Map 21 of the Future Land Use Map series, further environmental, traffic, survey, engineering and market studies may dictate a need to adjust those lines, move the locations of development areas, or modify the area dedicated to that land use (in accordance with the table in Policy 1.9.8). Therefore the lines for an individual category shown on the future land use map may be adjusted administratively, as long as the percentages and intensity of each type of development specified for the Spanish Creek Community does not change without the need for a comprehensive plan amendment. The minimum and maximum levels of development for each type of use shall apply.

LAND USE LEGEND & APPROXIMATE ACREAGE:

- TOWN CENTER - 562.0 Ac.
- RANCHETTE - 513.1 - Ac.
- TRANSITIONAL - 1557.1 Ac.
- PUBLIC / CIVIC - 199.9 Ac.
- TOWN CENTER, MIXED USE - 76.5 AC.
- LAKES - 381.6 Ac.
- WETLANDS - 77.0 Ac.
- OPEN / GREEN SPACE - 345.3 Ac.

TOTAL 3713 Ac.

DELISI
AND ASSOCIATES
1500 ROYAL PALM SQ. BLVD SUITE #101
FORT MYERS, FLORIDA. 33919
PHONE: (239) 418-0691
FAX: (239) 418-0692

OWNER/DEVELOPER
FLORIDA CITRUS CORPORATION

PROJECT:
SPANISH CREEK CPA

TITLE:
MAP 21 - SPANISH CREEK COMMUNITY

PLAN REVISIONS:
DATE: DESCRIPTION:

MAP 21

Project Manager:	DD
Drawn By:	JRF
Checked By:	DD
Project Number:	21027-01
Cad File:	K:\21027-FL CITRUS\MAP 21.DWG

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTUCTION

Sheet Number: 01

DeLisi Fitzgerald, Inc.
Planning, Engineering and Project Management

2004-00006

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

SPANISH CREEK

Smart Growth Analysis

FAC 9J-5.006(5) provides specific guidance for reviewing plan amendments to determine how well they discourage urban sprawl. The purpose of the referenced subsection of 9J-5 is stated as to "give guidance to local governments and other interested parties about how to make sure that plans and plan amendments are consistent with relevant provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, Florida Statutes, and the remainder of this chapter [9J-5] regarding discouraging urban sprawl, including provisions concerning the efficiency of land use, the efficient provisions of public facilities and services, the separation of urban and rural land uses, and the protection of agriculture and natural resources.

Lee County implements this section of 9J5 through Objectives 2.1 and 2.2 in the Lee Comprehensive Plan. Objective 2.1 deals with Development Location and stressed the need for development to be located in such a way that development does not create sprawl and public facilities become financially feasible. Objective 2.2 deals with Development Timing and is primarily implemented through the rezoning process.

The following point-by-point analysis demonstrates how the proposed amendment not only discourages sprawl, but helps the county transition from a plan that currently calls for sprawl development while assisting in preserving the rural "small town" atmosphere of the "downtown Alva" area by C.R. 78 and the Broadway Bridge. While this analysis is structured as a point-by-point answer as to how this proposal implements 9J5, the comments point out how this proposal is consistent with Objectives 2.1 and 2.2.

9J-5 lists thirteen "Primary Indicators" of urban sprawl. These are provided below with a brief analysis of how each is relevant to the proposed amendment.

1. *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need. (Restated in Lee Plan Objective 2.1)*

   The current comprehensive plan allows for only single use development at low and very low densities on the subject property and over most of the land north of the Caloosahatchee River east of SR 31. The current Lee Plan promotes a scattering of low density residential subdivisions with few to no service or commercial areas. Under this pattern of development, the costs f infrastructure increase significantly, making most services financially infeasible. This pattern of development has led to the identification of only one east west road corridor north of the river – C.R. 78, which is a two lane facility, and will be unable to handle the traffic generated by this form of development.

   Furthermore, CR 78 was not designed to handle the pass through traffic that is building up along the corridor in low density subdivisions in Lee County, as well as new residential developments in Hendry and Glades Counties. CR 78 has numerous residential units fronting directly on CR 78 a design more characteristic of a local road, not the type of road to handle the pass through traffic that is building up.

Golden Gate Estates (Collier County) is a visualization of the current low density single use development pattern that the Lee Plan is promoting. East-west traffic out of and into Golden Gate is a significant issue, as is the difficulty of extending central water and sewer facilities to the area. The Florida Citrus property is currently split into parcels that are strikingly similar to Golden Gate. The Growth Management statutes were enacted to move counties away from permitting the types of development that is currently permitted on the Florida Citrus property.

The proposed amendment is transitioning the Lee Plan from a sprawl scenario (single us low density) to a mixed use, community with a range of densities. As demonstrated in the population accommodation section, and the market analysis for ranchettes (sprawl) submitted by Dr. Fishkind (DATE), this amendment will only funnel the current demand for housing in east Lee county from a sprawl based land form to a mixed use, mixed density land form where services are financially feasible.

The proposed plan of development implements Objection 2.1, *which states that, "Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services."*

2. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. (Restated in Lee Plan Objective 2.1)*

   The subject property is surrounded by Babcock Ranch and low density residential to the west, Babcock Ranch to the north, low density residential to the east, and low density residential to the south. Farther to the east is the planned Muse Village in Glades County approved for 3,500 units. The proposed district would create a mixed use, mixed density area that would be a break from the otherwise expansive area of low density single use development.

   While it could be argued that there are other lands west of the subject property that could theoretically be developed sooner for higher densities, that is both unlikely and not feasible. In looking at the area north of the Caloosahatchee River and east of SR 31, there are few opportunities for the planning and development of large contiguous area that would be able to bring viable commercial and service uses to this area. With only a single east-west road on the north side of the river, and very low density development, it is necessary to have some clustered density (2 dwelling units per acre is still low density, but if it is clustered then services become viable) to achieve the integrated self sustained community that these statutes try to generate.

   With the rapid decline in the citrus industry as well as the planning for development of Babcock Ranch to the west, and the planning for development of both Muse Village and the western Hendry area to the east, this part of Alva is transitioning away from agriculture. Planning for the growth, will help preserve the small town village atmosphere of the "downtown Alva area".

3. *Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.*

   The proposed Spanish Creek future land use map amendment proposes to break from the *"radial, strip, isolated or ribbon patterns"* of development currently allowed in the Lee

Plan by protecting and restoring sensitive environmental lands and clustering density on land most suited for development. This district creates a viable "node" of development that will be mixed use and mixed density in nature. It will be an independent urban center or hub for the area north of the Caloosahatchee River and in between the Babcock development and the Muse Village development. This form of nodal development is far preferable to the radial, strip, isolated or ribbon patterns that are trying to be prevented in the Florida Statutes and are currently allowed in the Lee Plan.

4. *As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

   The property where the proposed Spanish Creek community will be located has been cleared, ditched, and diked to improve the land for citrus production. These agricultural improvements have disrupted the flow of two historic flow ways through the property. The proposed district would reconstruct these flow ways and provide open lands and landscaping consistent with Lee County standards. The current land use category would not require flow way restoration.

   Not only is this proposal to enhance the current environmental condition of the property from the cleared citrus operation, but it will add features such as a higher standard of water quality treatment and new habitat for wildlife. The Caloosahatchee River is a critical environmental area. It is not helpful to promote the continued uses that create agricultural runoff with pesticides that flow into the river or low density residential uses that do not leave habitat areas and rely on individual septic systems, while there are preferable options that have a higher water quality treatment system and cluster to recreate wildlife areas.

5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silviculture activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.*

   The subject property is the only active agricultural land of the adjacent parcels. However, the proposed Map 21 does two things to transition from this clustered development to the Surrounding "AG-type" properties. First, low density and ranchette development is located along most of the perimeter. Second, the Policies and the plan show a required greenbelt around the edge of the property creating a natural buffer us adjacent properties.

6. *Fails to maximize use of existing public facilities and services. (Restated in Lee Plan Objective 2.2)*

   There are currently limited public facilities and services in Alva, because public services are not financially feasible with the type of development pattern that is occurring under the current Lee Plan – low density, spread out single use residential. This application is to create a land use category that would promote a mixed housing and commercial area that could make public services financially feasible for both this district and the adjacent areas in Alva. The applicant has agreed to provide central water and sewer, either through Lee County Utilities, or a facility to be constructed on-site. These facilities will also be made available to residents of the Alva community. The applicant will also work with appropriate agencies to provide other necessary public facilities and services as needed.

7. *Fails to maximize use of future public facilities and services. (Restated in Lee Plan Objective 2.2)*

   The developer will be responsible for providing future facilities and services to community residents as stated in #6 above.

8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, healthcare, fire and emergency response, and general government. (Restated in Lee Plan Objective 2.2)*

   This area of Lee County is faced with enormous growth pressure. Developments are being planned to the east and west that will have a very significant negative impact on the Alva community unless the road network is improved, water and sewer are available and other services are planned for. The county has an opportunity to prevent Alva from being over run by growth through a lack of planning. The timing to plan for this area is now – Babcock to the west and the Hendry properties to the east are all moving forward with development. This property creates an opportunity to make public infrastructure financially feasible.

9. *Fails to provide a clear separation between rural and urban areas.*

   Creating a separation between the rural and urban areas can be achieved by design. The intent of the proposed district is to cluster residential and commercial uses outside of the future restored natural areas. Buffer areas and low density ranchette type development can also be created to maintain a transition from the mix of densities to the surrounding low density residential uses.

10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

    The approval of the proposed Spanish Creek community will not discourage or inhibit infill development for existing neighborhoods, in large part because adjacent properties are either vacant or developed as ranchettes. There is not vacant inventory to compete with the proposed development.

11. *Fails to encourage an attractive and functional mix of uses.*

    The policies within the proposed text amendment allow for and require a mix of uses within the Spanish Creek Community.

12. *Results in poor accessibility among linked or related land uses.*

    Policies within the proposed text require roads, bike paths, sidewalks and greenways to connect residential neighborhoods and the Town Center. External connections will be made through roadway improvements approved in coordination with Lee County DOT.

13. *Results in the loss of significant amounts of functional open space.*

    To utilize the property for citrus production, almost the entire site was cleared, ditched, and diked to plant trees. Therefore, the current condition of the site contains no

functional open space. The proposed development will include public access to parks and trail ways around restored flowways and a greenway system, creating a vastly improved environment over the current condition.

DeLisi Fitzgerald, Inc.
Planning, Engineering and Project Management

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

CPA 2004-00006

FACILITIES ANALYSIS

The following analysis, demonstrates how the proposed Spanish Creek Community will support the additional public facilities service the property.

Parks

Level of Service and generation rates for park and recreational facilities are adopted as part of the Lee County Comprehensive Plan in the Capital Improvements Element. The level of service for Parks is established in Policy 95.1.3.5 as follows:

> *(a) Regional Parks 6 acres of developed regional park land open for public use per 1000 total seasonal county population.*
>
> *(b) Community Parks 0.8 acres of developed standard community parks open for public use per 1000 permanent population, unincorporated county only.*

In establishing a facility needs analysis for park and recreation lands, the most recent available demographic data is still the 2000 US Census. According to the census data we can assume an average permanent population of 77%. This is very conservative number based on similar developments with much higher seasonal populations. It is envisioned that the Spanish Creek property will be marketed substantially toward a seasonal and second home buyer population. However, to be very conservative we are using a county wide average. According to the census data the average household size is 2.31 people per household.

Table 1 below shows the park generation created by the proposed development:

Park Type	Generation Rate	Population	Park Acreage
Regional Park	6 acres/1,000 people total	17,154	102.9
Community Park	.8 acres/1,000 people permanent	13,208	10.6

In addition to park area, the Lee County Land Development Code specifies general open space and preserve guidelines for development. The requirement in the LDC is generally 40% open space for residential developments and 30% for commercial. The Spanish Creek Community will need to meet those guidelines as well, generating significant open space area. The proposed overlay plan, goes well beyond the county's current open space and recreational planning method, by master planning an interconnected park, preserve and greenway system that each individual development will need to adhere to. Rather then the current form of development where park and open space areas are isolated and simply used to meet county requirements, the proposed plan of development creates a system of passive recreational opportunities. Going even further, the proposed Policy 1.9.16 requires that all development within the "Transitional" category provide for on site recreational opportunities to help off set the recreational needs of their residents.

Libraries

The level of service for Libraries is also established in Policy 95.1.3.5 as follows:

> *Libraries: Maintain existing per-capita inventory; provide 1.6 items and .274 square feet of library space per capita (permanent residents).*

	Generation Rate	Population	Square Feet
Library	.274 Square Feet Per Capita	13,208	3,619

In accordance with the county's level of service standards, the development will generate the need for 3,619 square feet of additional library space. As with all of the other facilities, this has been taken into account with the conceptual site plan. Policy 1.9.13 requires the developer to work with the facility providers to locate sites within the Spanish Creek Community.

EMS Services

Based on the LOS standard adopted into the Lee Plan (below) and the rule of thumb response time of 2 minutes per mile, at least one Fire/EMS sub station will need to be located within the Spanish Creek community, depending on how centrally the station is located and depending on the location of existing facilited and projected calls from outside of the area.

> *Emergency Medical Service: 3.18 advanced life support ambulance stations per 100,000 population with a five and one half (5 1/2) minute average response time.*

Schools

The Lee County School Board projects student generation by dwelling unit. According to the School Impact Fee Study prepared by Duncan and Associates and adopted by Lee County in 2005, students are projected to be generated at a rate of .334 students per single-family dwelling unit and .132 students per multi-family dwelling unit (Table 9 of the Duncan study). The assumed distribution of single family and multi family units is consistent with the distribution in the transportation impact study conducted by David Plummer and Associates (5,200 single family units and 2,226 multi family units).

Table 1 below shows how the student generation rates break down by school type, in accordance with Table 15 in the School Impact Fee study. According to the study, an allocation of 50.4% was made for elementary schools, 21.4% for middle schools and 28.2% for high school students.

Table 1 - Student Generation Rates*

	Elementary	Middle	High
Single Family	0.168	0.071	0.094
Multi-Family	0.067	0.028	0.037

*Based on the Lee County School Impact Fee Study, September 2005

Table 2 - Estimated Number of Students Generated			
	Elementary	**Middle**	**High**
Single Family	874	369	489
Multi-Family	149	62	82
Total	**1,023**	**431**	**571**

Table 3 - Estimated Facility Impacts from Comp Plan Amendment			
Educational Facility	**Capacity**	**Current Enrollment**	**Remaining Capacity**
Alva Elementary School	267	485	(218)
Lehigh Elementary School	688	953	(265)
Alva Middle School	670	572	98
Lehigh Acres Middle School	1,121	946	175
Lehigh Senior High School	1,739	2,008	(269)

Nearly every school in Lee County is over capacity, which is why a substantial new construction plan is underway by the district. However, the greatest difficulty in building new school sites is finding locations adequate to meet the needs of the district. This property will not have that problem and can provide an overall community benefit by providing needed facilities.

The Impact Fee ordinance was adopted requiring that all new units pay for their proportionate impact on the school system. Therefore there will be no impact on the school system through this plan amendment. Any students generated will have been mitigated for through the payment of impact fees.

Policy 1.9.16 requires that school sites be located within the Spanish Creek Community, and sufficient land has been set aside in the conceptual plan for new sites to accommodate this potential worst-case impact. The intent is to have the new school sites service and become part of the Spanish Creek Community. The conceptual plan for Spanish Creek has provided locations for two elementary school sites, one middle school site and one high school site. These areas are identified as public facilities and reflect potential locations of schools and other public facilities beyond those for schools. This will provide 20 acres for the two elementary schools, 15 acres for the middle school, and 40 acres for the high school, a total of 95 acres. These will be available in convenient locations throughout the subject property. Calculated impact fees will be credited at the appraised fair market value of the school sites upon their donation to the district. Conversely, the applicant will agree to pay the full impact fee and the district can purchase land elsewhere if it is so desired.

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

SA 2004-00006

SPANISH CREEK
WATER RESOURCE ASSESSMENT

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

JOHNSON ENGINEERING

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

JEI #20023330

JOHNSON ENGINEERING

TABLE OF CONTENTS

1.0 INTRODUCTION 4

2.0 POTABLE WATER SUPPLY DEMAND 8

3.0 IRRIGATION DEMAND 9

4.0 EXISTING LEGAL USERS 10

5.0 POTABLE WATER 12

6.0 RECLAIMED WATER 13

7.0 SURFACE WATER 14

8.0 GROUNDWATER 15

A. Surficial Aquifer 18

B. Sandstone Aquifer 22

C. Lower Hawthorn/Floridan Aquifer 26

9.0 SUMMARY 32

10.0 RECOMMENDATIONS 35

11.0 REFERENCES 37

Appendix A 38

LIST OF FIGURES

Figure 1. Aerial photograph showing the location of the project site 6
Figure 2. Aerial photograph showing the location of existing wells 7
Figure 3. Existing SFWMD water use permits near the project site 11
Figure 4. Cross-section location map 16
Figure 5. Generalized hydrogeologic cross-section 17
Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida 20
Figure 7. L-2202 surficial aquifer hydrograph 21
Figure 8. L-2200 Sandstone aquifer hydrograph 24
Figure 9. L-1977 Sandstone aquifer hydrograph 24
Figure 10. Chloride concentration from L-2200 and L-1977 26
Figure 11. L-5708 hydrograph 27
Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site 29
Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph 31

LIST OF TABLES

Table 1. Potable water demands..... 8

Table 2. Irrigation allocations 9

Table 3. SFWMD water use permits in the vicinity of the project site..... 12

1.0 INTRODUCTION

This assessment evaluated potential sources of water suitable for potable water supply and irrigation of landscaping at the proposed Spanish Creek development (project site). The project site consists of approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. An aerial photograph showing the location of the project site is provided as Figure 1. The project lies north of County Road 78 in the northeast corner of Lee County on the borders with Charlotte and Hendry Counties. The Spanish Creek and Miller's Gully flowways cross the southern portion of the project site. The land has historically been used for farming and citrus operations since the late 1960s, when the County Line Drainage District was created as the primary entity responsible for drainage and irrigation at the project site.

Currently the project irrigates approximately 3,600 acres of citrus using surface water withdrawals from the on-site canals and reservoirs and the surficial aquifer. Five separate South Florida Water Management District (SFWMD) water use permits exist for the land comprising the Spanish Creek project. Permit 36-00188-W for the County Line Drainage District covers the majority if the project site, authorizing irrigation of 3,550 acres of citrus using withdrawals from on-site canals and reservoirs, with an allocation for freeze protection from three surficial aquifer wells. Alva Groves (36-01460-W) and C.M. Hansen farms (36-01568-W) also hold water use permits to irrigate 190 and 65 acres, respectively, using surficial aquifer withdrawals. LaBelle Auto Parts had a permit to irrigate 82.5 acres on the project site using the Sandstone aquifer until the permit was allowed to expire on June 30, 2005, as was the case for Gene's Grove (36-02024-W), which had a permit to irrigate 8.8 acres using surficial aquifer withdrawals. See Figure 2 for existing on-site wells.

Once developed, the Spanish Creek site will consist of 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, two elementary schools, a middle school, a high school, parks, open space and environmental areas at build-out in 2025. The site will require about 200 acres of stormwater management ponds. Due to the lack of utility service, the project will require on-site wastewater treatment, and potable water facilities designed to provide approximately 1.81 million gallons per day (mgd) of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the

total acreage) will also require landscape irrigation at build-out. This assessment evaluates the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, the SFWMD DBHYDRO database, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and project files, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water, and groundwater or any combination thereof for both potable and irrigation supply. In addition, the estimated landscape irrigation demand was calculated using the modified Blaney-Criddle irrigation model, and water quality suitable for irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

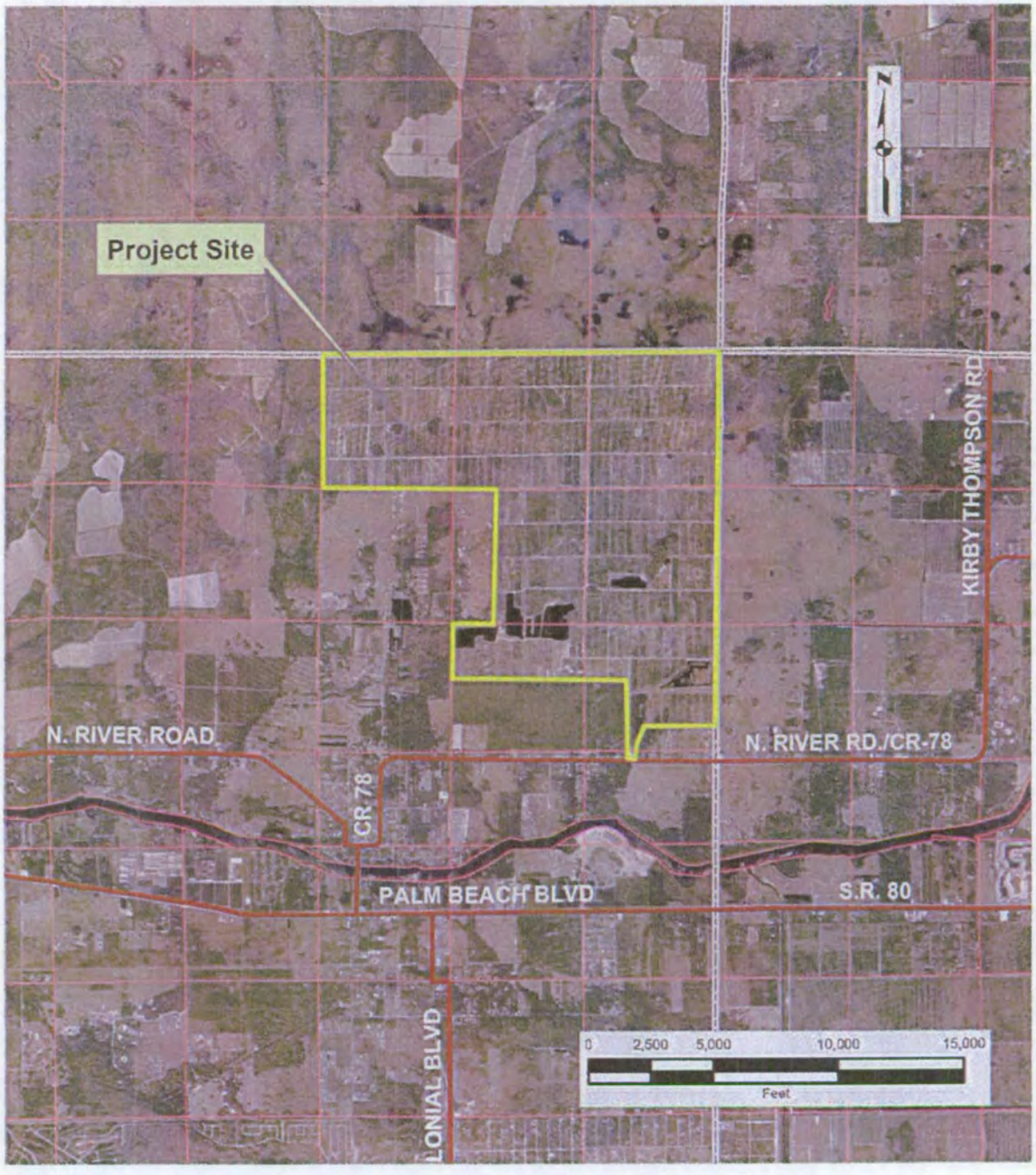


Figure 1. **Aerial photograph showing the location of the project site.**

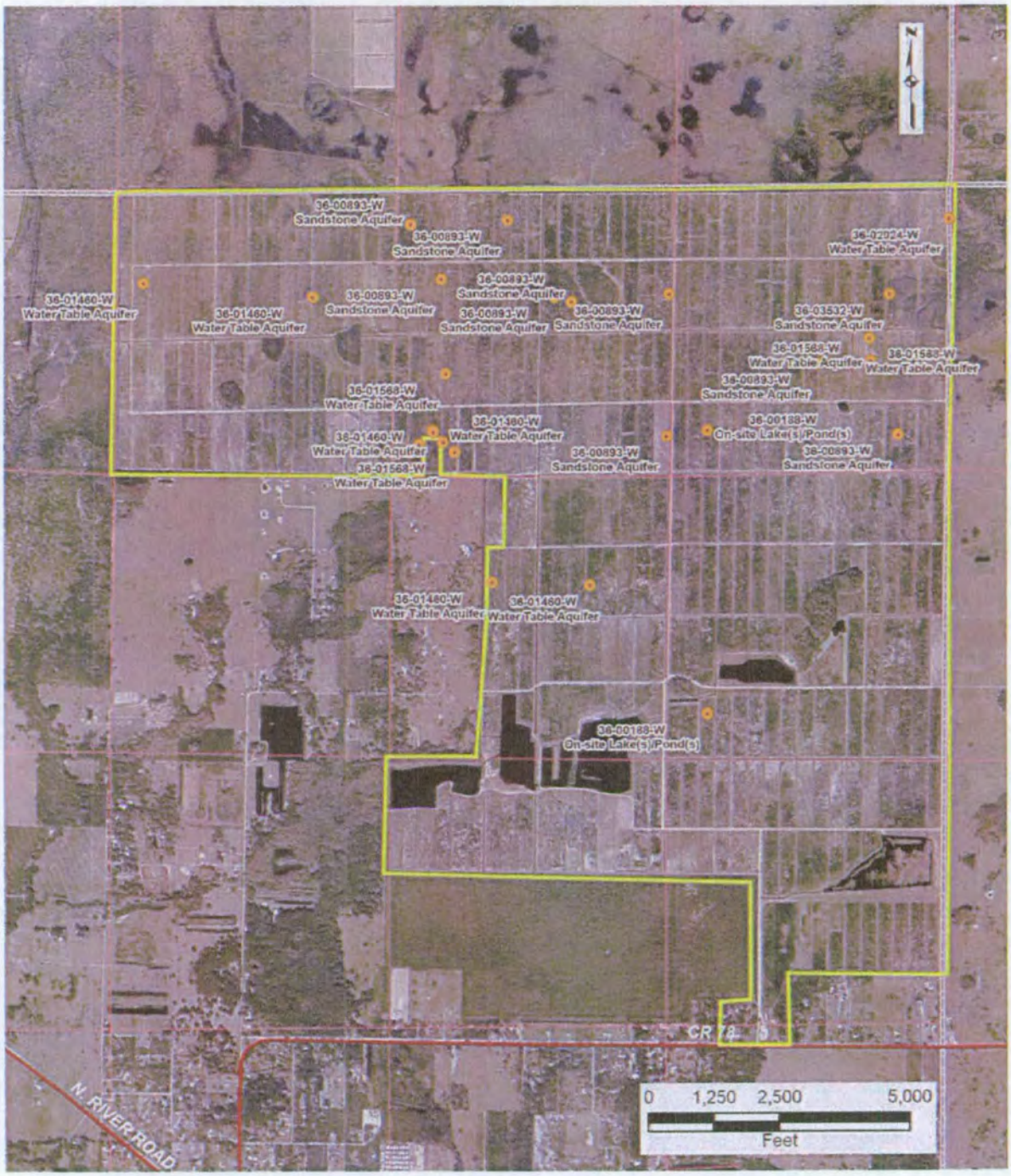


Figure 2. **Aerial photograph showing existing wells on Spanish Creek property (from SFWMD ArcGIS shapefiles, 2006).**

2.0 POTABLE WATER SUPPLY DEMAND

Spanish Creek will consist of approximately 7,400 residential units plus 350,000 square feet of office and retail space at build-out in 2025. Approximately 70% of the 7,400 units will consist of single family residences (5,200 units), while multi-family dwellings will compose the remainder (2,200 units). Each single family residence will require approximately 250 gallons per day (gpd) of potable water, and each multi-family dwelling will require 200 gpd. Public facilities may include educational and community uses, such as police and fire stations, churches, libraries, parks, etc. Public and commercial facilities typically require an additional 0.2 gpd per square foot, for an additional 70,000 gpd, approximately. At build-out, Spanish Creek will have an average annual finished water demand of 1.81 mgd and a maximum daily demand of 2.715 mgd. Assuming a water treatment plant efficiency of about 70%, which is typical for treatment of saline water, the project would require 2.59 mgd of raw water on average, and 3.9 mgd under peak conditions. Plant efficiency would improve with better raw water quality. The following table lists the projected average and peak potable water demands for the residential, retail and office segments of the project (Table 1).

Potable Water Demand (in Million Gallons)				
Use	**Ave. Daily Finished/Raw**	**Annual Finished/Raw**	**Max. Daily Finished/Raw**	**Max. Month Finished/Raw**
Residential				
Single Family (250 gpd)	1.3/ 1.7	474.5/ 620.5	1.95/ 2.54	59.3/ 77.1
Multi-Family (200 gpd)	0.44/ 0.57	160.6/ 208.8	0.66/ 0.86	20.1/ 26.1
Commercial				
Retail (0.2 gpd/ft^2)	0.0525/ 0.068	19.2/ 24.9	0.08/ 0.1	2.4/ 3.1
Office (0.2 gpd/ft^2)	0.0175/ 0.023	6.4/ 8.3	0.026/ 0.034	0.8/ 1

Table 1. Potable water demand

3.0 IRRIGATION DEMAND

Table 2 shows the approximate allocations calculated for the project site using the modified Blaney-Criddle irrigation model. The model uses plant type, air temperature, number of daylight hours, effective rainfall, soil conditions, and 1-in-10 year drought conditions (a drought with a return frequency of once in 10 years) to determine supplemental irrigation requirements. The SFWMD uses this model to determine supplemental irrigation requirements for a project, upon which it bases the permitted irrigation allocation.

Blaney-Criddle Allocation in Million Gallons (1-in-10 drought)	
	Spanish Creek (900 irrigated acres)
Average Daily	3.16
Maximum Daily	4.99
Maximum Monthly	151.77
Annual	1,154.35

Table 2. Irrigation allocations

An irrigation system efficiency of 75% and 900 total irrigated acres for the entire project at build-out were used in the model calculation. A copy of the Blaney-Criddle irrigation model is provided in Appendix A.

The suitability of water for irrigation was assessed by using dissolved chloride concentrations in milligrams per liter (mg/L). A maximum concentration of 600 mg/L was used as a threshold suitable for irrigation of freshwater plants.

4.0 EXISTING LEGAL USERS

Most legal existing users in the vicinity of the project site obtain irrigation water from surface water features, including canals, on-site retention ponds and the Caloosahatchee River, and from the surficial and Sandstone aquifers. Legal domestic users in the area without public water supply primarily use the surficial and Sandstone aquifers as a potable water source. Several SFWMD water use permits for agricultural irrigation have been issued in the vicinity of the project, as well as some minor general permits for landscape and nursery irrigation (Figure 3; Table 3).

The Babcock Ranch, located north and west of the Spanish Creek property, holds SFWMD water use permit 08-00002-W for agricultural withdrawals of up to 26,930.41 MG annually from the surficial, Sandstone, Mid-Hawthorn and Lower Hawthorn aquifers. The State of Florida has recently purchased the portion of the Babcock Ranch adjacent to Spanish Creek for conservation purposes. Directly east of the Spanish Creek property, the Thompson Property held permit 26-00560-W for agricultural irrigation of 1,546 acres using the surficial aquifer. This permit was allowed to expire on June 30, 2005, as was permit 36-02025-W for irrigation of 8.8 acres using the surficial aquifer at Blake's Grove, located west of the project site. Other agricultural operations located to the west of Spanish Creek holding water use permits include, Green's Citrus (36-00848-W) permitted to irrigate 15.29 acres using withdrawals from the surficial aquifer, Alva Grove (36-02049-W) permitted to irrigate 15.1 acres using Sandstone aquifer withdrawals, and Daniels Grove (36-02184-W) permitted for withdrawals from off-site lakes to irrigate 26.44 acres. Ft. Denaud Grove (36-01028-W), southeast of Spanish Creek, is permitted to irrigate 14 acres from the Sandstone aquifer. To the east, Gator Dyess Grove (26-00370-W) and Kinser Grove (26-00135-W) hold permits to irrigate 40 acres from the Sandstone aquifer, and 525 acres using on-site lake and Sandstone aquifer withdrawals, respectively. Northeast of Spanish Creek in Glades County, Dennis G. Small (22-00072-W) has a permit to irrigate 6.11 acres using the Sandstone aquifer.

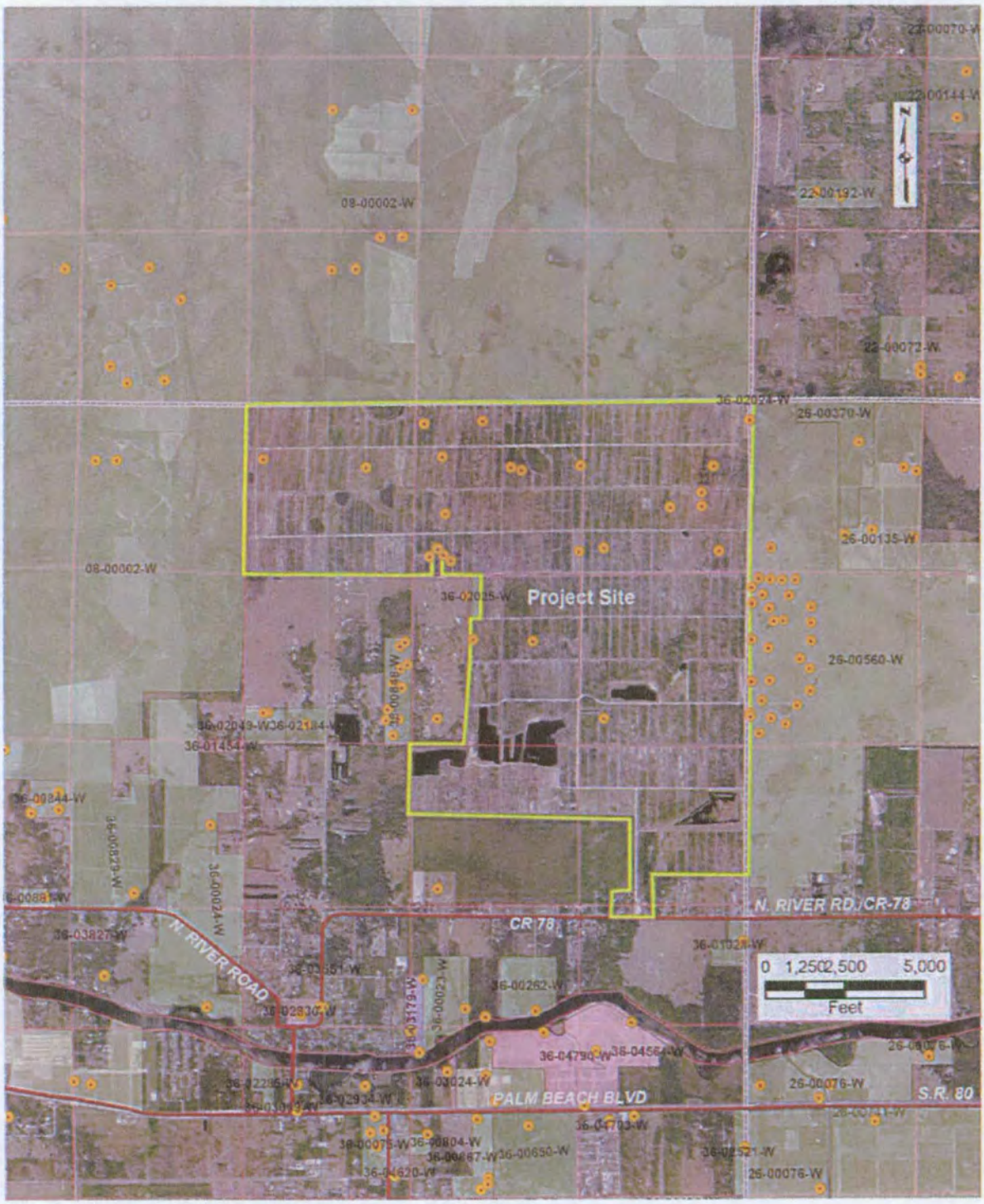


Figure 3. **Existing SFWMD water use permits near the project site (source SFWMD GIS shape files).**

Permitted Project Name	Water Use Type	Source	Permit No.
Babcock Ranch	Agriculture	Surficial, Sandstone, Mid-Hawthorn, Lower Hawthorn	08-00002-W
Dennis G. Small	Agriculture	Sandstone aquifer	22-00072-W
Kinser Grove	Agriculture	On-site lake, Sandstone	26-00135-W
Gator Dyess Grove	Agriculture	Sandstone aquifer	26-00370-W
Thompson Property*	Agriculture	Surficial aquifer	26-00560-W
Green's Citrus	Agriculture	Surficial aquifer	36-00848-W
Ft. Denaud Grove	Agriculture	Sandstone	36-01028-W
Blake's Grove*	Agriculture	Surficial aquifer	36-02025-W
Alva Grove	Agriculture	Sandstone	36-02049-W
Daniels Grove	Agriculture	Off-site lake	36-02184-W

* Expired June 30, 2005

Table 3. SFWMD water use permits in the vicinity of the project site.

Currently, no utility provides potable water service to residents within greater than a mile of the Spanish Creek property, so each residence requires a domestic supply well. According to the Lee County Well Construction Database, most legal domestic users in the area use the Sandstone or the surficial aquifers for domestic supply and irrigation. Water quality data reported from domestic Sandstone and surficial wells near the project site show that chloride concentrations in the Sandstone aquifer regularly exceed 600 mg/L, but surficial aquifer chloride concentrations typically remain below 100 mg/L.

5.0 POTABLE WATER

Currently, no utility provides potable water service within over one mile of the Spanish Creek property, requiring each residence or commercial property to install individual domestic supply and irrigation wells. The City of LaBelle (SFWMD #26-00105-W) has the designated public water supply service area closest to the project site. The City of LaBelle holds an SFWMD permit to withdraw up to 237.02 MG annually from the surficial aquifer. The City routes this water to a water treatment plant with a maximum capacity of 1.0 mgd, where it is treated with lime softening and contact chlorination. The City projects an average daily water usage of 636,900 gpd and a maximum month usage of 781,300 gpd in 2008. No water

distribution lines currently exist near the Spanish Creek project site, and the projected demand of Spanish Creek at build-out exceeds the current SFWMD permitted allocation, as well as the water treatment plant capacity. The City of LaBelle would need to request an increase in allocation from the SFWMD, request a revision of the service territory from the Public Service Commission (PSC), and either upgrade its current water treatment plant or construct a new plant prior to providing service to Spanish Creek. Additionally, the water would have to cross county lines, which is generally discouraged. Under the current rate structure for customers outside of the city limits, it would cost over $1.78 million annually to irrigate 900 acres and over $1 million to supply the required volume of potable water. Spanish Creek would also likely be required to finance the necessary line extensions and plant upgrades. The SFWMD discourages the use of potable water for irrigation purposes, and public supply and domestic users would likely receive precedence should potable water become available. Due to the economic and logistic considerations involved, purchasing irrigation water and/or potable water from an existing outside utility is not a feasible option at this time.

6.0 RECLAIMED WATER

No source of reclaimed water currently exists in the vicinity of the project site. The City of LaBelle uses percolation ponds to dispose of its waste water effluent and has no immediate plans to implement reclaimed water service. Were reclaimed water to become available from an outside supplier, reclaimed water distribution mains would have to be extended to the Spanish Creek project site. Reclaimed water would represent a potential source of irrigation water should it become available in the future. However, the designated set-back distance of 75 feet from a public water supply well (F.A.C. 62-610.471) would need to be observed if users in the area or the project itself rely on groundwater as a drinking water source.

Due to the lack of utility services, Spanish Creek will require its own water and wastewater treatment plants, which will need effluent disposal methods, one option being use of reclaimed water. The proposed Spanish Creek wastewater treatment plant will reuse its treated effluent, at least in part, for irrigation. Operating at full capacity, the plant may produce approximately 1.35 to 1.5 mgd of reuse water, or slightly less than half of the average daily irrigation demand. Based on the anticipated demands of the project at build-out, the plant will

not produce enough reclaimed water to supply the total irrigation volume, even once it reaches full capacity, which may not occur for several years. Reclaimed water from the Spanish Creek plant will be used to irrigate as it becomes available in increasingly larger quantities as the project develops, but reuse effluent from Spanish Creek alone will not supply an adequate volume to serve as the sole irrigation source.

7.0 SURFACE WATER

The existing citrus operation on the Spanish Creek property currently withdraws 1,187 million gallons annually from the on-site ponds and canal system to irrigate approximately 3,550 acres. In the past, the County Line Drainage District has been permitted to withdraw up to 2,776 million gallons annually from surface water. Once the Spanish Creek property is developed, the site will contain approximately 200 acres of surface water management lakes. Other existing users in the vicinity, such as Kinser Grove, also use on-site surface water withdrawals to at least partially meet their irrigation demands. The proposed surface water management system could serve as a source of irrigation water; however, due to the large volume of irrigation water required by the project, lake withdrawals alone will in all likelihood not be able to meet the total irrigation demands. The Spanish Creek development, as proposed, will contain wetland flowway systems throughout the project site. These wetland systems will be subject to SFWMD rules that limit the acceptable amount of drawdown beneath wetlands, thereby limiting the amount of irrigation water that could be withdrawn from the lake system. Additionally, surface water withdrawals not supplemented with groundwater recharge may result in lake drawdowns in excess of natural variations during the dry season, which may not be aesthetically pleasing. Nevertheless, the surface water management system could supply some component of the irrigation demand, especially used in conjunction with groundwater withdrawals. Surface water bodies and the surficial aquifer in this area typically have chloride concentration below 100 mg/L, which would be suitable for blending with brackish groundwater in the on-site lake system in order to achieve suitable irrigation water quality.

8.0 GROUNDWATER

Other projects near the Spanish Creek property obtain irrigation water from groundwater withdrawals. Three main aquifers exist underneath the project site: the surficial aquifer, the Sandstone aquifer, and the Floridan (Lower Hawthorn) aquifer (Figures 4 and 5). Of these three aquifers, most existing legal domestic users in the area withdraw potable water from the Sandstone or surficial aquifers. However, the Sandstone aquifer has reported chloride concentrations exceeding 600 mg/L in much of the area surrounding Spanish Creek, forcing many residences to rely on surficial aquifer wells for potable supply because of the fresher water quality. Many homes and businesses use this source despite the fact that high uranium and radionuclide concentrations have been reported from surficial aquifer wells in the Alva area. Most agricultural operations also use groundwater withdrawals from the surficial or Sandstone aquifers to meets their irrigation demands. As mentioned under the Existing Users section, these projects include Babcock Ranch, the Thompson Property, Blake's Grove, Green's Citrus and Alva Grove. Various groves on the Spanish Creek project site have held agricultural water use permits in the past for surficial and Sandstone aquifer withdrawals.

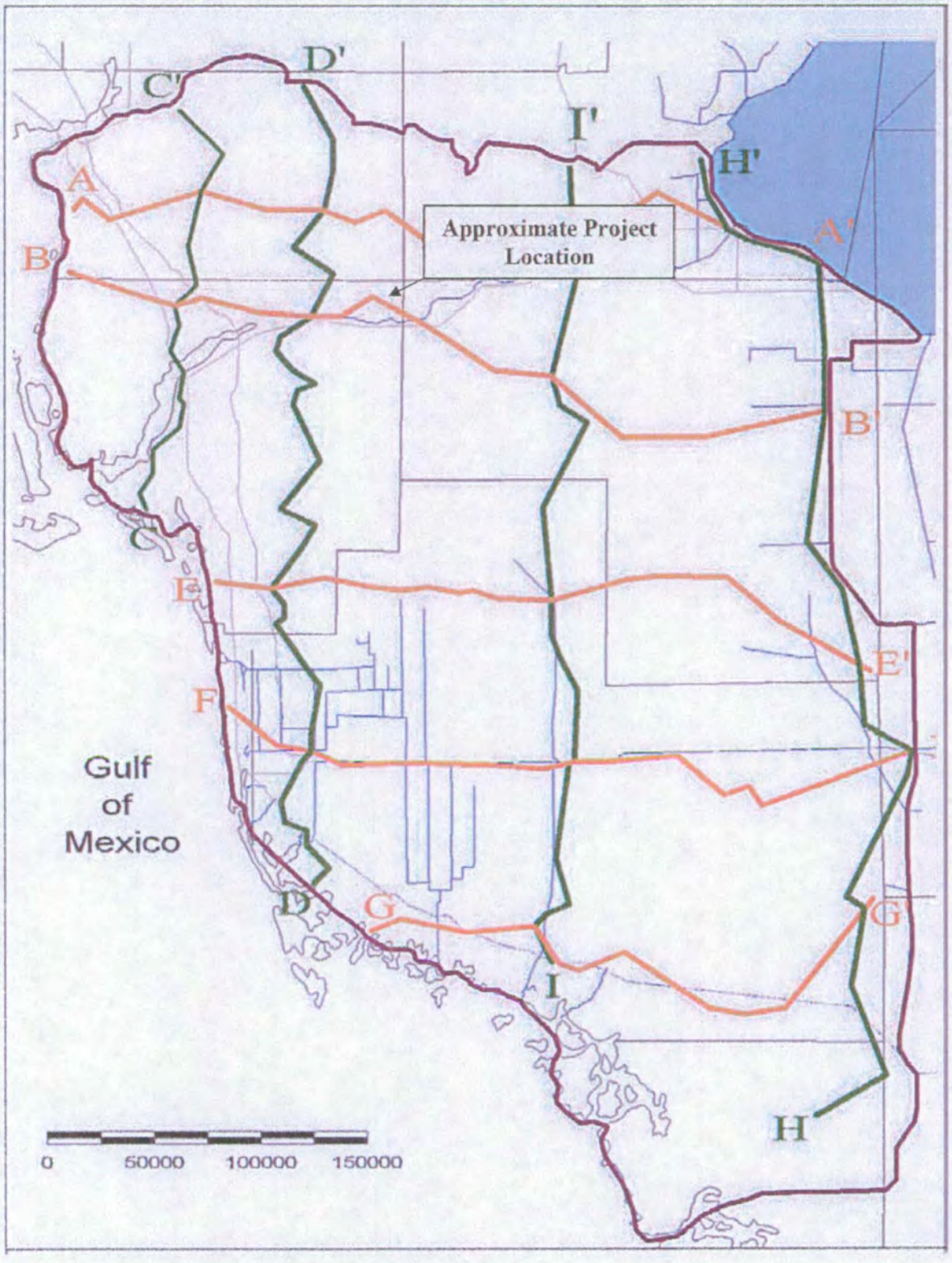


Figure 4. Cross-section location map. (BEM, 2003)

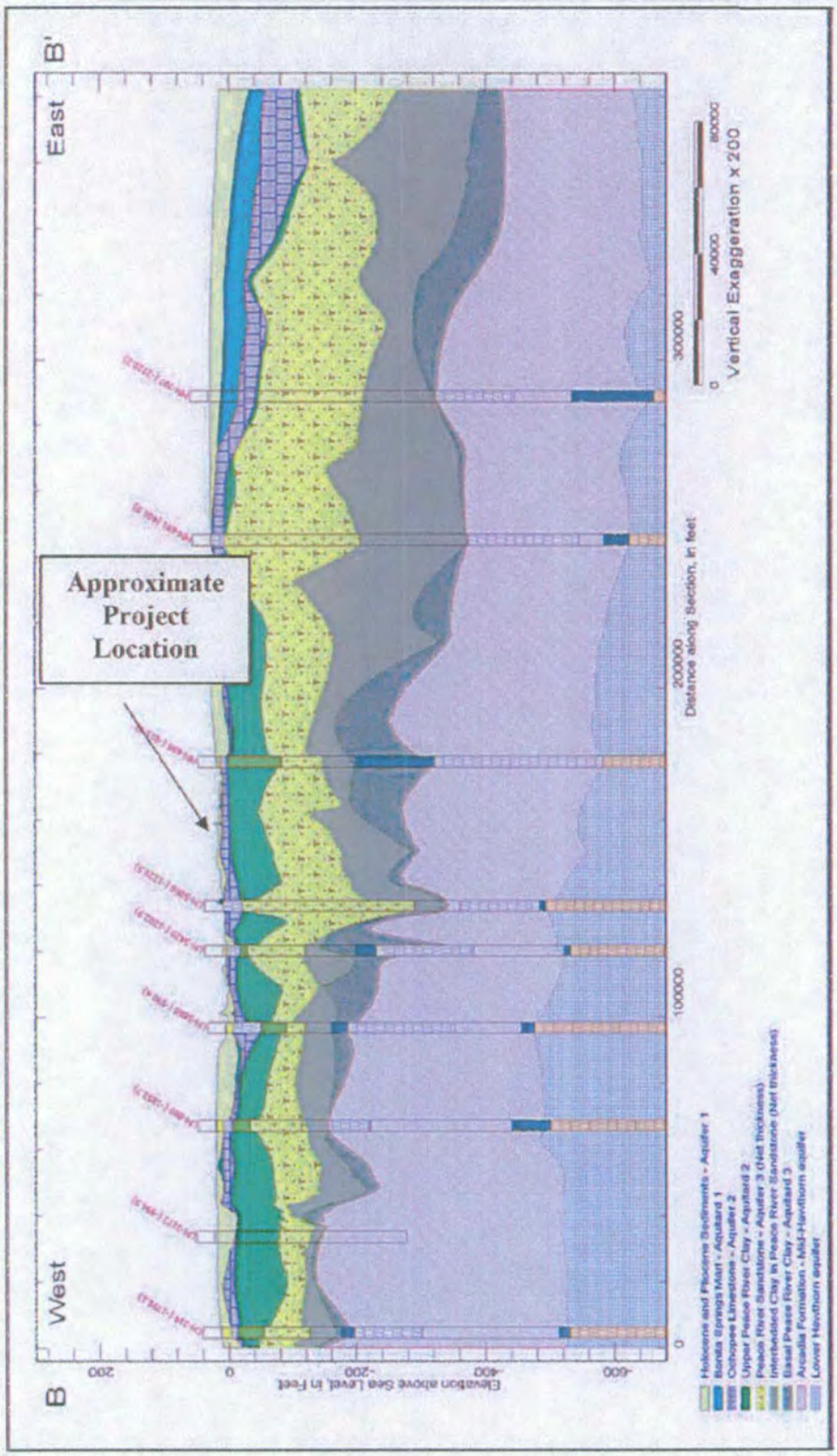


Figure 5. Generalized hydrogeologic cross-section. (BEM, 2003)

A. Surficial Aquifer

The surficial aquifer at this location mainly consists of undifferentiated sands and shell extending from the land surface to approximately 5 to 10 feet below land surface (bls; Figure 6). In some locations, the Ochoppee limestone member of the Tamiami formation may be present close to the surface. Where this limestone does occur, the aquifer will generally display greater productivity. Based on lithologic logs collected near the project site, 20 to 50 feet of confining material may exist between the surficial aquifer and the underlying Sandstone aquifer in northeastern Lee and northwestern Hendry Counties. Lithologic logs from the Florida Geological Survey (FGS) indicate that a mixture of sand and shell extends from land surface to between 5 to 10 feet bls. In selected locations, limestone with varying amounts of fine-grained material may extend from 5 to 40 feet bls. Olive green to yellowish grey silt and clay may form a confining layer between the surficial and Sandstone aquifers from 40 to 60 feet bls. Where silt and clay is not present, mud-rich limestone may act as confinement anywhere from 10 to 40 feet bls. The land surface of the project site averages 20 feet, National Geodetic Vertical Datum (NGVD).

Water level data from USGS surficial aquifer well L-2202, located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD, has recorded water levels ranging from 10.19 to 17.20 feet NGVD for the period of record from 1975 to 2006. Wet season water levels have averaged approximately 15 feet NGVD and dry season water levels have averaged 13 feet NGVD for the past 25 years without any apparent long-term trend (Figure 7). The primary source of water supply to the surficial aquifer is precipitation; however, surface water bodies (*e.g.*, rivers, canals, lakes) may provide recharge to the aquifer when their potentiometric heads are above that of the water table. The Sandstone aquifer may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher. Groundwater in the surficial aquifer at the project site generally flows north to south towards the Caloosahatchee River, following the natural topography, although pumping could alter or reverse the flow gradient.

The hydraulic properties of the surficial aquifer vary depending on the thickness and composition of the formation, with productivity increasing in areas underlain by limestone near the surface. The closest aquifer performance test (APT) conducted on the surficial aquifer was performed 2.17 miles to the southwest of the Spanish Creek property south of the Caloosahatchee River. This test reported a transmissivity of 11,200 gallons per day per foot

(gpd/ft). Another APT performed 2.46 miles to the south, also south of the river, reported a transmissivity value of 71,100 gpd/ft. The County Line Drainage District and other on-site groves have used surficial aquifer wells to irrigate hundreds of acres of citrus grove with no reported production problems. Actual on-site hydraulic properties may vary substantially from those reported by the APTs, as surficial aquifer lithologic and hydraulic characteristics can be highly localized. However, existing surficial aquifer irrigation wells have reported pumping capacities of 200 to 250 gpm and wells at Babcock Ranch, just north of Spanish Creek, produce up to 600 gpm, indicating good productivity at the project site.

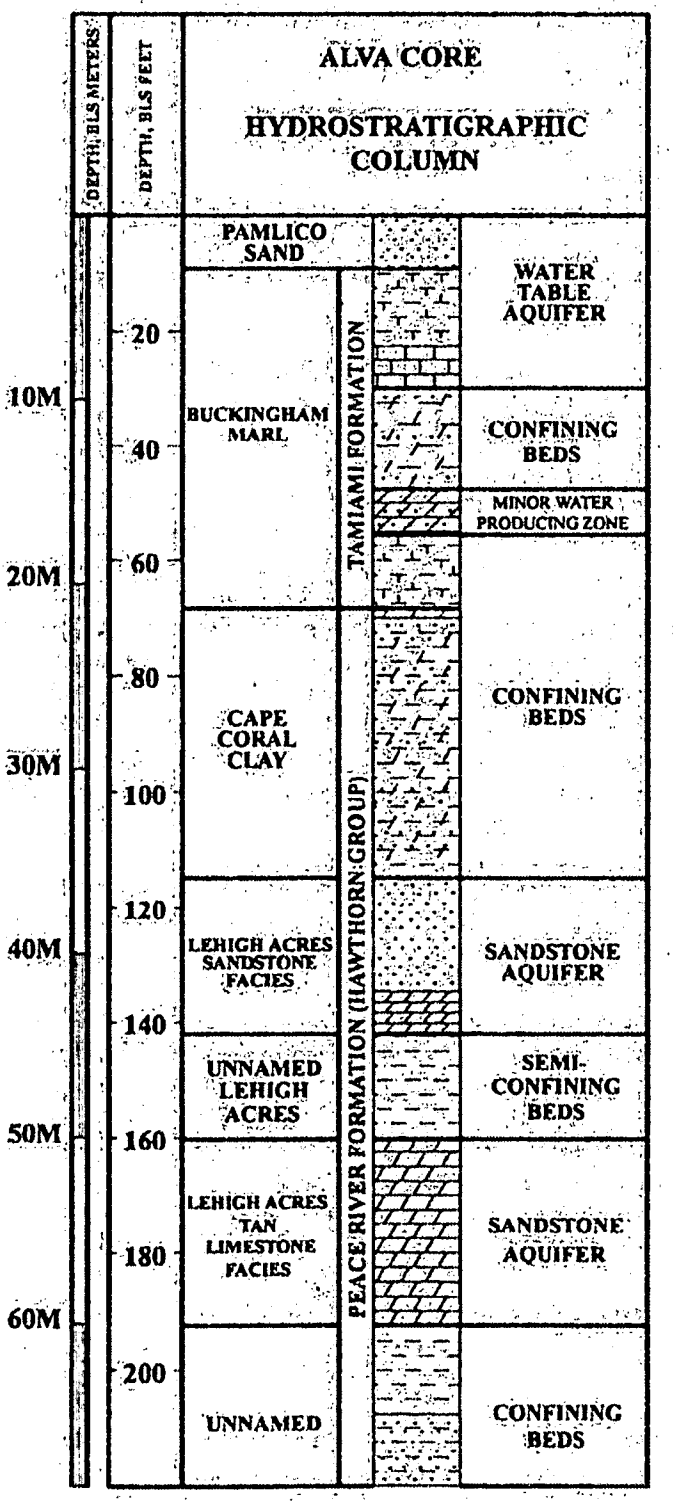


Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida. (Weinberg & Cowart, 2001)

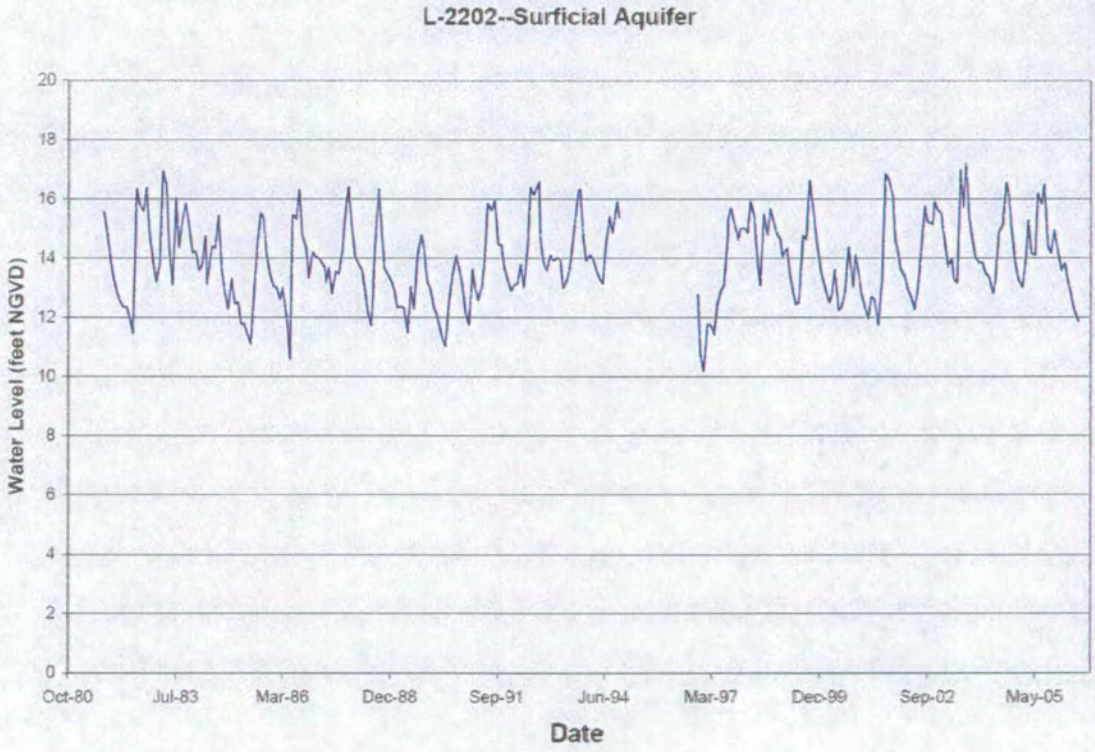


Figure 7. L-2202 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

Long term water quality data for the surficial aquifer near the Spanish Creek property show that chloride concentrations generally remain below 100 mg/L. Chloride concentration data from L-2202 show values ranging from 34 to 124 mg/L for the period of record from 1983 to 1993. Chloride concentrations taken from wells constructed in the surficial aquifer range from 33 to 120 mg/L, as reported in the Lee County Well Construction Database. Because the surficial aquifer at this location could be under the direct influence of surface water, a drinking water system using the surficial aquifer as a source might be subject to specific Florida Department of Environmental Protection (FDEP) filtration and disinfection requirements, as described in 62-550.817, F.A.C. Additionally, the surficial aquifer likely contains high iron concentrations, as is common across southwest Florida, and would require treatment and aeration prior to irrigation usage in order to avoid staining. Furthermore, the surficial aquifer may contain elevated concentrations of dissolved uranium, a potential health concern. According to Weinberg and Cowart (2001), this uranium leaches from phosphatic sands and gravels present in the Buckingham marl of the Tamiami formation, requiring extensive treatment prior to use for public water supply.

B. Sandstone Aquifer

Some legal domestic users in this area use the Sandstone aquifer as their primary source of potable water, although it may have chloride concentrations in excess of 600 mg/L in some locations. Some citrus groves in the area also use Sandstone aquifer wells for primary irrigation or freeze protection. Up to 50 feet of clay, silt and muddy limestone composing the Upper Hawthorn confining zone may separate the surficial and Sandstone aquifers near the Spanish Creek property. Throughout most of Hendry County and the northeastern portion of Lee County, the Sandstone aquifer consists of an upper clastic zone and a lower, generally more productive carbonate zone. Based on lithologic logs from the FGS, the Sandstone aquifer at this location mainly consists of an upper zone of very fine to very coarse quartz sand up to 40 feet thick, followed by limestone, dolomite and, in some cases, shell and sand of the Hawthorn group. The aquifer can extend from approximately 30 to 170 bls, according to lithologic logs and permitted well depths in the area. The lithologic log for FGS well 17416, in Section 10, Township 43 South, Range 27 East to the southwest of the project site, shows the clastic zone extending from

90 to 135 feet bls, followed by the carbonate zone from 135 to 170 feet bls. A lithologic log from FGS well 09015, located in Section 6, Township 43 South, Range 28 East directly east of the project site, shows sands occurring from 30 to 60 feet bls, followed by limestone from 60 to 80 feet bls, followed by shell beds from 80 to 100 feet bls, and more sand from 100 to 160 feet bls. Based on these lithologic logs, little confinement typically exists between the two zones of the Sandstone aquifer, so they generally function as one hydraulic unit.

The land surface of the project site averages 20 feet, NGVD. Data collected at USGS well L-2200 (Figure 8), located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD and open to from 122 to 163 feet bls, show that water levels ranged from 3.51 to 16.32 feet NGVD for the period of record from 1975 to 2006. Water level data collected at USGS well L-1977, located approximately 1.33 miles southwest of the project site at an elevation of 17.1 feet NGVD and open from 65 to 185 feet bls, show that water levels ranged from 2.50 to 15.18 feet NGVD for the period of record from 1974 to 2006 (Figure 9). Recent wet season water levels average approximately 13 feet NGVD, while dry season water levels average 7 feet NGVD at both wells. The long-term water levels at both wells appear to show a slight decline of approximately 2 feet over the period of record.

The primary source of water supply to the Sandstone aquifer is recharge from the overlying surficial aquifer when potentiometric heads in the Sandstone aquifer are lower than those of the surficial. Deeper aquifers may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher; however, more than 100 feet of confining material may separate the Sandstone aquifer from underlying aquifers. Water in the Sandstone aquifer generally flows from the northeast to the southwest towards the Caloosahatchee River across the project site, although pumping could alter or reverse the flow gradient.

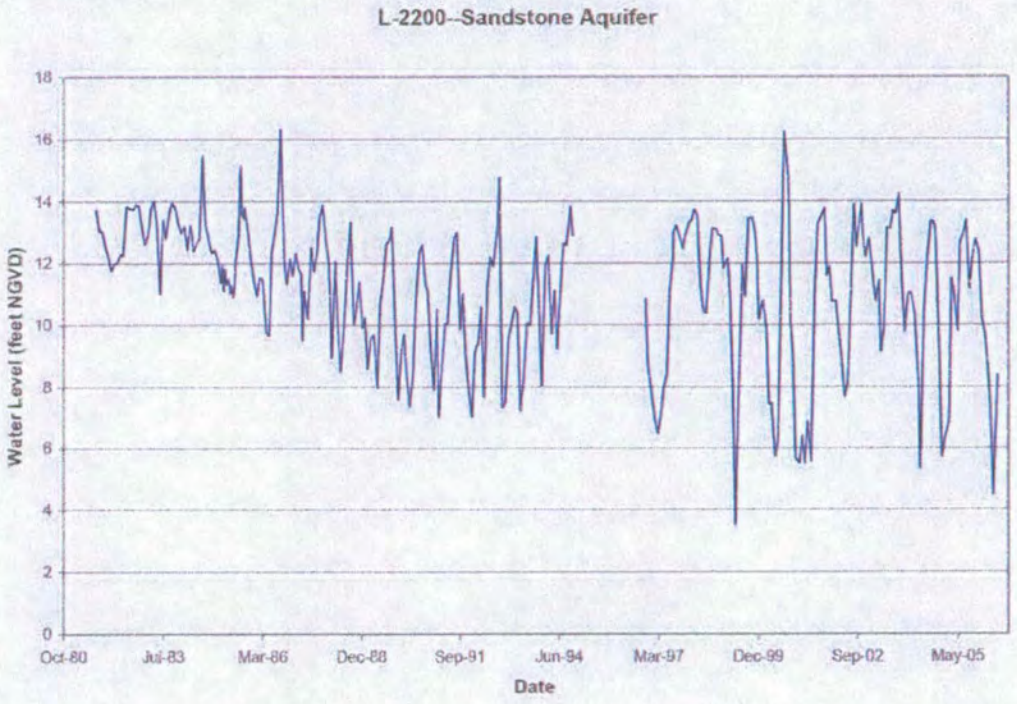


Figure 8. L-2200 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

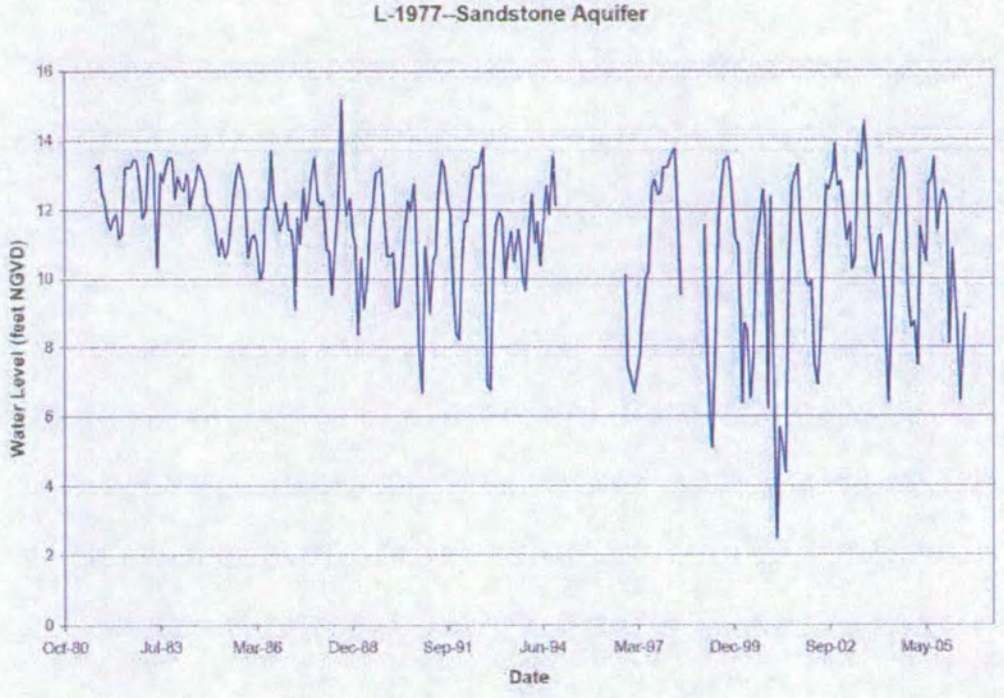


Figure 9. L-1977 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

The hydraulic properties of the Sandstone aquifer vary depending on the thickness and composition of the formation and the open-hole interval of the well tested. The closest APT conducted on the Sandstone aquifer was performed 0.5 miles east of the Spanish Creek property by the SFWMD. The test reported a transmissivity value of 9,100 gpd/ft, with a leakance value of $3.9e^{-2}$/day, and an estimated storage coefficient of $1.61e^{-4}$. Another APT conducted on a well located 1.9 miles to the east reported a transmissivity of 11,700 gpd/ft, a leakance value of 3.74 e^{-4}/day, and a storage coefficient of $2e^{-4}$. A third APT performed on a well located 2.14 miles to the northeast reported a transmissivity value of 16,760 gpd/ft and a storage coefficient of $2e^{-5}$. Based on this information, wells completed in the Sandstone aquifer should be moderately productive at the Spanish Creek property. However, the SFWMD may be reluctant to permit the required withdrawals from this source due to concerns over impacts to legal domestic users and excessive drawdown in the aquifer and under wetlands.

Water quality samples collected from Sandstone aquifer wells L-2200 and L-1977 reported chloride concentrations ranging from 660 to 900 and 500 to 2,100 mg/L, respectively (Figure 10). The Lee County Well Construction Database reports chloride concentrations ranging from 365 to 975 mg/L for Sandstone aquifer wells in the general vicinity of the project site. In 1969, Gee and Jensen conducted a well survey of the area as part of an assessment prepared for the County Line Drainage District. This survey listed Sandstone aquifer chloride concentrations from sampled wells of 630 to 1,300 ppm (roughly equivalent to mg/L). As the data indicates, the Sandstone aquifer exhibits elevated chloride concentrations in this area, causing some users to rely on the surficial aquifer for domestic supply. The water quality of the Sandstone aquifer at the Spanish Creek project site would not be suitable for potable supply without prior advanced treatment, as chloride concentration exceed the secondary maximum contaminant level for drinking water of 250 mg/L. Depending on the specific water quality encountered, direct irrigation of freshwater plants may or may not be possible. Groundwater with chloride concentrations exceeding 600 mg/L would require blending with fresh water sources prior to irrigation.

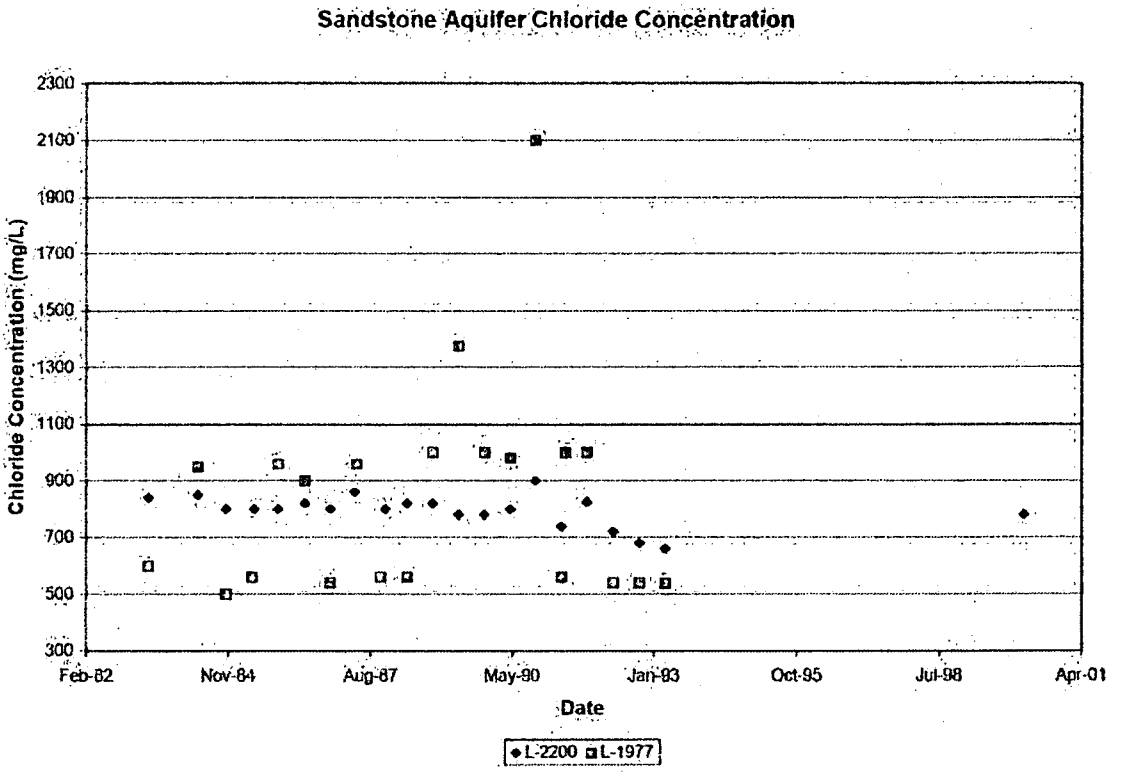


Figure 10. Chloride concentration from USGS wells L-2200 and L-1977.

C. Lower Hawthorn/Floridan Aquifer

Few users of the Floridan aquifer system exist in the vicinity of the project. The nearest SFWMD-permitted user of the Floridan aquifer was Adams Groves (36-00042-W), located 2.84 miles to the south of Spanish Creek. This permit expired June 30, 2005. Some citrus groves in Hendry County use Lower Hawthorn aquifer wells for freeze protection, including the Bob Paul Main Grove and the LaBelle Private Drainage District. These projects lie over five miles east of Spanish Creek. The County Line Drainage District did have an on-site well with a total depth of 567 feet and a cased depth of 145 feet open to the upper Floridan aquifer. This well may have cross-connected the Sandstone and Flordian aquifers, potentially contributing to the elevated chloride concentration levels in the Sandstone aquifer. The County Line Drainage District subsequently abandoned this well. According to the SFWMD water use permit issued for the County Line Drainage District in 1980 (permit 36-00188-W; application 08099-B), the well had a reported pumping capacity of 1,135 gpm. Lithologic logs from FGS wells indicate that the top

of the Lower Hawthorn aquifer, which is part of the Floridan aquifer system, may begin around 530 to 660 feet bls and may extend to around 900 feet bls. USGS well L-5708, located 0.28 miles west of the project site, is reported as being open to the upper Floridan aquifer and has listed cased and total depths of 620 and 920 feet bls, respectively. Water levels recorded at L-5708 ranged from 45.9 to 57.6 feet NGVD for the period of record from 1984 to 2006 (Figure 11).

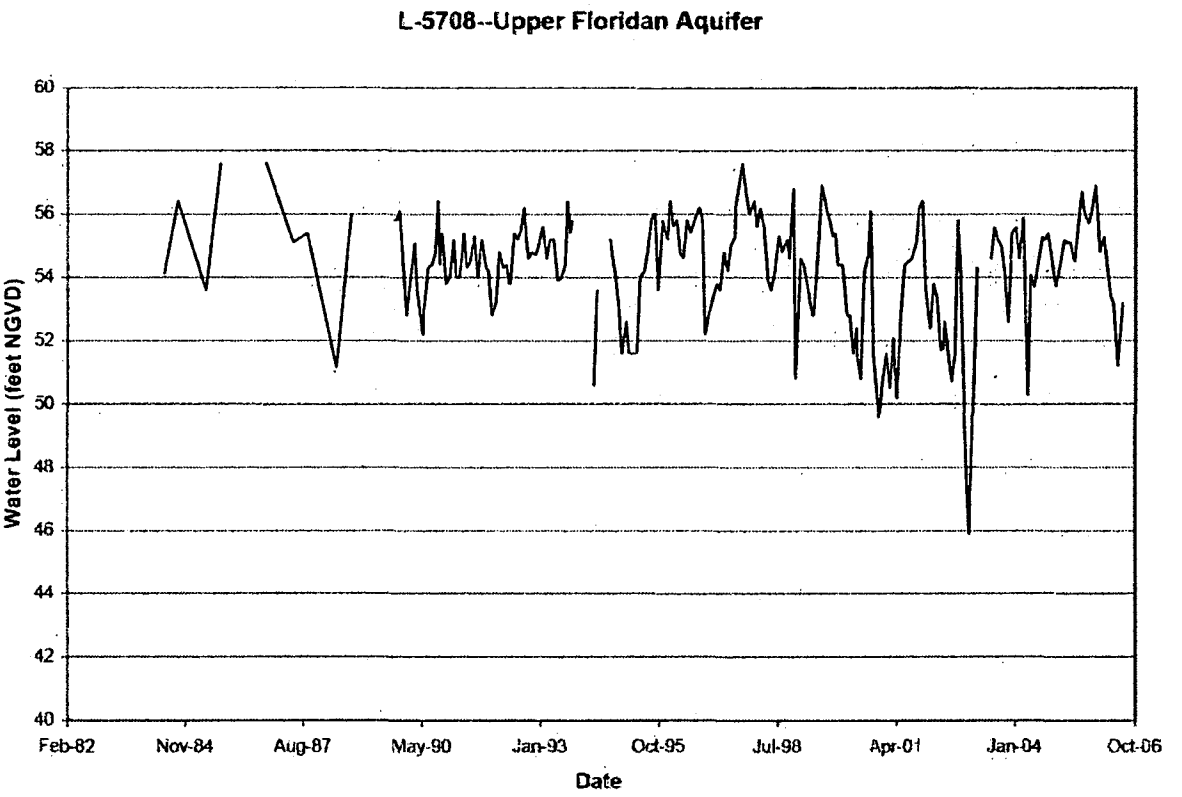


Figure 11. L-5708 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

In 1997, the SFWMD constructed a tri-zone monitor well and a test production well open to the Floridan aquifer system in northern Hendry County west of LaBelle at a site approximately six miles east of Spanish Creek property. According to the SFWMD report (Bennett, 2003), the Floridan aquifer consists of the basal portion of the Arcadia formation composed of sandy carbonate mudstones and wackestones, followed by well-indurated, low porosity limestone. This interval extends from 665-740 feet bls and comprises the first zone of the SFWMD monitor well. The Suwannee limestone begins at 740 feet bls and extends to 810

feet bls, consisting of packestone and grainstone units containing substantially less quartz and phosphate than the Arcadia formation. A low porosity clay unit separates the Suwannee from the Ocala limestone, which begins at 810 feet bls. The Ocala consists of poorly to moderately-indurated wackestones and mudstones to a depth of 1,150 feet, BLS. Well-indurated packestones and dolostones characterize the Avon Park formation, which begins at 1,150 feet bls. The interval from 1,645 to 1,885 predominantly contains well-crystallized, highly fractured dolostones (Figure 12).

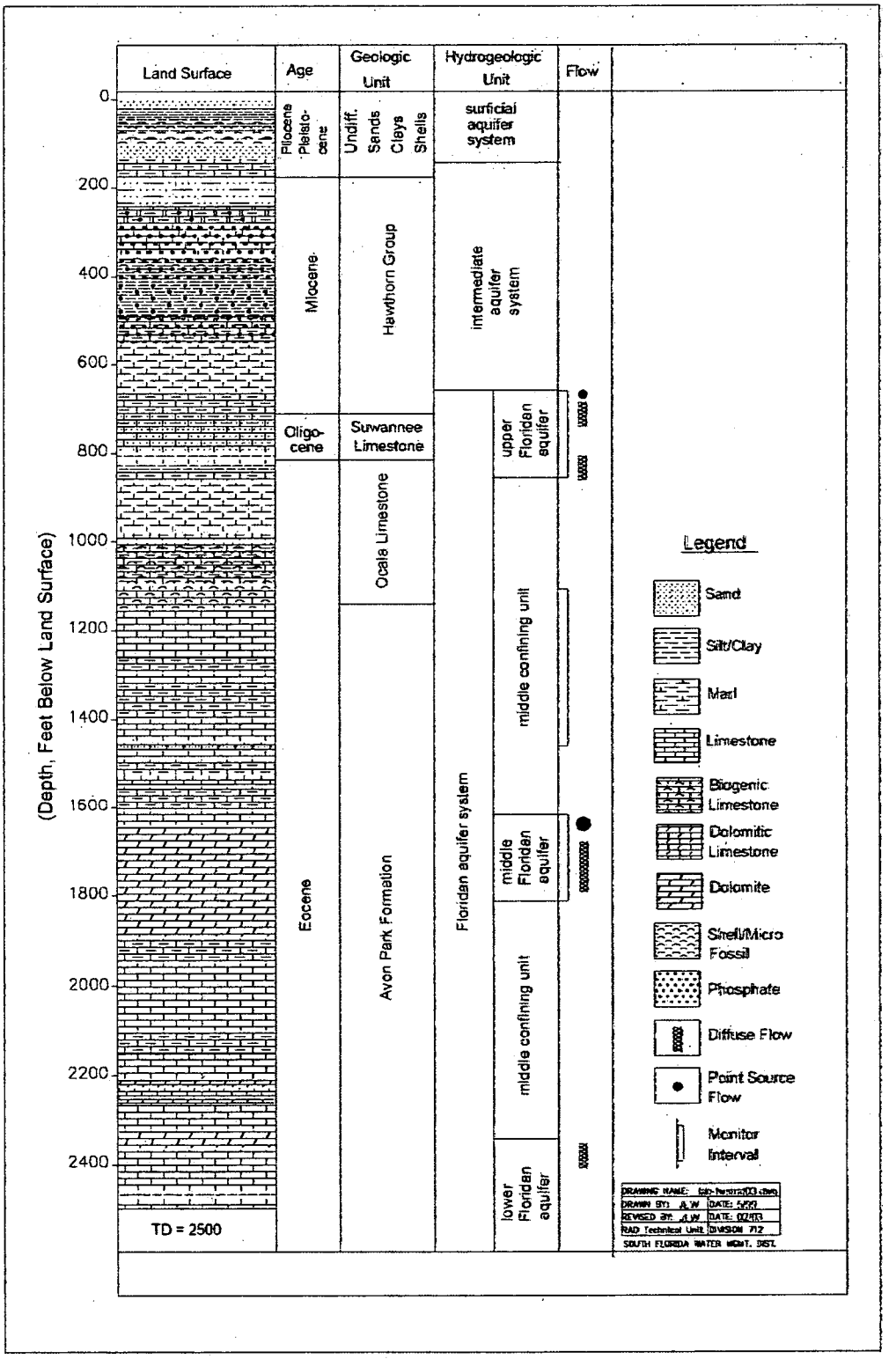


Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site (Bennett, 2003)

The SFWMD conducted an APT on the LaBelle Floridan aquifer test production well for the interval from 670 to 850 feet bls of the Upper Floridan aquifer. The APT, which was performed at a constant pumping rate of 1,700 gpm for 72 hours with a 24 hour recovery period, reported a transmissivity value of 68,630 gpd/ft, a storage coefficient of 6.7 x 10^{-5}, and a leakance value of 3.39 x 10^{-3} gpd/ft^3. This interval had a specific capacity of 17.3 gpm/ft. Chloride concentrations collected during the APT were 591.0 mg/L. The SFWMD performed a second APT on the interval from 1,110 to 1,460 feet bls within the Ocala limestone. This APT, which was performed at a constant pumping rate of 310 gpm for 72 hours with 24 hours of recovery, reported a transmissivity value of 26,460 gpd/ft, a storage coefficient of 1.2 x 10^{-4}, and a leakance value of 2.9 x 10^{-3} gpd/ft^3. Chloride concentrations collected during the test were 566.4 mg/L. The interval from approximately 700 to 900 feet bls within the Upper Floridan aquifer appears to display the highest productivity based on the reported transmissivity values.

Following the APTs, the SFWMD instituted a long-term water level and water quality monitoring program. Data collected from December 1ninenine8 to March 1nineninenine show chloride concentrations of 700 mg/L for the interval from 670 to 837 feet bls, 500 mg/L from 1,142 to 1,458 feet bls, and 9,900 mg/L from 1,645 to 1,75nine feet bls. Monitoring data from March 2002 to August 2005 show that water levels averaged 52.4 feet, NGVD for the zone from 670 to 837 feet BLS, 52.9 feet, NGVD from 1,142 to 1,458 feet bls, and 47.5 feet, NGVD from 1,645 to 1,759 feet bls (Figure 13). Land surface elevation at the site is approximately 17 feet, NGVD. The potentiometric head data, as well as the water chemistry data, suggest that the upper two zones of the Floridan aquifer are hydraulically connected.

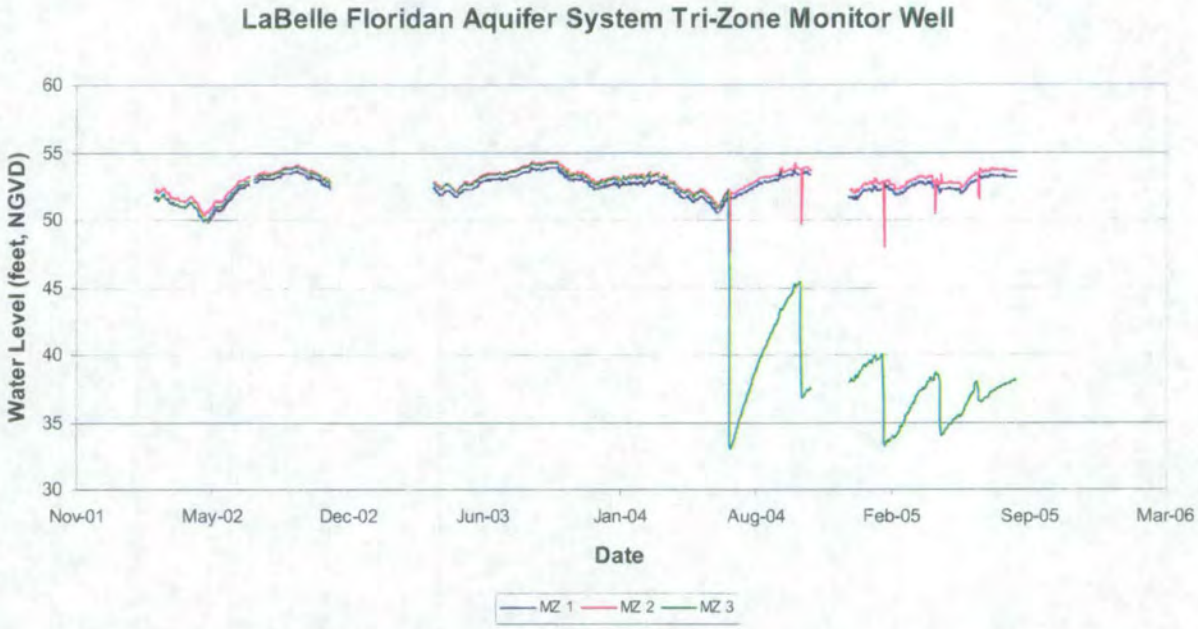


Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph (Bennett, 2003)

The sampled chloride concentrations exceed the secondary drinking water standard of 250 mg/L for drinking water, so groundwater from the Floridan aquifer would require treatment prior to use as a public water supply due to the elevated chloride and total dissolved solid (TDS) concentrations. The Bennett (2003) report identifies the base of the Underground Source of Drinking Water, defined as water having TDS concentrations less than 10,000 mg/L, as occurring at an approximate depth of 1,675 feet, bls. The Lower Hawthorn aquifer could yield ample amounts of water for irrigation, as well as potable supply, but would require blending with fresher sources, such as surface water, prior to irrigation of freshwater plants.

9.0 SUMMARY

The Spanish Creek development will consist of a mixed residential and commercial development covering approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. The project will require potable water for 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, and five schools at build-out in 2025. Due to the lack of utility service, the project will require on-site wastewater treatment and potable water facilities designed to provide approximately 1.81 mgd of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the total acreage) will also require landscape irrigation at build-out. The site currently consists of a 3,600-acre citrus grove that mainly uses surface water with some minor surficial and Sandstone aquifer withdrawals for irrigation. This assessment evaluated the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources of public record including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and reports, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water and groundwater, or any combination thereof. In addition, the estimated landscape irrigation and potable water demands were calculated, and water quality suitability for both potable supply and irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

The Spanish Creek property is located in the northeast corner of Lee County in a heavily agricultural region. Potable water from the City of LaBelle, the closest utility provider, is not a viable option, since the utility does not currently have the distribution system in place to serve the Spanish Creek site. Reclaimed water from outside suppliers is not currently available for irrigation purposes because local utilities dispose of their waste water effluent by other means. However, the proposed on-site wastewater treatment plant will produce up to 1.35 to 1.5 mgd of reclaimed water at build-out. This volume of reclaimed water should be utilized for irrigation to

the greatest extent feasible. Surface water could also serve as a potential source of irrigation water. The project will be required to construct approximately 200 acres of stormwater management lakes, which could be used to at least partially meet the irrigation demand. The project will contain wetland flowway systems, so any surface water withdrawals will have to be managed so as to guard against wetland impacts and meet applicable SFWMD criteria.

The surficial aquifer contains freshwater suitable for irrigation but might not be able supply enough water to meet the total irrigation demands without excessive drawdown. The surficial aquifer typically contains high iron concentrations and would require aeration in the on-site lake system prior to irrigation usage. The surficial aquifer would not be the preferable source of potable water, although chloride concentrations remain below 250 mg/L, as it might be under the direct influence of surface water and would require additional monitoring and treatment. This aquifer may also contain elevated uranium and radionuclide concentrations, requiring extensive treatment prior to public supply use. Many residences in the area also rely on the surficial aquifer for domestic supply, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit substantial withdrawals from this source for either potable or irrigation supply.

The Sandstone aquifer might be able to produce adequate volumes of irrigation or potable water for the project at build-out, although probably not both. Due to the lack of site-specific data and variability within the aquifer, on-site testing would be required prior to consideration of this aquifer as a viable source. Chloride concentrations in the Sandstone aquifer near the project regularly exceed 600 mg/L, which would require blending in the on-site lake system or advanced treatment prior to irrigation or potable usage, respectively. Some legal domestic users in the area rely on the Sandstone aquifer as a potable water source, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit withdrawals from this source on the scale required by the project at build-out for either potable or irrigation supply.

The Floridan aquifer represents a potential source of both irrigation and potable water at the project site, although this source would require blending with fresher sources prior to irrigation use and advanced treatment prior to potable supply. The chloride concentrations of water encountered in the Floridan aquifer range from 680 to 9,900 mg/L and generally increase with depth. The aquifer could easily supply volumes of water sufficient to meet the project's

irrigation demands, but use of the source would have to be limited in order to prevent the blended irrigation water quality from becoming too saline. If blended in the on-site lake system, the SFWMD would limit Lower Hawthorn withdrawals so that the resultant chloride concentration in the stormwater ponds did not exceed 200 mg/L after 90 days without rainfall recharge. The Floridan aquifer may also serve as the primary drinking water source. If this is the case, appropriate water treatment and brine disposal methods would be necessary.

10.0 RECOMMENDATIONS

Based on the assessment described above, withdrawals from the upper Floridan aquifer represent the best source of irrigation and potable water in terms of both quantity and permittability. A Floridan aquifer wellfield and reverse-osmosis water treatment plant would be the most viable potable water supply system for the project. In terms of irrigation supply, the project should use as much reclaimed water generated by the proposed on-site wastewater treatment plant as possible, which will supply less than half of the average daily irrigation demand at build-out. Floridan aquifer withdrawals blended in the on-site lake system in order to reduce chloride concentrations should supply the remainder.

Prior to constructing the potable supply or irrigation systems, Johnson Engineering recommends constructing at least one Floridan aquifer test well in order to more thoroughly assess the water quality and yield of this aquifer at the project site. A testing program will provide more information on the hydrogeology of the Spanish Creek site, particularly depths of tops of aquifers, aquifer thicknesses, and specific hydraulic characteristics of the water-producing units. Variations in chloride concentration with depth should be assessed during test well construction and compared with reported values in cases where no recent monitor data exists. Johnson Engineering recommends conducting an aquifer performance test prior to using the Floridan aquifer as a drinking water and/or irrigation source in order to ascertain the anticipated yield and water quality of this aquifer. For potable water supply, in particular, this information will be required for the design of the water treatment plant and public supply wellfield. Information gathered during test well construction and aquifer performance testing could also be used in support of SFWMD water use permit applications for both public water supply and landscape irrigation. If successful, the test wells could later be converted into production or monitoring wells as part of the public supply and/or irrigation systems.

Previous investigations and monitoring data indicate that the Floridan aquifer can readily supply the necessary quantities of water without harm to the resource or other users of the aquifer. No other active legal users of the Floridan aquifer exist in the area surrounding Spanish Creek. However, most neighboring legal and domestic users do rely on the surficial and Sandstone aquifers to meet their potable supply needs. These aquifers represent the only economical sources of potable water to most residences and businesses in this area of Lee

County, although chloride concentrations in the Sandstone aquifer may be elevated, and the surficial aquifer may contain high uranium and radionuclide concentrations. By targeting the Floridan aquifer as its main water source, Spanish Creek would avoid competition with and adverse impacts to these existing users, along with associated mitigation responsibilities. The SFWMD considers such factors in the water use permitting process, in addition to best management of the resource, and encourages the use of the lowest quality water available. The SFWMD defines the Floridan aquifer as an alternative water supply, making the use of this source eligible for District funding. The Spanish Creek project will require a water treatment plant for disinfection and distribution regardless of the public supply source, establishing the infrastructure necessary to accommodate the use of brackish groundwater.

11.0 REFERENCES

BEM Systems, Inc., 2003, Hydrostratigraphy Review Report, for SFWMD Southwest Florida Feasibility Study, Southwest Florida Regional Model Development.

Bennett, M.W., 2003, Hydrogeologic Investigation of the Floridan Aquifer System LaBelle, Hendry County, Florida, SFWMD Technical Publication WS-15.

Johnson Engineering, 2004, Executive Summary Paul Property Public Water Supply Water Resource Assessment, prepared for the Bonita Bay Group.

SFWMD, 2006, Water Use Permit Shapefiles, http://www.sfwmd.gov/org/gisit/index.html

SFWMD, 2006, Environmental Resource Regulation Application and Permit Information Database, http://wdweb02.sfwmd.gov/apps/reg/query_apps_permits.cfm

SFWMD, 2006, DBHYDRO Browser, http://glades.sfwmd.gov/pls/dbhydro_pro_plsql/show_dbkey_info.main_page

USGS, 2006, Water Resources Groundwater Levels for Florida, http://nwis.waterdata.usgs.gov/fl/nwis/gwlevels

USGS, 2006, Water Resources Groundwater Conditions in Southern Florida, http://www.sflorida.er.usgs.gov/

Weinberg, J. M. and J.B. Cowart, 2001, Hydrogeologic Implications of Uranium-Rich Phosphate in Northeastern Lee County, in Florida Geological Survey Special Publication No. 49.

Appendix A

Calculations Of Irrigation Requirements (1-in-10)

Rainfall Station:	La Belle
Irrigation System:	Sprinkler
Irrigated Acreage:	900.00
Crop:	Turf Grass
Soil Type:	0.80
Multiplier	1.33
Efficiency	0.75

Calculations	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Average Rainfall (inches)	1.95	2.11	2.02	2.54	4.57	9.38	8.19	7.85	6.82	3.80	1.73	1.72	52.68
Evapotranspiration (inches)	1.78	2.10	3.62	4.98	6.65	7.42	7.75	7.48	5.27	4.75	2.98	2.10	57.88
Average Effective Rainfall (inches)	0.90	0.99	1.03	1.37	2.51	4.85	4.40	4.18	3.47	1.93	0.86	0.82	27.31
1-in-10 Effective Rainfall (inches)	0.67	0.83	0.25	0.67	1.98	3.94	3.86	3.93	2.90	1.51	0.92	0.90	22.36
Average Irrigation (inches)	0.88	1.11	2.59	3.61	4.14	2.57	3.35	3.30	2.80	2.82	2.12	1.28	30.57
1-in-10 Irrigation (inches)	1.11	1.27	3.37	4.31	4.67	3.48	3.89	3.55	3.37	3.24	2.06	1.20	35.52

1-in-10 Annual Supplemental Crop Requirement = 35.52 inches

Annual Supplemental Crop Water Use:

35.52 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 1154.35 MG

1-in-10 Maximum Monthly Supplemental Crop Requirement = 4.67 inches

Maximum Monthly Supplemental Crop Water Use:

4.67 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 151.77 MG

Notes:
Evapotranspiration was calculated using a modified Blaney-Criddle method.
Average effective rainfall is the amount that is useful to crops in an average year.
2-in-10 drought rainfall is the rainfall minimum expected with a probability of 2 year in 10.
2-in-10 effective rainfall is the amount that is useful to crops in a 2-in-10 drought rainfall.
Average irrigation is the net amount that should be required for maximum yields during an average year.
2-in-10 irrigation is the net amount that should be required for maximum yields during a 2-in-10 drought year.

SPANISH CREEK

UTILITY COST PLAN

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

JOHNSON ENGINEERING

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

The purpose of this effort was to determine the utilities infrastructure costs and phasing required to supply potable water, wastewater, and irrigation water services to the Spanish Creek community. The costs are differentiated by Backbone System and Development System. The Backbone System is the portion of the utilities that is typically associated with a Public Service Commission-permitted utility company. The Development System is the portion of the utilities that is typically constructed by private developers.

The cost plan was based in part on the following Build-Out Schedule:

Year	Single Family Units	Multi Family Units	Commercial / Retail SF
2008	105	45	0
2009	105	45	0
2010	141	59	0
2011	141	59	0
2012	176	74	0
2013	176	74	0
2014	211	89	157,500
2015	246	104	0
2016	281	119	0
2017	316	134	0
2018	351	149	157,500
2019	386	164	0
2020	422	178	0
2021	492	208	35,000
2022	492	208	0
2023	422	178	0
2024	386	164	0
2025	351	149	0
Total	5200	2200	350,000

The wastewater treatment plant will be a secondary treatment system that meets EPA Class One Reliability Standards. Integral to the proposed facilities is the non-potable reuse central irrigation systems for effluent disposal. The wastewater treatment plant will require approximately 15 acres of land. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum month demand capacity of 0.7, 1.4, and 2.1 MGD

coming online in the years 2008, 2016, and 2021, respectively. Each interim phase will include oversized plant components, and yard and process piping to allow for easy expansion in subsequent phases.

The water treatment plant will likely be a brackish water reverse osmosis facility. The treatment facility assumes a brackish raw water quality allowing a conservative 70% recovery. The water treatment plant will require approximately five acres of land, not including the wellfield. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum day demand capacity of 0.5, 1.5, and 2.8 MGD coming online in the years 2008, 2013, and 2019, respectively. Each interim phase will include oversized plant components and yard and process piping to allow for easy expansion in subsequent phases.

The disposal method for the brine concentrate (a by-product of the water treatment process) and effluent (a by-product of the wastewater treatment process) is through deep well injection. One deep injection well can be used for disposal of both the brine and effluent. It should be recognized that the primary method of effluent disposal is through reuse water irrigation; however, a backup disposal method is required during the wet season when there will be excess effluent to dispose.

The irrigation system will consist of reservoirs (lakes and/or aboveground storage tanks), wells, and high-service pumps. The primary irrigation water supply will be reuse water from the wastewater plant. Backup wells will be used to supplement the reuse water during periods of high irrigation demand. The irrigation pump station will maintain a pressurized irrigation system at all times. Also, the irrigation pump station will be designed based on alternating odd and even numbered addresses irrigating eight hours a day, three days a week. The irrigation pump station will likely require no more than three acres of land, not including the wellfield.

Manifolded master pump stations will be used to convey wastewater to the wastewater plant. The individual subdivisions will be required to provide the infrastructure to convey wastewater to the master pump stations through a series of smaller lift stations. The master pump stations will reduce the required pump sizes for the smaller lift stations by limiting the number of lift stations on any given manifolded force main system. This allows for more

efficient designs so that the smaller lift stations can operate within more narrow flow and head conditions while build-out is occurring.

The costs are presented in the remainder of this document.

The Opinion of Probable Construction Costs – Backbone System shows the cost at 100 percent build-out in 2006 dollars of the backbone system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Opinion of Probable Construction Costs – Development System shows the cost at 100 percent build-out in 2006 dollars of the development system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Wastewater Treatment Plant, Water Treatment Plant, and Irrigation Pump Station Cost and Phasing sections show when these respective facilities are expected to be expanded and the costs for each expansion.

The Yearly Cost Breakdown Tables show the cost by year for the Backbone System and Development System. The Backbone System is depicted in two variations, including and excluding treatment facilities and the irrigation pump station, respectively.

The Utility Cost Breakdown Charts show costs by year for the Backbone System and Development System in a graphical format.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
BACKBONE SYSTEM

Part 1: Backbone - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	2.1 MGD Wastewater Treatment Plant and Injection Well	1	EA	$36,000,000	$36,000,000
1-2	Master Pump Station	5	EA	$1,500,000	$7,500,000
1-3	Force Mains	1	LS	$687,500	$687,500
				PART 1 SUB-TOTAL	$44,187,500

Part 2: Backbone - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	2.8 MGD Water Treatment Plant	1	EA	$20,000,000	$20,000,000
2-2	Potable Water Mains	1	LS	$2,641,085	$2,641,085
2-3	Potable Well and Appurtenances	5	EA	$400,000	$2,000,000
2-4	Raw Water Mains	1	LS	$675,000	$675,000
				PART 2 SUB-TOTAL	$25,316,085

Part 3: Backbone - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Pump Station (With Storage)	1	EA	$6,000,000	$6,000,000
3-2	Irrigation Distribution Pipe	1	LS	$5,670,000	$5,670,000
3-3	Irrigation Well and Appurtenances	2	EA	$300,000	$600,000
3-4	Raw Water Irrigation Pipeline	1	LS	$120,000	$120,000
				PART 3 SUB-TOTAL	$12,390,000

PART	PHASE	TOTALS
1	**Wastewater System**	$44,187,500
2	**Potable Water System**	$25,316,085
3	**Irrigation System**	$12,390,000
	SUBTOTAL:	**$81,893,585**
	25% Contingency Fee:	**$20,473,396**
	TOTAL ESTIMATED PRICE	**$102,366,981**

Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
DEVELOPMENT SYSTEM

Part 1: Development - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	Gravity Sewer	1	LS	$32,179,000	$32,179,000
1-2	Lift Stations	1	LS	$3,075,000	$3,075,000
1-3	Force Mains	1	LS	$2,565,000	$2,565,000
				PART 1 SUB-TOTAL	$37,819,000

Part 2: Development - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	Potable Water Mains	1	LS	$23,161,203	$23,161,203
				PART 2 SUB-TOTAL	$23,161,203

Part 3: Development - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Distribution Pipe	1	LS	$13,760,946	$13,760,946
				PART 3 SUB-TOTAL	$13,760,946

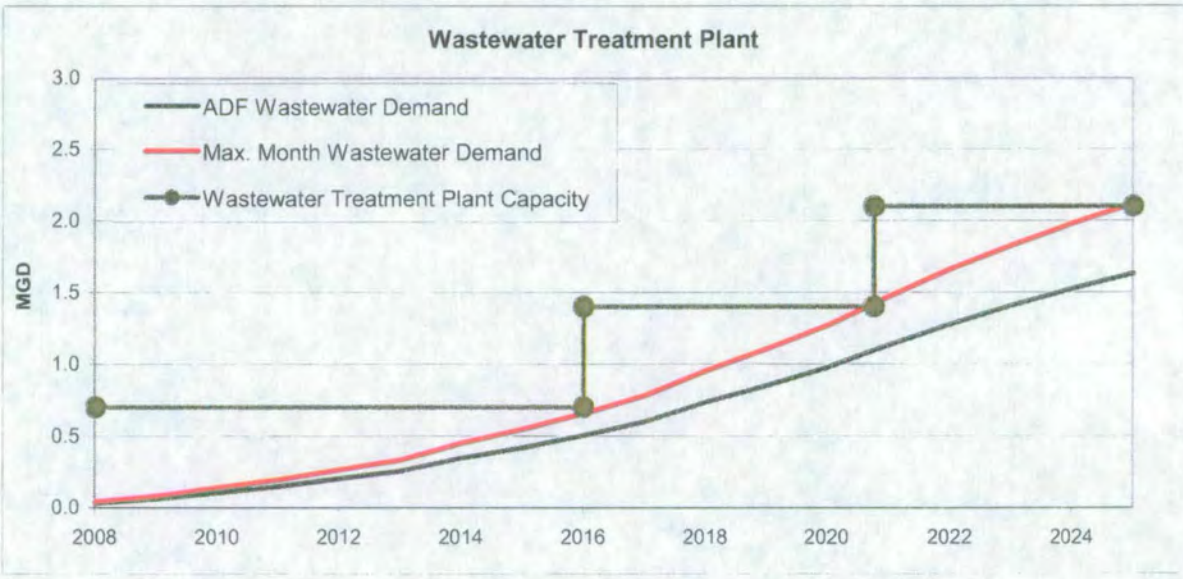
PART	PHASE	TOTALS
1	Wastewater System	$37,819,000
2	Potable Water System	$23,161,203
3	Irrigation System	$13,760,946
	SUBTOTAL:	$74,741,149
	25% Contingency Fee:	$18,685,287
	TOTAL ESTIMATED PRICE	$93,426,436

Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

WASTERWATER TREATMENT PLANT COST AND PHASING

Wastewater Demand		
Average Day Demand	90%	of Potable ADF
Max Month Demand	1.3	Peak Factor



Wastewater Treatment Plant

Year	Max Month Flow Capacity MGD	Cost (In Millions)
2008	0.70	$27.00
2016	1.40	$9.00
2021	2.10	$9.00
	Total	$45.00

Notes:

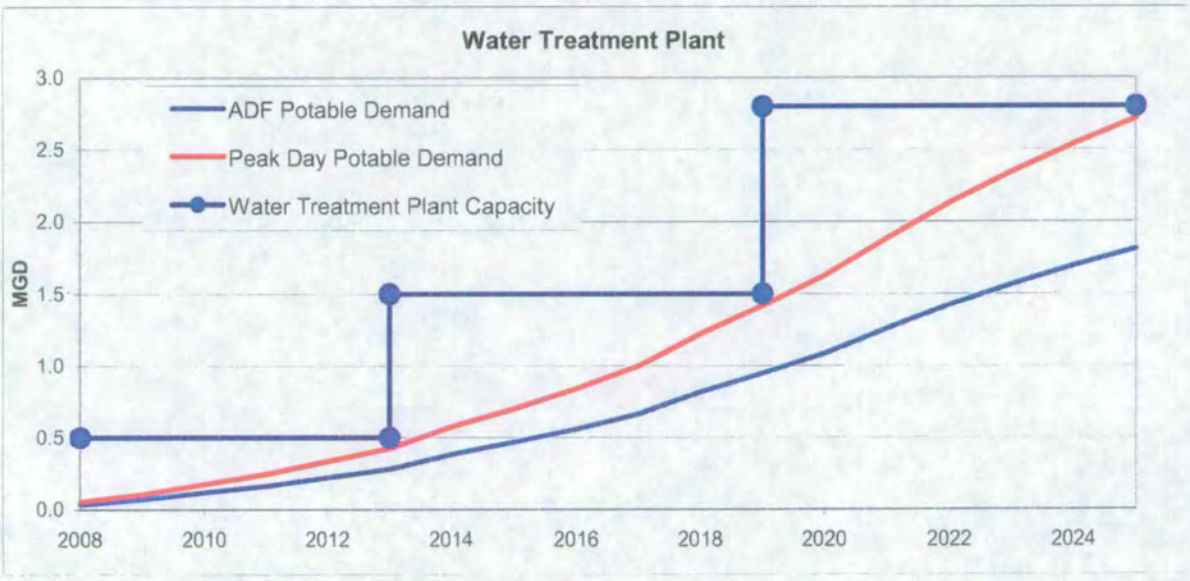
1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

WATER TREATMENT PLANT COST AND PHASING

Potable Water Demand		
Single Family	250	GPD / Unit, ADF
Multi-Family	200	GPD / Unit, ADF
Commercial/Retail	0.2	GPD / SF, ADF
Max Day Demand	1.5	Peak Factor



Water Treatment Plant

Year	Max Day Flow Capacity MGD	Cost (In Millions)
2008	0.5	$8.75
2013	1.5	$3.75
2019	2.8	$12.50
	Total	$25.00

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

IRRIGATION PUMP STATION COST AND PHASING

Irrigation Pump Station

Year	Capacity (Percent)	Cost (In Millions)
2008	50%	$3.75
2016	50%	$3.75
	Total	$7.50

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

YEARLY COST BREAKDOWN TABLES

All Infrastructures For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$27.40	$9.01	$4.06	$40.47
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$4.12	$0.45	$5.15
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$9.60	$0.39	$4.22	$14.20
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$13.02	$0.62	$14.44
2020	$0.97	$0.63	$0.76	$2.36
2021	$9.93	$0.60	$0.73	$11.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$55.23**	**$31.65**	**$15.49**	**$102.37**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand for water and wastewater, plus the cost of the treatment facilities and irrigation pump station as shown above. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

All Infrastructures Less Treatment Facilities and Irrigation Pump Station For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.40	$0.26	$0.31	$0.97
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$0.37	$0.45	$1.40
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$0.60	$0.39	$0.47	$1.45
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$0.52	$0.62	$1.94
2020	$0.97	$0.63	$0.76	$2.36
2021	$0.93	$0.60	$0.73	$2.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$10.23**	**$6.65**	**$7.99**	**$24.87**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand of water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

JOHNSON ENGINEERING

All Infrastructures For Development System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.92	$0.56	$0.34	$1.82
2009	$0.92	$0.56	$0.34	$1.82
2010	$1.23	$0.75	$0.45	$2.43
2011	$1.23	$0.75	$0.45	$2.43
2012	$1.54	$0.94	$0.56	$3.03
2013	$1.54	$0.94	$0.56	$3.03
2014	$2.67	$1.63	$0.97	$5.27
2015	$2.15	$1.32	$0.78	$4.25
2016	$2.46	$1.50	$0.89	$4.85
2017	$2.76	$1.69	$1.01	$5.46
2018	$3.89	$2.38	$1.42	$7.69
2019	$3.38	$2.07	$1.23	$6.68
2020	$3.68	$2.26	$1.34	$7.28
2021	$4.48	$2.74	$1.63	$8.86
2022	$4.30	$2.63	$1.56	$8.50
2023	$3.68	$2.26	$1.34	$7.28
2024	$3.38	$2.07	$1.23	$6.68
2025	$3.07	$1.88	$1.12	$6.07
Totals	**$47.27**	**$28.95**	**$17.20**	**$93.43**

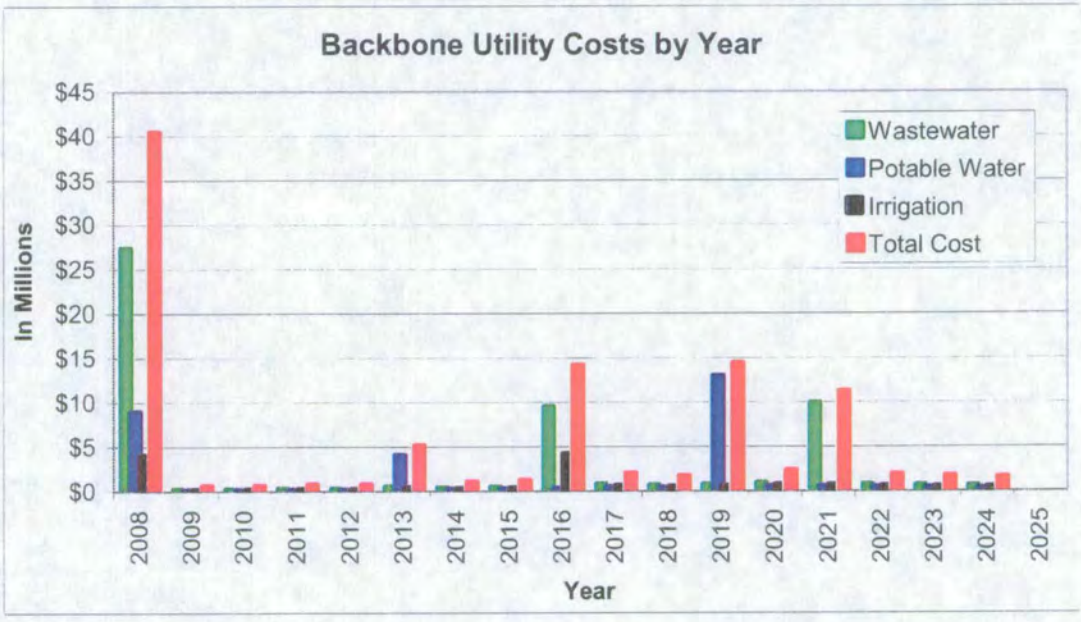
Notes:

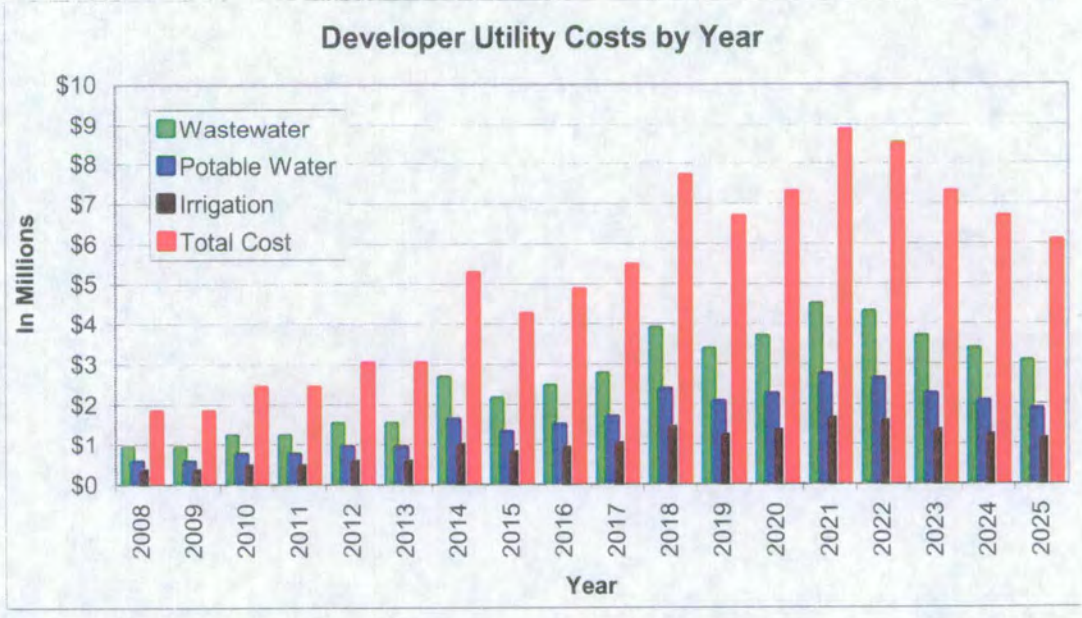
1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost for the development system prorated over 17 years based on average day demand for water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

UTILITY COST BREAKDOWN CHARTS





Notes:

1. The charts above depict the information contained in the Yearly Cost Breakdown Table for all infrastructures.

Overall Notes:

1. All costs are in 2006 dollars. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

2. Conceptual level costs and phasing concepts for the treatment facilities are presented. These numbers will be refined once the actual treatment schemes are developed and the phasing and costs refined through master planning, preliminary design, permitting, and final design. The actual phasing capacities and costs may/will change.

3. Johnson Engineering's opinions of probable construction cost provided herein are made on the basis of Johnson Engineering's experience and qualifications and represent Johnson Engineering's best judgment as a consulting company generally familiar with the construction industry. However, since Johnson Engineering has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, Johnson Engineering cannot and does not guarantee that proposals, bids or actual construction cost will not vary from opinions of Probable Construction Cost prepared by Johnson Engineering.

Julie Wilkins

From: Ron Inge [ringe@landsolutions.net]

Sent: Tuesday, September 12, 2006 8:58 PM

To: juliew@dnreng.com; Dan Delisi; Dan Delisi

Subject: Comments: Cape Coral Pine Island Road Due Diligence

Thanks for forwarding this for review. Were you able to find the special provision that would allow an asphalt plant to be rebuilt on this site for several more years? We obtained that in the early 90's, I believe. At any rate, I will try to find it.

It looks like we have a right-in, right-out and left-in capability, is that correct? Thus, no left out turning?

The range of uses looks fairly extensive, what are we missing/

Can the property be developed by pulling the City equivalent of a development order, or will there need to be further public hearings?

Ronald E. Inge
Land Solutions, Inc./Development Solutions, LLC.
6150 Diamond Centre Court, Bldg. 1300
Fort Myers, FL 33912
Phone 239-489-4066
Fax 239-481-8477
email: ringe@landsolutions.net

From: Julie Wilkins [mailto:juliew@dnreng.com]
Sent: Tuesday, September 12, 2006 5:29 PM
To: Ron Inge
Cc: Dan Delisi
Subject: Cape Coral Pine Island Road Due Diligence

Ron,

Attached is the very quick, *brief* due diligence report that you requested on the Cape Coral property (1401 Pine Island Road SW). The scope was limited to current entitlements in order to accommodate your request for speedy delivery. A hard copy will also be sent to you. Please call Dan or me, if you have any questions or comments.

Thanks,

Julie

Julie Craichy Wilkins
Planner
Delisi Fitzgerald, Inc.
1500 Royal Palm Square Blvd., Ste 101
Ft. Myers, FL 33919
P 239 418 0691 F 239-418-0692

CONFIDENTIALITY STATEMENT

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

City of Cape Coral
Department of Community Development

Permit Fees

1. Building Permits

A. 1 and 2 Family Residential - $5.50 per $1,000 of construction value or fraction thereof, covers building, plumbing, mechanical, electrical and roofing.

Valuation Basis:

Living Area	$44.00 / SF
Garage	$25.00 / SF
Patio or Entry	$12.50 / SF

B. Multi-family Residential, Commercial and Industrial

Fee per $1,000 of construction value or faction thereof.

Up to $50,000	$8.00
Over $50,000 to $100,000	$5.00
Over $100,000	$2.00

Valuation Basis – See attached Building Valuation Table

C. Plan Review

1 and 2 Family Residential	$55.00
All Others	40% of Building permit fees, with a minimum of 120.00

D. Application Deposits (non-refundable)

1 and 2 Family Residential	$110.00
Non 1 and 2 Family	$200.00
Master Plan Review	**$120.00**

E. Plumbing (new construction, renovations and additions)

$5.00 per plumbing fixture (as defined in Chapter 2 of the Florida Building Code 2001 Plumbing) per unit/$50.00 minimum per unit

***Solar System**	$45.00

F. Electrical (new construction, renovations and additions)
Per Electric meter up to 250 amperes, plus $025 per ampere over 250 amperes/ $45.00 minimum

Sign – electrical	$35.00
Pool, dock or lift – electrical	$45.00
Temporary electrical pole	$40.00

G. Mechanical, Heating and Air Conditioning (new construction, renovations and additions)

	$45.00 per system plus $5.00 per ton
Duct only	$45.00
Equipment change-out	$45.00
Refrigeration (commercial)	$45.00 per system Plus $5.00 per ton

H. Roofing (new construction, renovations and additions)

Up to 5,000 square feet of roof area	$50.00
5,000 square feet of roof area and over	Additional $5.50 per 1,000 square feet or fraction thereof.

I. Gas LP and Natural gas installations	$45.00

J. Swimming Pool

Pools, residential or commercial	$110.00
Spas, residential or commercial	$ 75.00
Electrical	$45.00
Enclosure	$45.00

K. Miscellaneous

(Awnings / shutters, boatlifts / davits, fences, sheds, soffit / fascia, tents, pool enclosures, slabs, boat docks, walls and retaining walls, etc.)	$45.00

L. Demolition	$90.00

M. Building Move $355.00

N. Zoning Fee

Single Family	$44.00
Duplex	$44.00
Multi-family	$400.00
Non Residential (per review not per building)	$300.00
Miscellaneous	$22.00

O. Plan Re-submittal and Revision Fees

Re-submittal, first	No Charge
Re-submittal, 2nd and third	$50.00
Re-submittal, 4th	**4 times the plan review fee**
Submittal of additional documentation	**$50.00**
Plan revisions (not additions)	$50.00

P. Concurrency Review Fee

Residential, per dwelling unit	$15.00
Non-residential	$75.00

Q. **Radon Fee** $ .01 per Sq Ft.

R. Landscaping fee

1 and 2 Family Residences	$25.00
Other uses	$30.00

S. Re-inspection Fee

First re-inspection, per discipline	$25.00
Second and <u>subsequent</u> re-inspections of like kind	
4 times the re-inspection fee$	**($100.00)**

T. Permit Extensions

First extension (prior to expiration of permit)	$30.00
Second & subsequent extensions (*prior to expiration of permit*)	$100.00 plus 50% of the original permit fee

U. Storm-Water Fee

Retention plans review and related inspections for commercial, industrial, professional, and multi-family (not including duplexes)	$397.00
Surface water miscellaneous	$40.00

V. Right of Way Construction Permit Fees

Right-of-way review (except for Telecommunications companies)	$99.00
Driveway, culverts stakeout and appurtenant work (per access cut)	$99.00
Sod, swale stakeout and appurtenant work (minimum fee for improvements up to 80 linear feet)	$62.00
(additional fee for improvements in excess of 80 linear feet)	$.78 per foot
Curb, gutter, sidewalk, sod and pavement (minimum fee for improvements up to 80 linear feet)	$800.00
(additional fee for improvements in excess of 80 linear feet)	$5.85 per ft.
Miscellaneous improvement of existing construction	$125.00
Re-staking, whenever necessary	$170.00

W. Fire Permit Fees

Non 1 & 2 Family	$40.00 Minimum
New Construction based on valuation	$2.45 per $1000
Miscellaneous/Renovation	$40.00 minimum
based on valuation	$7.85 per $1000

X. Impact Fees (Road)

Single Family Dwelling	$2,698.00
Two-Family Dwelling or Duplex	$3,784.00
Multi-Family Dwelling	$1,892.00 per unit
Hotel / Motel	$2,031.00 per room
Retail/Shopping Center	$4,601 per 1,000 sq ft.
Bank	$7,302 per 1,000 sq ft
Car Wash, Self Service	$1,529 per stall

Convenience Store w/Gas Sales	$10,219 per 1,000 sq ft
Golf Course (open to public)	$783 per Acre
Movie Theater	$6,745 per 1,000 sq ft
Restaurant, Sit-Down	$5,907 per 1,000 sq ft
Restaurant, Fast-Food	$11,593 per 1,000 sq ft
House of Worship	$1,341 per 1,000 sq. ft.
Office General	$2,123 per 1000 sq ft
Office Medical	$6,959 per 1,000 sq ft
Hospital	$1.175 per 1,000 sq ft
Nursing Home	$1,175 per 1,000 sq ft
Day Care Center	$3,731 per 1,000 sq ft
Elem/Sec. School (private)	$646 per 1,000 sq ft
Industrial Park	$1,862 per 1,000 sq ft
Warehouse	$1,327 per 1,000 sq ft
Mini-Warehouse	$461 per 1,000 sq ft
Time Share	$1,892 per Dwelling
MobileHome/RV Par	$1,408 per Pad

Y. Park Impact $1,115.00 per living unit

Z. Fire Impact

Non 1&2 Family
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$0.161 per square foot**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$0.184 per square foot**

Residential New Construction
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$316.33 per dwelling unit**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$360.00 per dwelling unit**

AA. School Impact Fees

Single Family	$4,309.00
Single Family Admin. Fee	$51.34
Multi-Family (Duplex, Townhouse Etc.)	$1,704.00
Multi-Family Admin. Fee	$31.78

Utilities Fees – Contact Utilities Department Gerry Burton 574-0534

Contact Telephone Numbers

Building	573-3159	Permitting	574-0546
Engineering	574-0718	Stormwater	574-0599
Fire	574-0503	Zoning	574-0553

City of Cape Coral
Department of Community Development

Permit Fees

1. Building Permits

A. 1 and 2 Family Residential - $5.50 per $1,000 of construction value or fraction thereof, covers building, plumbing, mechanical, electrical and roofing.

Valuation Basis:

Living Area	$44.00 / SF
Garage	$25.00 / SF
Patio or Entry	$12.50 / SF

B. Multi-family Residential, Commercial and Industrial

Fee per $1,000 of construction value or faction thereof.

Up to $50,000	$8.00
Over $50,000 to $100,000	$5.00
Over $100,000	$2.00

Valuation Basis – See attached Building Valuation Table

C. Plan Review

1 and 2 Family Residential	$55.00
All Others	40% of Building permit fees, with a minimum of 120.00

D. Application Deposits (non-refundable)

1 and 2 Family Residential	$110.00
Non 1 and 2 Family	$200.00
Master Plan Review	**$120.00**

E. Plumbing (new construction, renovations and additions)

$5.00 per plumbing fixture (as defined in Chapter 2 of the Florida Building Code 2001 Plumbing) per unit/$50.00 minimum per unit

***Solar System**	$45.00

F. Electrical (new construction, renovations and additions)
Per Electric meter up to 250 amperes, plus $025 per ampere over 250 amperes/ $45.00 minimum

Sign – electrical	$35.00
Pool, dock or lift – electrical	$45.00
Temporary electrical pole	$40.00

G. Mechanical, Heating and Air Conditioning (new construction, renovations and additions)

	$45.00 per system plus $5.00 per ton
Duct only	$45.00
Equipment change-out	$45.00
Refrigeration (commercial)	$45.00 per system Plus $5.00 per ton

H. Roofing (new construction, renovations and additions)

Up to 5,000 square feet of roof area	$50.00
5,000 square feet of roof area and over	Additional $5.50 per 1,000 square feet or fraction thereof.

I. Gas LP and Natural gas installations $45.00

J. Swimming Pool

Pools, residential or commercial	$110.00
Spas, residential or commercial	$ 75.00
Electrical	$45.00
Enclosure	$45.00

K. Miscellaneous

(Awnings / shutters, boatlifts / davits, fences, sheds, soffit / fascia, tents, pool enclosures, slabs, boat docks, walls and retaining walls, etc.)	$45.00

L. Demolition $90.00

M. Building Move	$355.00
N. Zoning Fee	
Single Family	$44.00
Duplex	$44.00
Multi-family	$400.00
Non Residential (per review not per building)	$300.00
Miscellaneous	$22.00
O. Plan Re-submittal and Revision Fees	
Re-submittal, first	No Charge
Re-submittal, 2nd and third	$50.00
Re-submittal, 4th	**4 times the plan review fee**
Submittal of additional documentation	**$50.00**
Plan revisions (not additions)	$50.00
P. Concurrency Review Fee	
Residential, per dwelling unit	$15.00
Non-residential	$75.00
Q. **Radon Fee**	$ .01 per Sq Ft.
R. Landscaping fee	
1 and 2 Family Residences	$25.00
Other uses	$30.00
S. Re-inspection Fee	
First re-inspection, per discipline	$25.00
Second and subsequent re-inspections of like kind	
4 times the re-inspection fee$	**($100.00)**
T. Permit Extensions	
First extension (prior to expiration of permit)	$30.00
Second & subsequent extensions (prior to expiration of permit)	$100.00 plus 50% of the original permit fee

U. Storm-Water Fee

Retention plans review and related inspections for commercial, industrial, professional, and multi-family (not including duplexes)	$397.00
Surface water miscellaneous	$40.00

V. Right of Way Construction Permit Fees

Right-of-way review (except for Telecommunications companies)	$99.00
Driveway, culverts stakeout and appurtenant work (per access cut)	$99.00
Sod, swale stakeout and appurtenant work (minimum fee for improvements up to 80 linear feet)	$62.00
(additional fee for improvements in excess of 80 linear feet)	$.78 per foot
Curb, gutter, sidewalk, sod and pavement (minimum fee for improvements up to 80 linear feet)	$800.00
(additional fee for improvements in excess of 80 linear feet)	$5.85 per ft.
Miscellaneous improvement of existing construction	$125.00
Re-staking, whenever necessary	$170.00

W. Fire Permit Fees

Non 1 & 2 Family	$40.00 Minimum
New Construction based on valuation	$2.45 per $1000
Miscellaneous/Renovation	$40.00 minimum
based on valuation	$7.85 per $1000

X. Impact Fees (Road)

Single Family Dwelling	$2,698.00
Two-Family Dwelling or Duplex	$3,784.00
Multi-Family Dwelling	$1,892.00 per unit
Hotel / Motel	$2,031.00 per room
Retail/Shopping Center	$4,601 per 1,000 sq ft.
Bank	$7,302 per 1,000 sq ft
Car Wash, Self Service	$1,529 per stall

Convenience Store w/Gas Sales	$10,219 per 1,000 sq ft
Golf Course (open to public)	$783 per Acre
Movie Theater	$6,745 per 1,000 sq ft
Restaurant, Sit-Down	$5,907 per 1,000 sq ft
Restaurant, Fast-Food	$11,593 per 1,000 sq ft
House of Worship	$1,341 per 1,000 sq. ft.
Office General	$2,123 per 1000 sq ft
Office Medical	$6,959 per 1,000 sq ft
Hospital	$1.175 per 1,000 sq ft
Nursing Home	$1,175 per 1,000 sq ft
Day Care Center	$3,731 per 1,000 sq ft
Elem/Sec. School (private)	$646 per 1,000 sq ft
Industrial Park	$1,862 per 1,000 sq ft
Warehouse	$1,327 per 1,000 sq ft
Mini-Warehouse	$461 per 1,000 sq ft
Time Share	$1,892 per Dwelling
MobileHome/RV Par	$1,408 per Pad

Y. Park Impact $1,115.00 per living unit

Z. Fire Impact

Non 1&2 Family
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$0.161 per square foot**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$0.184 per square foot**

Residential New Construction
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$316.33 per dwelling unit**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$360.00 per dwelling unit**

AA. School Impact Fees

Single Family	$4,309.00
Single Family Admin. Fee	$51.34
Multi-Family (Duplex, Townhouse Etc.)	$1,704.00
Multi-Family Admin. Fee	$31.78

Utilities Fees – Contact Utilities Department Gerry Burton 574-0534

Contact Telephone Numbers

Building	573-3159	Permitting	574-0546
Engineering	574-0718	Stormwater	574-0599
Fire	574-0503	Zoning	574-0553

RECEIVED
SEP 15 2006
COMMUNITY DEVELOPMENT

#04525
8/09/06

CPA 2004-00006

FLORIDA CITRUS
CPA 2004-00006, NORTHEAST LEE RURAL VILLAGE

SUFFICIENCY RESPONSE TO
3RD ROUND SUFFICIENCY QUESTIONS IN MEMO DATED JANUARY 27, 2006
FROM DAVID LOVELAND, TRANSPORTATION PLANNING MANAGER,
TO PAUL O'CONNOR, PLANNING DIRECTOR

Comment:

The Department of Transportation has reviewed the applicant's September 30, 2005 resubmittal, which attempts to respond to the issues we raised in our memo of April 27, 2005 and a subsequent meeting. Some of the referenced exhibits in the resubmittal were missing, but the applicant did provide revised Exhibits 9 and 10 upon staff request (via a December 13, 2005 e-mail). However, a key premise of the applicant's submittal is that a new east-west extension of CR 78 bypassing "downtown" Alva will mitigate the project's impacts on CR 78 (North River Road) and Broadway. The applicant did not submit any model runs that demonstrated that the alternative road (aka, the "Alva Bypass") in fact relieved the impacted segments and such information is critical to the County's review of the application. The applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the Alva Bypass in place to demonstrate that the relief is in fact realized. The applicant should also submit copies of his model runs for staff review. (There is one reference to a revised Exhibit 8 that might contain this information but that was not included in the submittal to staff.)

Response:

DPA responded fully and at length to the staff's previous sufficiency comments and questions. Unfortunately, the staff did not receive all of the exhibits that DPA prepared. Among the missing exhibits was Exhibit 8, which provided the level of service analysis demonstrating that the proposed CR 78 Alva By-Pass will provide sufficient relief to CR 78 and Broadway so that the widening of these two roads would not be necessary.

DPA regrets the inconvenience that this may have caused the staff. DPA was unaware that the staff did not have all of the materials needed to complete the staff's review. DPA called the staff in early December, 2005, to check on the status of the staff review and learned that Exhibits 9 and 10 were missing. DPA immediately provided these two exhibits to the staff via e-mail on December 13. However, DPA was unaware that Exhibit 8 was also missing.

dpa

To make sure that the staff has all of the materials from DPA's prior sufficiency response, DPA delivered the complete sufficiency response, including Exhibits 7-10 and the CPA travel model assignments both with and without the proposed new road, in a letter to Mr. David Loveland on March 1, 2006, with copies of the letter provided to Mr. Matt Noble and Mr. Lili Wu.

Finally, there have been minor modifications to the preliminary alignment shown in Exhibit 7 (Revised), which is attached. As before, this is a preliminary alignment for discussion purposes. The actual alignment will be determined through a more detailed corridor study.

Comment:

As part of the latest submittal, the applicant indicates "(I)n conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially Feasible Plan be amended to include the proposed new two-lane road." Staff has a couple of concerns with this concept. First, the applicant presumes that the impact fees he is expected to generate ($20.8 million) will be enough to cover the Lee County portion of the Alva Bypass ($21.8 million), even though it is actually $1 million short. The presumption is that a future update of the road impact fees will lead to enough of a rate increase that the shortfall will be covered, but the applicant doesn't get the privilege of this beneficial presumption – at this point we don't know what the road impact fee update study will show and what will be approved by the Board of County Commissioners. Under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass.

Response:

The County has recently proposed road impact fee increases up to three times the current rates. With these huge increases, Spanish Creek's anticipated road impact fee payments under the new fee schedule would easily cover the difference (5%) between the current estimate of the cost of the road and the anticipated impact fee collections under the current fee schedule.

In any event, as part of the CPA, the Applicant has proposed several Comprehensive Plan Policies under Objective 21.7 intended to ensure the financial-feasibility of the proposed new road, with the stipulation that the new road be fully funded by the private sector.

Policy 21.7.3 states (bold for emphasis):

> If the road impact fees generated, in total, by Spanish Creek Community do not address the total costs of the bypass in Lee County a MSBU, MSTU, or a CDD shall provide an additional **one (1) million dollars** (2005) to provide the road by 2015.

Policy 21.7.5 states (bold for emphasis):

> If the Spanish Creek Comprehensive Plan Amendment is approved for over 5,000 residential units, Lee County shall require the construction of the Lee County portion of a **privately-funded**, two-lane road that extends from the CR 78/Kirby Thompson Road intersection in Hendry County to just east of the CR 78/Cemetery Road intersection in Lee County and by-passes the Alva Community to the north. Lee County shall establish a funding source(s) that will require a fair share contribution from all developments within the CPA area plus all other new developments that access the road or directly benefit from construction, so that the new road is **fully funded by private development**. Funding sources may include, but are not limited to, the following: a super impact fee; proportionate share payments by all developments; a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU); a Uniform Community Development District (UCDD); or another funding mechanism(s) that ensures the full funding of the new road. All **private contributions** for the construction of this new two-lane road shall be creditable against the road impact fee payments, because the road is being constructed specifically to mitigate the traffic impacts of private development on CR 78, Broadway (including the Alva Bridge), SR 80 and the Alva Community.
>
> - Within two years of the adoption of this Comprehensive Plan Amendment, Lee County will conduct a **privately-funded** engineering study to establish the precise alignment for this new road and to determine the right-of-way requirements. Right-of-way acquisition will be **privately funded**, but conducted by Lee County. Construction of the new road will be scheduled by the County no later than 2015 to ensure that the new road is in place when needed.
>
> - The Applicant shall facilitate the construction of this new road by reserving 150 feet of right-of-way within the CPA area for an eventual four-lane, divided roadway and dedicating the right-of-way to the County for credit against road impact fees.
>
> - Lee County shall enter into an interlocal agreement with Hendry County to ensure the construction of the Hendry County portion of the new road in a timely manner. The Applicant shall assist Lee and Hendry Counties by seeking the cooperation of Hendry County property owners in reserving the right-of-way for the road, and dedicating the right-of-way.
>
> - The new road will have good access management, with minimum spacing for full median openings of one quarter mile and minimum spacing for directional median openings and driveway connections of 660 feet, subject to review and approval by Lee County.

Comment:

The Alva Bypass also wouldn't provide the necessary relief without the Hendry County portion, estimated by the applicant to cost another $10.1 million. Lee County couldn't agree to amending the 2020 Financially Feasible Plan to add the Alva Bypass in conjunction with the applicant's requested land use change without a firm commitment by Hendry County to include their portion of the Alva Bypass in their financially feasible plan. The applicant has not provided any evidence that Hendry County is willing to do this. It is worth noting that this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Response:

The Applicant has anticipated this issue and has met with both of the affected property owners in Hendry County. Both property owners, Mr. Bryan Paul and Mr. Fred Burson have expressed their support for the new road in letters to Mr. Joe Beale. These are included in Appendix A.

The proposed new road is already included in the draft Hendry County 2030 Needs Plan, which is included in Appendix B. The Hendry County portion of the new road is shown in the draft 2030 Needs Plan as Road N in the inset (Box A).

Applicant has also met with the Hendry County officials to discuss the new road. They generally support the new road, but indicated that they would support its inclusion in the 2030 Financially-Feasible Plan only if a funding source is identified. They indicated that road impact fees would be an appropriate funding source.

Comment:

Finally, the applicant makes the argument that, because the County does not assume any significant amount of development on his site by 2020, it would not affect the 2020 Financially Feasible Plan by pipelining the project's road impact fees to build the Lee County portion of the new Alva Bypass. However, the revenue projections used in building the Financially Feasible Plan are not site specific, they are projected based on historic collection trends countywide. Therefore, there is not a direct relationship between the assumed level of development on this site and the projection of available impact fees, so you can't necessarily conclude that pipelining the Florida Citrus CPA road impact fees won't affect the future revenue forecasts.

Response:

The revenue projections used in building the Financially Feasible Plan may be based on historic collection trends, however historic collections in this part of the county have been de minimis and would not have been considered. Furthermore, the legal basis to obtain impact fees is the dual rational nexus test. The expenditure of these funds in North Fort Myers or Cape Coral would not meet the test. The Applicant should not be compelled to contribute impact fees that will not be used in any manner to serve this part of the county and then be asked to construct a significant east/west roadway in addition to the payment of impact fees, as this would raise legal issues.

The applicant also seems to assume that there are no other competing projects in this part of the County in the plan. The Alva area is part of the North Road Impact Fee District, which includes everything north of the Caloosahatchee River from Pine Island to the Hendry County line. There are in fact a large number of projects within that road impact fee district in the 2020 Plan that could compete for the road impact fees generated by Florida Citrus CPA.

Response:

The staff is correct that there are other road improvement projects in the long-range transportation plan, which are located within the North Road Impact Fee District. And, it's understood that the County can spend fees collected from Florida Citrus anywhere within that district.

But, it must be pointed out that the impacts of this CPA would be felt primarily east of I-75. A review of the adopted 2030 Financially-Feasible Plan shows that there are no road improvements planned in the North Road Impact Fee District east of I-75. The improvement in the adopted Financially-Feasible Plan that is closest to the Florida Citrus CPA is located 16 road miles away.

The Applicant intends to fully mitigate the traffic impacts of the CPA. This would be accomplished if the County spends the fees where they will do the most good in off-setting those impacts. That is, in the Alva area.

Finally, the expenditure of the Florida Citrus CPA road impact fees on the proposed new road would be of great benefit to the Alva community. Even without the development associated with the Florida Citrus CPA, traffic volumes on CR 78 can be expected to increase significantly due to development further east in Hendry and Glades Counties and to the northwest along SR 31 in Lee and Charlotte Counties. Without the proposed CR 78 Alva By-Pass, those increased volumes will pass through the center of Alva and past the elementary school. The proposed new road will divert the increased traffic volumes around the center of town, allowing the town to retain its rural character.

Muse Area Development

Recently, Glades County approved the Muse Planning Area Land Use Plan Amendment. Appendix C includes excerpts from the Transportation Analysis prepared by Tindale-Oliver in support of that Plan Amendment.

The Tindale-Oliver study essentially ignores the potential traffic impacts of the Muse area Plan Amendment on Lee County. As shown in Figure 2 and Figure 4 in Appendix C, CR 78 south and west of Kirby Thompson Road is identified as "Not on Study Network". SR 80 west of Cowboy Way is also identified as "Not on Study Network". In other words, the study did not evaluate the impacts of the Plan Amendment on roads leading into Lee County or in Lee County itself.

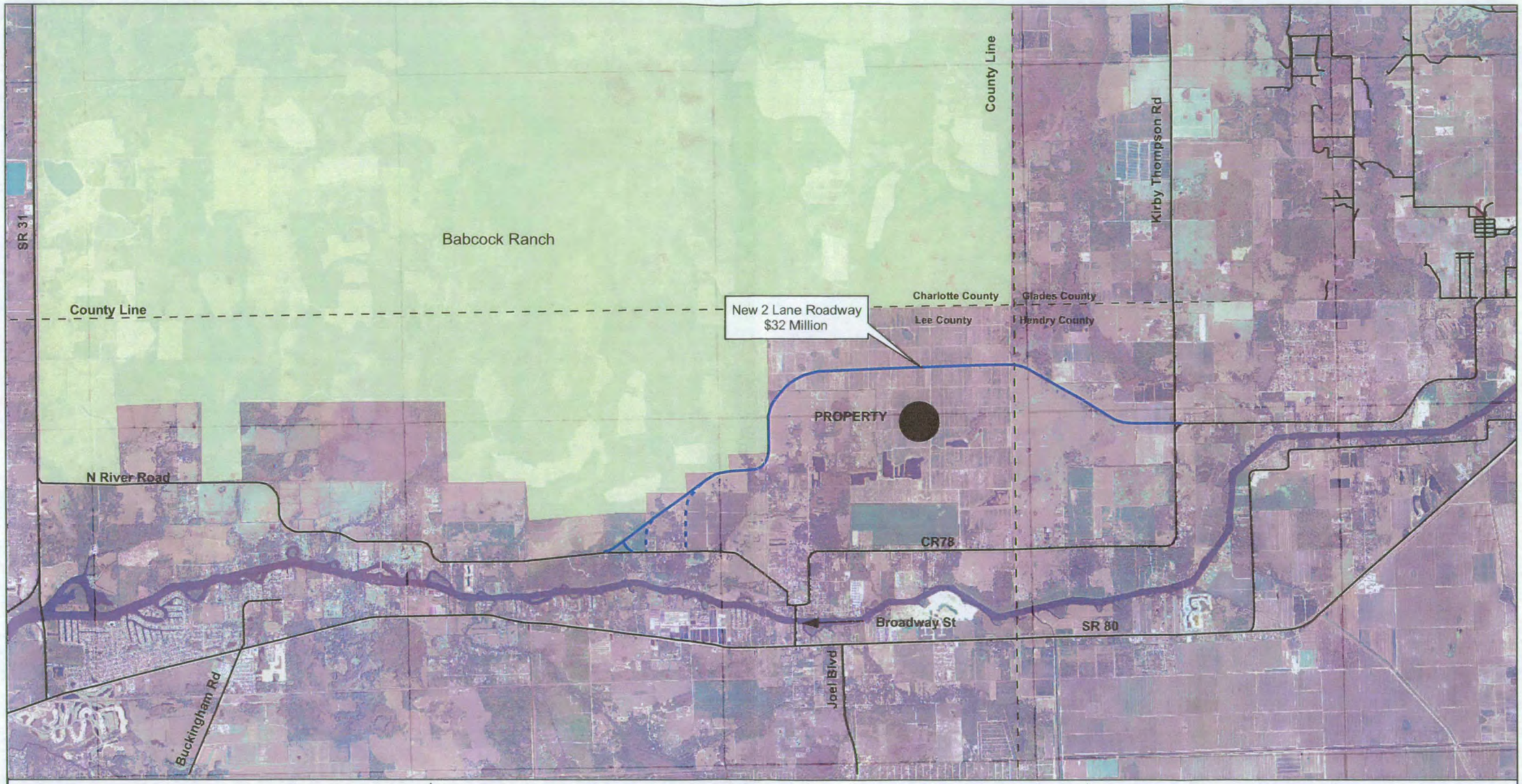
Traffic generated in the Muse area of Glades County will certainly impact Lee County in general and Alva in particular. As shown in Figures 2 and 4, access from the Muse area is provided to the east via SR 29 and to the south via CR 78. The nearest major urban area is the Ft. Myers/Cape Coral urban area to the southwest. Many Muse area residents will take advantage of the employment, shopping and service opportunities in Ft. Myers and Cape Coral. This traffic will travel south on Kirby Thompson Road and west on CR 78 into Lee County, where it will pass through the center of Alva. The proposed CR 78 Alva By-Pass will be needed to divert this Muse area traffic around, rather than through, Alva.

As shown in Table 2 in Appendix C, the Muse area Plan Amendment assumed that there will be 3,590 residential units, including 2,540 single-family units and 1,050 multifamily units. In addition, there will be 250,000 sq. ft. of retail development and 50,000 sq. ft. of office development.

Tindale-Oliver has estimated that these uses will generate approximately 45,575 daily trips. If 20% of these trips travel to Lee County, then approximately 9,115 daily trips will enter Lee County on CR 78 from the Muse area alone. This would more than triple the estimated external volume (3,856 vehicles per day) entering Lee County on CR 78, as assumed in the Lee County 2030 travel model assignments.

Then, of course, there will be additional traffic generated by future development along CR 78 in Hendry County. The Florida DCA is currently reviewing the West LaBelle Land Use Study, which was prepared in support of proposed Comprehensive Plan Amendments in northwest Hendry County.

Whether or not the Florida Citrus CPA is approved, Lee County will need to reconsider its transportation plans for the area north of the Caloosahatchee River and east of SR 31. The County's long range transportation plans should be amended to include an CR 78 Alva By-Pass. The Florida Citrus CPA provides the County with an opportunity to pursue this CR 78 Alva By-Pass for the betterment of the Alva community.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 4/28/06)

Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

Miles
0 0.5 1 2

dpa

04525/06G/0406

APPENDIX A

LETTERS FROM HENDRY COUNTY PROPERTY OWNERS IN SUPPORT OF PROPOSED CR 78 ALVA BY-PASS

Bryan Paul Citrus, Inc.

March 3, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, FL 32968

RE: **Proposed CR 78 Alva By-Pass, #04525**

Dear Joe,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would agree.

The proposed new road is already in the draft Hendry County 2030 Needs Plan. I support including the proposed new road in the 2030 Financially-Feasible Plan, once it is adopted.

In addition, I will coordinate with you and the other affected property owner to set an alignment and will cooperate in providing the right-of-way for that alignment. I also support the use of road impact fees generated by development on my property for this new road.

Good luck in your efforts to advance this new road.

Very truly yours,

Bryan Paul

P.O. Box 2357 • LaBelle, Florida 33975-2357 (863) 675-4410 • FAX (863) 675-4570

Burson·Weathers
Real Estate Company

March 2, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, Florida 32968

RE: Proposed CR 78 Alva By-Pass, number 04525

Dear Mr. Beale,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and I am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would also agree with your efforts to help keep traffic out of their neighborhood.

The proposed new road is already in the draft Hendry County 2030 Future land Use Plan. I support including the proposed new in the 2030 Financially-Feasible Plan.

In addition, I will coordinate with you and the other affected property owner(s) to set alignment and will cooperate in providing the right-of way for that alignment. I also support the use of road impact fees generated by new construction for this new road.

Respectfully yours,

Fred Burson

2260 Bay Street, Suite 11, Fort Myers, FL 33901
(239) 332-0030 • FAX (239) 337-3939 • Toll Free 1-888-332-3345 • FAX 1-888-337-3939
Commercial Properties • Investments • Property Management • Real Estate Tax Consultant

1 of 1

APPENDIX B

DRAFT HENDRY COUNTY 2030 NEEDS PLAN

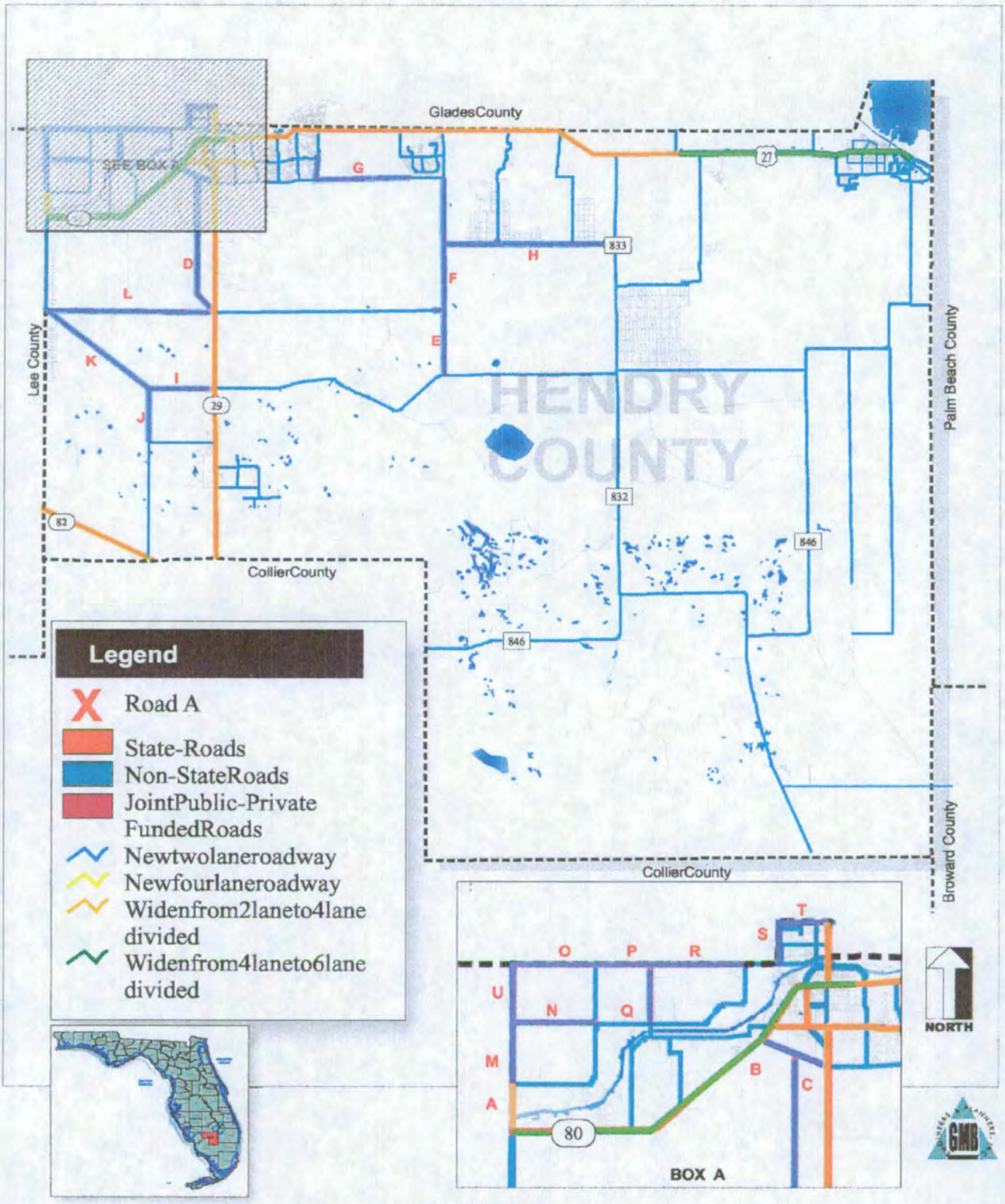


FIGURE3 .8

Year 2030 Hendry County Needs Plan

Source: Hendry County Long Range Transportation Plan, Draft Report, April 2005

APPENDIX C

EXCERPTS FROM THE MUSE PLANNING AREA TRANSPORTATION ANALYSIS FOR LAND USE PLAN AMENDMENT REPORT

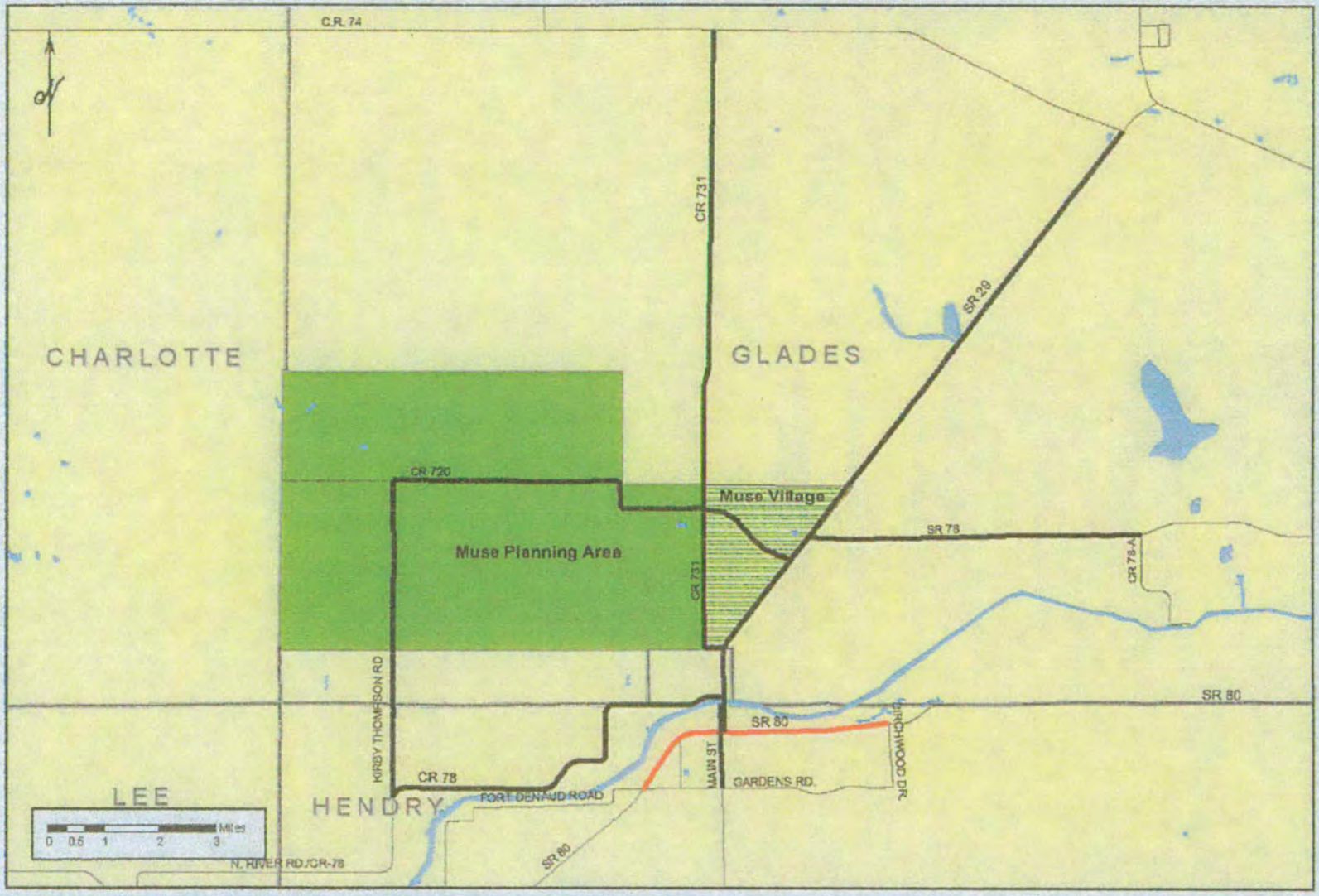
Prepared by Tindale-Oliver & Associates, April 26, 2006

MUSE PLANNING AREA
TRANSPORTATION ANALYSIS
FOR LAND USE PLAN AMENDMENT
REPORT

Prepared for:
Lykes Brothers, Inc.

Prepared by:
Tindale-Oliver & Associates, Inc.

Tampa, Florida
April 28, 2006
44501.05
COPR

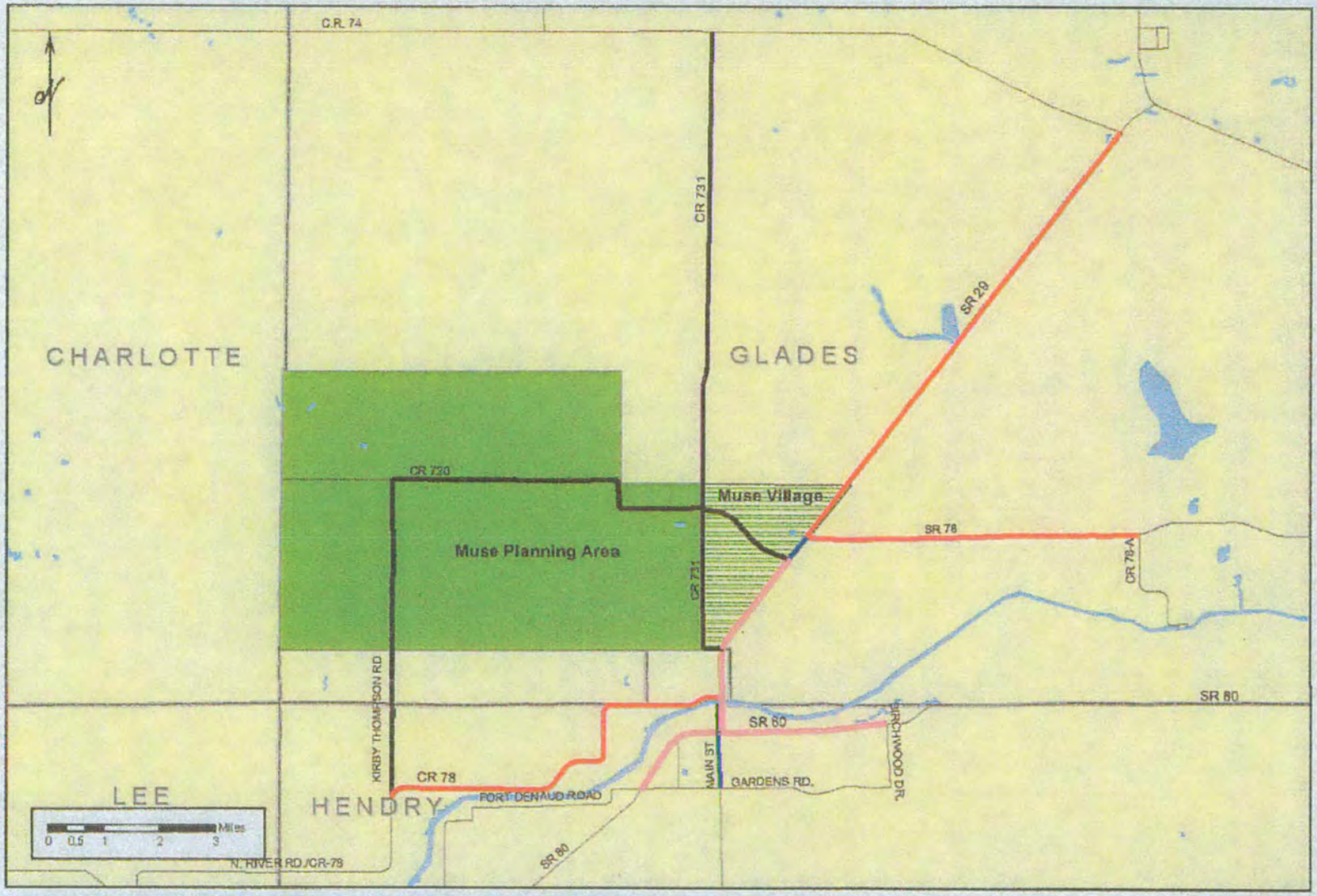


Legend (Number of Lanes)

2 —— Not on Study Network

4

Figure 2
2006 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida



Legend (Number of Lanes)

2 — 6 — 8

4 — Not on Study Network

Figure 4
2030 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida

Proposed Land Uses and Trip Generation

The quantities of development for the proposed Muse Area for both the 2010 and 2030 scenarios are summarized in Table 2. The daily and peak hour of the adjacent street trip generation of the proposed development scenarios were estimated using data published in *Trip Generation* (Institute of Transportation Engineers, 7th Edition, 2004). As shown in Table 2, the proposed development is estimated to generate 4,905 daily trip-ends in the "short-term" 2010 development scenario, and 45,575 daily trip-ends at project build-out. Daily trip generation was used for this generalized future capacity analysis.

Table 2: Muse Village Development Quantities

2010 ITE Trip Generation Estimate

ITE Land Use, Code, and Size				Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
SFDU	210 (Fitted Curve)	325	units	2,519	59	178	237	195	115	310
RETAIL	820 (Fitted Curve)	20,000	sf	2,386	37	23	60	104	112	216
Total Site Generated Trips				**4,905**	**96**	**201**	**297**	**299**	**227**	**526**

2030 ITE Trip Generation Estimate

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	SFDU	210 (Fitted Curve)	635	units	4,921	114	340	454	357	209	566
2323	SFDU	210 (Fitted Curve)	508	units	3,937	91	274	365	292	171	463
2324	SFDU	210 (Fitted Curve)	381	units	2,953	69	207	276	225	132	357
2325	SFDU	210 (Fitted Curve)	635	units	4,921	114	340	454	357	209	566
2326	SFDU	210 (Fitted Curve)	381	units	2,953	69	207	276	225	132	357
Total SFDU Trips			**2,540**	**7.75**	**19,685**	**457**	**1,368**	**1,825**	**1,456**	**853**	**2,309**

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	MFDU	220 (Fitted Curve)	263	units	1,728	26	106	132	97	52	149
2323	MFDU	220 (Fitted Curve)	210	units	1,412	27	80	107	76	44	120
2324	MFDU	220 (Fitted Curve)	158	units	1,097	20	61	81	57	34	91
2325	MFDU	220 (Fitted Curve)	263	units	1,728	33	99	132	94	55	149
2326	MFDU	220 (Fitted Curve)	158	units	1,097	20	61	81	57	34	91
Total MFDU Trips			**1,050**	**6.73**	**7,062**	**126**	**407**	**533**	**381**	**219**	**600**

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	RETAIL	820 (Fitted Curve)	50,000	sf	4,328	63	40	103	190	206	396
	OFFICE	710 (Fitted Curve)	25,000	sf	459	55	7	62	18	89	107
2323	RETAIL	-	-	-	-	-	-	-	-	-	-
	OFFICE	-	-	-	-	-	-	-	-	-	-
2324	RETAIL	820 (Fitted Curve)	100,000	sf	6,791	96	61	157	300	326	626
	OFFICE	710 (Fitted Curve)	25,000	sf	459	55	7	62	18	89	107
2325	RETAIL	820 (Fitted Curve)	100,000	sf	6,791	96	61	157	300	326	626
	OFFICE	-	-	-	-	-	-	-	-	-	-
2326	RETAIL	-	-	-	-	-	-	-	-	-	-
	OFFICE	-	-	-	-	-	-	-	-	-	-
Total RETAIL + OFFICE Trips			300,000		18,828	365	176	541	826	1,036	1,862

Total Gross Site Generated Trips	**45,575**	**948**	**1,951**	**2,899**	**2,663**	**2,108**	**4,771**

SPANISH CREEK

COMPREHENSIVE PLAN AMENDMENT APPLICATION RESUBMITTAL CPA 2004-06

LEE COUNTY, FLORIDA

SEPTEMBER 20, 2006

RECEIVED
SEP 26 2006
COMMUNITY DEVELOPMENT

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management

1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 - 239-418-0692 fax

TABLE OF CONTENTS

1. SUFFICIENCY RESPONSE LETTER
2. REVISED POLICIES AND MASTER PLAN
3. SMART GROWTH ANALYSIS (LEE PLAN OBJECTIVES 2.1 AND 2.1 ANALYSIS)
4. FACILITIES ANALYSIS (RESUBMITTAL)
5. WATER ANALYSIS
6. TRANSPORTATION ANALYSIS

DeLisi Fitzgerald, Inc.
• P.O. Box 6306, Fort Myers, Florida, 33911-6306 •
• 1500 Royal Palm Square Boulevard, Suite 101, Fort Myers, Florida, 33919 •
• P (239) 418-0691 • F (239) 418-0692 •

DeLisi Fitzgerald, Inc.
Planning, Engineering and Project Management

September 15, 2006

Mathew Noble, AICP
Principal Planner
Lee County Board of County Commissioners
Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

RE: CPA 2004-06, Northeast Lee Rural Village

Dear Mr. Noble:

In response to your sufficiency letter dated February 3, 2006, please see the attached information. Since the previous resubmittal, and the original submittal, development patterns in the east Lee County, western Hendry County and Glades County have changed. Two and a half years ago we proposed this amendment in response to the changes that were being anticipated at the time, as you well know the anticipation has diminished and now the reality is apparent.

In taking into account all of the changes that are occurring to the east and west of this property and after reviewing the pattern of development in eastern Lee and western Hendry County, it is my sincere hope that Lee County will view this proposal as an opportunity to make the needed infrastructure in the area feasible, both practically and financially. If we decide against updating our planning for the area north of the river along C.R. 78, the eastern portion of Lee County will simply be overrun by the development that is planned for and occurring around the subject property. The Spanish Creek area should be seen as a vehicle to keep the greater community whole.

Maintaining current citrus production or allowing for development of this property under the current Lee Plan designations is not a good option for several reasons. The current land use and developed state of the property causes problems to the area's environment ranging from flooding to pollution of the Caloosahatchee River. The applicant has been approached by the SFWMD to partner on a flowway restoration project that would restore historic flowways and alleviate many of the area's flooding problems. As part of the flowway restoration project, a water quality component will be introduced to decrease the pollutants that are currently flowing into the Caloosahatchee River. The proposed policies in this plan amendment commit us to this process. Keeping the current land use does not allow for the partnership opportunities with the SFWMD because restoring the flowway would be counter to maximizing citrus productivity. Developing under the current Lee Plan also does not achieve the county's goals of environmental enhancement. Changing the land use of the Spanish Creek property can be used as a vehicle for the county to achieve environmental goals as well as planning goals.

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2)

In the previous sufficiency response the rural village concept was adopted to guide development patterns within the subject property. This included limiting gross residential density at two (2) dwelling units per acre with commercial development limited to those uses that could service the needs of future residents and existing neighborhoods north of the river. The idea behind this proposal is to create a whole, self contained community, rather then one that is dependant on crossing the river to meet all shopping needs. It is not the intent of this plan amendment to create regional levels of commercial, but rather create two neighborhood centers servicing the units north of the river. The Babcock proposal adequately covers the regional commercial uses and the more destination oriented uses. The intent of this proposal has always been to create the right balance between residential and commercial uses so that internal capture is maintained and enhanced, and the existing residents would no longer need to travel over the Broadway Bridge to SR 80 or travel to North Fort Myers for their regular shopping needs.

To graphically commit to the environmental and land use goals that we have articulated, we have created an overlay map that all future development will need to comply with. This map is being proposed as Map 21 in the Future Land Use Map series. Map 21 shows an overall plan of development which all future development will need to comply. Map 21 presents a real opportunity for Lee County to master plan for a large area of land - to allow us to create a development that enhances the environment and increases the quality of life. The current form of development in Lee County allows each individual parcel to be planed outside of the context of surrounding neighborhoods as separate entities. Map 21 features connected green spaces, community greenways, open space areas, a town center and contiguous areas of preserve and flowway restoration. This master plan of development will serve to guide us in creating real community benefits through this planning process.

The attached submittal and the responses below are in reply to the information that staff requested in the February letter. Staff comments are in **bold** type while the responses are *italicized.*

Staff noted in the previous sufficiency letter that there are additional property owners within the plan amendment boundary. The sufficiency letter also asked the applicant to provide the owner of record information as well as authorization from each property owner. Staff finds that the resubmittal materials do not fully address these issues. In conjunction with the County Attorney's Office, staff has concluded that the County Line Drainage District's authority over landowners in the district can not reasonably be construed to encompass a change to the future land use classification of district property. The County has no issues with the District becoming a "co-applicant" but this does not substitute for the consent of all property owners of the affected property. Please revise the amendment to provide the owner of record information as well as authorization from each property owner.

The applicant maintains that the authority exists with the County Line Drainage District. Even if the County does not agree with the letter sent by Lewis, Longman & Walker, P.A., stating that the County Line Drainage District has the authority to submit this amendment, Lee County does have the authority to change land use designations. However, master planning for this property, in partnership with the South Florida Water

Management District and the County Line Drainage District is an opportunity that will be short lived.

The applicant is willing to provide notice by certified mail to all owners within the area that would be affected by the new land use category so the county can be assured that all owners are aware of the pending changes. The applicant can provide notice prior to the transmittal hearing, and prior to adoption. The applicant can send the proposed text language so the notice would be more informative than just a simple notice that a plan amendment is being considered.

Time is of the essence. We hope that the County will join us as a partner in this worthwhile effort to create a better alternative plan of development for this area. The county is experiencing considerable problems due to uncontrolled run-off and due to the usage of septic tanks. The applicant is of the opinion that putting this entire area into a land use category that will address these issues is far better for the county.

Part III

A.2. Staff previously suggested that the applicant create an exhibit that numbers the STRAP numbers and places these numbers on a parcel map. Such an exhibit would aid in the review of the request. Staff also suggests the creation of an ownership map.

The exhibit has been prepared and submitted prior to this resubmittal.

Part IV

B. 1. Planning staff is not clear, based upon the resubmittal, what language is proposed to be amended into the Lee Plan. Please provide any modifications to the Lee Plan in a strike-thru, underlined format.

The Policies have been revised to include only the subject property under the new title Spanish Creek Community. A series of Policies that correspond to a map amendment have been proposed. The Policies are listed starting with Objective 1.9, a section of the Lee Plan that lends itself to the proposed amendment. For example, the New Community land use category starts at Objective 1.6 and has implementing policies to follow.

Staff also has concerns related to the minimum area for "a Rural Village" and the effect on current owners of parcels smaller than the minimum proposed Rural Village. Staff is concerned with takings and Bert Harris implications, heightened by the fact that not all of the actual owners of the property in question have authorized the requested change.

We have removed this policy from the revised Objective 1.9.

The first sufficiency letter also questioned the applicant's commitments to provide necessary improvements to the infrastructure in the area to address project impacts. In general the proposal still lacks any concrete commitments. For example, concerning potable water service and sanitary sewer service, the proposal does not seek to amend Lee Plan Maps 6 and 7 and include a plan to establish

services. Lee County Utilities staff provide that potable water service would have to be extended from the North Lee County Water Treatment Plant located on Durance Road north of Bayshore Road. Sanitary sewer service would require the Developer to construct an on-site waste water treatment plant built to Lee County standards. The developer should donate this facility to Lee County for ownership and maintenance. Staff assumes an appropriate fifty acre site would be needed for this facility.

Water and sewer have also been addressed within the proposed policies and the attached analysis by Johnson Engineering. Water and sewer capacity is a very important part of this proposal and part of the reason why increased density is necessary. With the adoption of this land use category, utilities will be a requirement of development. However, there are many options for utilities. If Lee County Utilities wants to expand the franchise area to include Alva, then the property owner would need draw water and sewer capacity from Lee County utilities. If Lee County Utilities does not choose to cover the subject property, then an on-site water/sewer plant is an option. Another potential option is working with the adjacent properties in Hendry County that are seeking development approval to create a joint facility. Because sparse low density development makes extending water and sewer lines into Alva financially infeasible, Lee County Utilities may not be the most practical vehicle for getting central water and sewer to Alva.

In any of these options, the applicant will set aside sufficient land to construct the necessary facilities. If a private facility is constructed, it will be done to county standards so that Lee County Utilities would have the ability to take over the plant at a future date. It is the desire of the applicant to be serviced by water and sewer, and to bring the option of these facilities to this area. The means by which this happens is less of a concern to the applicant.

A.6. Please provide a copy of the deed(s) for the property subject to the requested change. Staff acknowledges that some of the deeds have been submitted.

Deeds for the subject property have been submitted to the County with a STRAP number map for review prior to this resubmittal.

A.8. As Staff has previously noted that there are additional property owners within the plan amendment boundary; please provide the owner of record information as well as authorization from each property owner.

The County Line Drainage District has joined the application as a co-applicant as permitted by Florida Statutes. The Drainage District includes all property included within this application. Please see the previous response.

B.1. Please see attached comments from the Lee County Department of Transportation (LCDOT). The LCDOT comments, in part, provide that the applicant did not submit any model runs that demonstrated that the applicant proposed alternative road in fact relieved the impacted segments. The memo states that the applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the "Alva Bypass" in place to demonstrate that the relief is in fact realized. The memo also nooted that "under

today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass." The memo also provides that Lee County would need a firm commitment from Hendry County for the Hendry County portion of the proposed bypass. The memo notes that "this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.2. Please provide the required analysis. The resubmittal provides that the analysis is included in the original amendment petition. Staff fails to find any analysis in the original application. Please see attached comments from Public Works staff.

Please see the attached response from Ron Talone with David Plummer and Associates.

B.3a. Thank you for the letter from the Alva Fire Control & Rescue Service District. The letter provides that the district does not have the facilities, manpower or equipment to provide the necessary service as a result of the impacts of the proposed plan amendment. Please address the District comments.

Any development on the property will have to be serviced by the Alva Fire Department. Whether the property develops in ranchettes, or in the proposed better form of development, the Fire Department does not currently have adequate facilities. Any development of the site will have to pay fire impact fees, which is designed to address the impacts of new development on the fire department. Furthermore, Dr. Fishkind has analyzed the proposed development and has demonstrated that the provision of necessary infrastructure will be financially feasible. It is anticipated that the civic areas shown on Map 21 will provide for uses like fire stations. If the proposed form of development is permitted, it will make it much easier for the Fire Department to service this property and to service other properties. An alternate 78 will help the response time for all of properties located within the Alva Fire Department's jurisdiction.

B.3.b. & e Please provide the required letters from the appropriate agencies.

A letter from Florida Power and Light will be included when it is received.

E.3. Staff acknowledges the applicant's resubmittal withdrawing the statement that "there are no adjacent local governments that would be affected by this plan amendment." The Comprehensive Plan amendment application requires an analysis of how the proposal affects adjacent local governments and their comprehensive plans.

The only issues that could be raised by adjacent local governments would involve drainage, transportation and utilities. Drainage will be addressed through the SFWMD widening of the existing canal on the eastern edge of the property to 330'. The SFWMD has approached the applicant with a proposal to restore the historic flowways on the Spanish Creek property to address regional flooding problems. Map 21 commits the applicant to this restoration project.

The proposed plan amendment is also consistent with the planning effort that has been occurring in Hendry County over the last two years. The Hendry Board of County Commissioners has created a Plan for Western Hendry County that includes the CR 78 bypass corridor, which would extend west across this property. We have been coordinating with property owners in Hendry County in order to implement the goals and objectives of the Hendry County Plan. The CR 78 bypass is very important to diverting traffic away from downtown Alva and maintaining the quality of life in that area.

E.4. Staff also noted in the previous sufficiency letter that under the Regional Policy Plan Transportation Goal discussion, the application provides that "the proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west corridor that can relieve State Road 78." This goal of the Regional Policy Plan is to ensure an adequate road network. Staff finds that the current proposal does not ensure an adequate road network.

Two possible roadway locations have been included within this resubmittal that would create an adequate road network and address any possible impacts that this development may cause. Please refer to this exhibit, additional information provided by David Plummer and Associates, as well as responses to Lee County Department of Transportation for further information. Both alternatives provide benefits to the preservation of downtown Alva.

<u>Public Works</u>

1. **Based on the information provided in the application for this request staff finds the application insufficient for review. The applicant has failed to provide a detailed analysis demonstrating how the proposed amendment is consistent with Objectives 2.1 and 2.2 of the Lee Plan. In addition the applicant does not include the required existing and future conditions analysis for sanitary sewer, potable water, parks, recreation, and open space.**

Attached is an analysis of Objectives 2.1 and 2.2 in the context of FAC 9J5 and the indicators of sprawl. The application is consistent with Objective 2.1 because the property is adjacent to and nearby parcels that are seeking or have obtained increased development entitlements. Because of this activity the area has established itself as a major growth corridor, where the subject property is not on the extreme edge of proposed development but instead located directly in the middle between the South LaBelle Community(a development of regional impact in LaBelle) and east Fort Myers.

The proposed text amendment is also consistent with Objective 2.2 due to the fact the vast majority of residential units and commercial uses will be clustered within portions of the subject property and provided with central public facilities if approved at an adequate density as mentioned in the proposed text. As previously stated and also included within the proposed text amendment, water and sewer will be provided on-site.

Alva Fire Control & Rescue Service District

1. **Please be advised that we do not have the facilities, manpower or equipment to provide the necessary service. The project, according to your letter, would require approximately three items the resources we now have available and, because of the geography, would require a station on site (river and highway access).**

Public facility locations have been identified on Map 21 included within this resubmittal. One of the intended uses for these locations is a fire department. The exact location will be determined during the zoning process with coordination from the Alva Fire Control & Rescue Service District.

Should you have any questions, please do not hesitate to contact me.

Best regards,

Daniel DeLisi, AICP
DeLisi Fitzgerald, Inc.

SPANISH CREEK COMMUNITY

Objective 1.9 To create a land use category that will provide the opportunity for the eastern Lee County area north of the Caloosahatchee River to provide for a mix of housing types, commercial services, as well as the educational, recreational and civic uses that will both accommodate anticipated growth within northeast Lee area and build a well rounded community. Through guidelines on development, the Spanish Creek implementation policies create innovative planning and environmental strategies that result in a net improvement in habitat on site, improve water quality for run off into the Calosahatchee River and provide utility infrastructure for the surrounding area.

This land use category is intended to provide guidance related to the appropriate mix of uses, but allow for the necessary market flexibility as it relates to the location of land uses and the total area of each land use. The overall size of the Spanish Creek Community Land Use Category is approximately 3,713 acres, and will accommodate a full range of uses including residential, commercial, office, recreational and public facilities. The public facilities are intended to allow a full range of public and quasi-public uses including, but not limited to educational facilities (public and private), utilities, libraries, fire/EMS and police substations. Overall density/intensity of development will be limited in accordance with the table in Policy 1.9.1. The following policies establish land use districts within the Spanish Creek Community that provide the structure for how the development will occur, and policies to provide for the provision of environmental enhancement, flowway restoration, an overall master plan for greenways and the provision of infrastructure.

Policy 1.9.1 Gross development program: The Spanish Creek Community will contain an allowable gross density residential units and intensity of commercial area. The specific land use areas within the Spanish Creek Community will have more specific gross density allocations. The total gross density of the Spanish Creek Community will act as a maximum development program for the area.

Use	*Minimum development*	*Maximum development*
Residential	*3,700 du*	*7,426 du*
Retail	*100,000 square feet*	*185,000 square feet*
Office (general and medical)	*25,000 square feet*	*75,000 square feet*
Civic	*N/A*	*200 acres*

Land Use Policies

Policy 1.9.2 Lands Designated as Ranchette Residential within the Spanish Creek Community will be primarily low density residential in nature. Ranchette Residential uses are intended for areas adjacent to areas that are more rural in character and are intended to provide a transition into the Spanish Creek Community from surrounding historic Alva to the south along CR 78 and Babcock Ranch to the west. Ranchette Residential uses may be developed at a gross density no greater than 1 dwelling units per acre. Uses include single family residential uses and recreational facilities.

Policy 1.9.3 Lands designated as Transitional Residential within the Spanish Creek Community will be primarily medium density residential in nature. Transitional Residential areas will be designed to be suburban in nature and design. Densities shall range from a minimum of 1 dwelling unit per acre to 5 dwelling units per acre. The Transitional Residential area is intended to provide for a mix of residential unit types and housing options including multi-family and single family units sold either fee-simple or as condo units. Residential uses within the Transitional Residential land use category must provide for on-site, public or private recreational facilities in accordance with Policy XXX.

Policy 1.9.4: Town Center Residential will define areas that are primarily for higher density residential uses around the Town Center. And may be developed at a gross density no greater than 15 dwelling units per acre, but not less than 2.5 dwelling units per acre. Uses in the Town Center Residential areas include both single and multi-family units, as well as town house, duplex and any other similar unit type. Recreational facilities, public or private, as well as minor commercial centers intended to provide for the needs of the adjacent neighborhoods are allowed. Town Center Residential areas are anticipated to be located around or near the Town Center, with direct access to an arterial or collector road.

Policy 1.9.5 Town Center Mixed Use will define areas of mixed residential and commercial uses, where intensity of development is appropriate due to the mix of uses and the interconnectivity of uses. Town Center properties will be designed as more urban in clode proximity to the main east-west spine road. Residential densities in the Town Center area are allowed at up to 25 dwelling units per gross acre and no less then 5 dwelling units per gross acre, and commercial intensities are allowed at a floor area ratio not to exceed 1.0. Town Center areas must be designed in accordance with Lee County's Mixed Use Overlay design guidelines (Policy XXX, tob be filled in when established). Due to the limited commercial area, it is not a requirement for residential uses to be integrated within the same building as commercial uses. However strong pedestrian connections between residential and commercial uses must be created.

Policy 1.9.6: Civic will define areas that are intended for public facilities including schools, fire, EMS substations, city or county office buildings, and quasi public uses such as, but not limited to YMCAs and similar uses. These land uses will by necessity be developed based on ultimate demand for the services, and otherwise have no limit. In the case where land area is not wanted or needed, lands designated as civic shall retain the same land use development rights as can be reasonably expected from adjacent properties. Impact fee credits will be granted upon dedication of land for any public benefit, in accordance with the applicable Lee County impact fee ordinance.

Policy 1.9.7: Any rezoning within the Spanish Creek Community must be reviewed as a Planned Development zoning.

Policy 1.9.8 Land Use Area Table

Land Use	**Approximate Area**
Ranchette Residential	513 acres
Transitional Residential	1,557 acres
Town Center Residential	562 acres
Town Center Mixed Use	76 acres
Civic Uses	200 acres
Other Uses	803 acres

Infrastructure Policies

Policy 1.9.9 To ensure that adequate funding sources are available for the provision of infrastructure, improvements will be funded through a variety of mechanisms that include Community Development Districts (CDDs), Municipal Service Taxing Benefit Units (MSTBUs) and impact fees. Concurrent with Planned Development review, the developer must enter into a development agreement with Lee County to provide for a proportionate share cost for road, school and utility infrastructure. Payment may include the dedication of land or the construction of facilities. Depending on the projected timing of impacts to the infrastructure network, payment of the establish proportionate share may be paid in a lump sum or phased with the development.

Policy 1.9.10 Prior to the issuance of any local development order for any development outside of the Residential Ranchette land use category, the developer must demonstrate the availability of central potable water and sewer service. Water and sewer service may be through an area wide franchise extending in to western Hendry County, through extending the Lee County Utility Franchise area or through an independent district. The cost for the provision and expansion of services and facilities that benefit new development will be borne primarily by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and connection fees and maintenance funds.

Policy 1.9.11 Development within the Spanish Creek Community will be required to accept reuse water if the utility is prepared to supply reuse water and a sufficient supply is available to meet all or a portion of the irrigation needs of proposed development.

Policy 1.9.12 Residential and mixed use development must be served by an internal transportation system of pedestrian and bicycle facilities.

Policy 1.9.13: The Development within the Spanish Creek Community will work with the Lee County School Board, the Lee County Sheriff's Office and Lee County Government to identify sites within the Spanish Creek Community for schools, parks, libraries, police stations and Fire/EMS stations. The number and type of facilities shall be in direct relationship to the generation rates for students established in the latest Impact Fee studies adopted by Lee County and the density that is actually approved at the time of Planned Development approval.

Environmental Policies

Policy 1.9.14 To provide the opportunity to restore natural water flows, Lee County will require, through the Planned Development process, restored or created flow ways in the areas depicted on Map 21. The proposed flow ways will connect surface water management lakes and on-site wetlands. Littoral shelves should be planted along the proposed flow way to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flow way is proposed, so long as the hydrological integrity of the flow way is maintained through drainage crossings. Development within the Spanish Creek Community must be coordinated with the South Florida Water Management District to provide for the restoration and reconnection of the flowways in substantial compliance with Map 21.

Policy 1.9.15 Greenway – Lee County will require, through the planned development process, the creation of a greenway to along the roads shown on Map 21 outside of the Town Center land use area. The intent is to provide for recreational linkages between parks, open space areas and destination centers. The Greenways will range in size from a minimum of 20 feet to 50 feet in

certain locations. Recreational open space may be incorporated in to the greenway. Development along a greenway is encouraged to provide for public use of the greenway by providing sidewalks and pedestrian connections to adjacent properties.

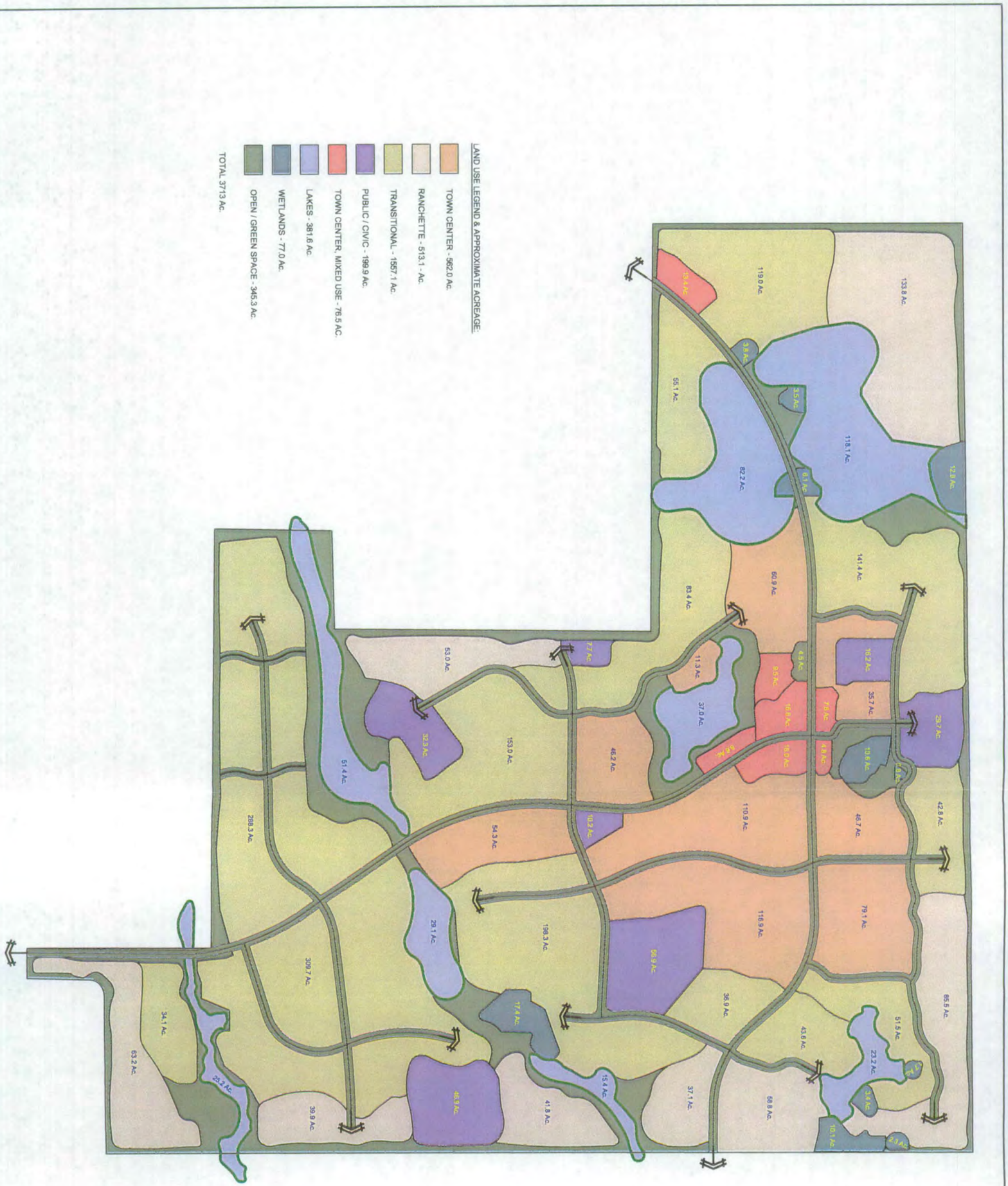
Policy 1.9.16 To encourage the preservation of common areas of open space and on-site recreational areas, residential development must be clustered and provide for open space in accordance with county regulations. Flowways, greenways, and lakes may be used to meet the open space requirements to the extent allowed in the land development code. Residential development shall be designed to incorporate conservation areas into the overall design and development pattern, where possible, to promote multi-purpose use of open space and conservation of natural resources. Residential developments within the Transitional Residential land use category must provide on site public or private recreational needs to help offset the active recreational needs of their residents.

Policy 1.9.17 Planned Development applications for properties on the perimeter of the Spanish Creek Community will incorporate an area of open space and "rural buffer" of a minimum of 100' in width around the perimeter of the Spanish Creek Community. This open space area may contain water bodies, road crossings, and neighborhood levels of commercial in accordance with site location standards only.

General Policies

Policy 1.9.18: Lee County will continue to work with the property owner(s) in the Spanish Creek Community to reevaluate the commercial intensity limitations as set forth in this Objective to ensure available commercial area is provided to service the needs to the surrounding community, while at the same time ensure that overbuilding of commercial does not occur.

Policy 1.9.19: While there are specifically delineated areas for development shown on Map 21 of the Future Land Use Map series, further environmental, traffic, survey, engineering and market studies may dictate a need to adjust those lines, move the locations of development areas, or modify the area dedicated to that land use (in accordance with the table in Policy 1.9.8). Therefore the lines for an individual category shown on the future land use map may be adjusted administratively, as long as the percentages and intensity of each type of development specified for the Spanish Creek Community does not change without the need for a comprehensive plan amendment. The minimum and maximum levels of development for each type of use shall apply.



Sheet Number:	01
Status:	FOR PERMITTING PURPOSES ONLY NOT FOR CONSTUCTION
Project Manager:	DD
Drawn By:	JHF
Checked By:	DD
Project number:	21021-01
Dwg File:	K:\21021-FL CITRUS\MAP 21.DWG
	MAP 21

PLAN REVISIONS:

DATE:	DESCRIPTION:

OWNER/DEVELOPER

FLORIDA CITRUS CORPORATION

PROJECT:
SPANISH CREEK CPA

TITLE:
MAP 21 - SPANISH CREEK COMMUNITY

DELISI
AND ASSOCIATES
1500 ROYAL PALM SQ. BLVD SUITE #101
FORT MYERS, FLORIDA 33919
PHONE: (239) 418-0691
FAX: (239) 418-0692

SPANISH CREEK

Smart Growth Analysis

FAC 9J-5.006(5) provides specific guidance for reviewing plan amendments to determine how well they discourage urban sprawl. The purpose of the referenced subsection of 9J-5 is stated as to "give guidance to local governments and other interested parties about how to make sure that plans and plan amendments are consistent with relevant provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, Florida Statutes, and the remainder of this chapter [9J-5] regarding discouraging urban sprawl, including provisions concerning the efficiency of land use, the efficient provisions of public facilities and services, the separation of urban and rural land uses, and the protection of agriculture and natural resources.

Lee County implements this section of 9J5 through Objectives 2.1 and 2.2 in the Lee Comprehensive Plan. Objective 2.1 deals with Development Location and stressed the need for development to be located in such a way that development does not create sprawl and public facilities become financially feasible. Objective 2.2 deals with Development Timing and is primarily implemented through the rezoning process.

The following point-by-point analysis demonstrates how the proposed amendment not only discourages sprawl, but helps the county transition from a plan that currently calls for sprawl development while assisting in preserving the rural "small town" atmosphere of the "downtown Alva" area by C.R. 78 and the Broadway Bridge. While this analysis is structured as a point-by-point answer as to how this proposal implements 9J5, the comments point out how this proposal is consistent with Objectives 2.1 and 2.2.

9J-5 lists thirteen "Primary Indicators" of urban sprawl. These are provided below with a brief analysis of how each is relevant to the proposed amendment.

1. *Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need. (Restated in Lee Plan Objective 2.1)*

   The current comprehensive plan allows for only single use development at low and very low densities on the subject property and over most of the land north of the Caloosahatchee River east of SR 31. The current Lee Plan promotes a scattering of low density residential subdivisions with few to no service or commercial areas. Under this pattern of development, the costs f infrastructure increase significantly, making most services financially infeasible. This pattern of development has led to the identification of only one east west road corridor north of the river – C.R. 78, which is a two lane facility, and will be unable to handle the traffic generated by this form of development.

   Furthermore, CR 78 was not designed to handle the pass through traffic that is building up along the corridor in low density subdivisions in Lee County, as well as new residential developments in Hendry and Glades Counties. CR 78 has numerous residential units fronting directly on CR 78 a design more characteristic of a local road, not the type of road to handle the pass through traffic that is building up.

Golden Gate Estates (Collier County) is a visualization of the current low density single use development pattern that the Lee Plan is promoting. East-west traffic out of and into Golden Gate is a significant issue, as is the difficulty of extending central water and sewer facilities to the area. The Florida Citrus property is currently split into parcels that are strikingly similar to Golden Gate. The Growth Management statutes were enacted to move counties away from permitting the types of development that is currently permitted on the Florida Citrus property.

The proposed amendment is transitioning the Lee Plan from a sprawl scenario (single us low density) to a mixed use, community with a range of densities. As demonstrated in the population accommodation section, and the market analysis for ranchettes (sprawl) submitted by Dr. Fishkind (DATE), this amendment will only funnel the current demand for housing in east Lee county from a sprawl based land form to a mixed use, mixed density land form where services are financially feasible.

The proposed plan of development implements Objection 2.1, *which states that, "Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services."*

2. *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. (Restated in Lee Plan Objective 2.1)*

   The subject property is surrounded by Babcock Ranch and low density residential to the west, Babcock Ranch to the north, low density residential to the east, and low density residential to the south. Farther to the east is the planned Muse Village in Glades County approved for 3,500 units. The proposed district would create a mixed use, mixed density area that would be a break from the otherwise expansive area of low density single use development.

   While it could be argued that there are other lands west of the subject property that could theoretically be developed sooner for higher densities, that is both unlikely and not feasible. In looking at the area north of the Caloosahatchee River and east of SR 31, there are few opportunities for the planning and development of large contiguous area that would be able to bring viable commercial and service uses to this area. With only a single east-west road on the north side of the river, and very low density development, it is necessary to have some clustered density (2 dwelling units per acre is still low density, but if it is clustered then services become viable) to achieve the integrated self sustained community that these statutes try to generate.

   With the rapid decline in the citrus industry as well as the planning for development of Babcock Ranch to the west, and the planning for development of both Muse Village and the western Hendry area to the east, this part of Alva is transitioning away from agriculture. Planning for the growth, will help preserve the small town village atmosphere of the "downtown Alva area".

3. *Promotes, allows, or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.*

   The proposed Spanish Creek future land use map amendment proposes to break from the *"radial, strip, isolated or ribbon patterns"* of development currently allowed in the Lee

Plan by protecting and restoring sensitive environmental lands and clustering density on land most suited for development. This district creates a viable "node" of development that will be mixed use and mixed density in nature. It will be an independent urban center or hub for the area north of the Caloosahatchee River and in between the Babcock development and the Muse Village development. This form of nodal development is far preferable to the radial, strip, isolated or ribbon patterns that are trying to be prevented in the Florida Statutes and are currently allowed in the Lee Plan.

4. *As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

   The property where the proposed Spanish Creek community will be located has been cleared, ditched, and diked to improve the land for citrus production. These agricultural improvements have disrupted the flow of two historic flow ways through the property. The proposed district would reconstruct these flow ways and provide open lands and landscaping consistent with Lee County standards. The current land use category would not require flow way restoration.

   Not only is this proposal to enhance the current environmental condition of the property from the cleared citrus operation, but it will add features such as a higher standard of water quality treatment and new habitat for wildlife. The Caloosahatchee River is a critical environmental area. It is not helpful to promote the continued uses that create agricultural runoff with pesticides that flow into the river or low density residential uses that do not leave habitat areas and rely on individual septic systems, while there are preferable options that have a higher water quality treatment system and cluster to recreate wildlife areas.

5. *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silviculture activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.*

   The subject property is the only active agricultural land of the adjacent parcels. However, the proposed Map 21 does two things to transition from this clustered development to the Surrounding "AG-type" properties. First, low density and ranchette development is located along most of the perimeter. Second, the Policies and the plan show a required greenbelt around the edge of the property creating a natural buffer us adjacent properties.

6. *Fails to maximize use of existing public facilities and services. (Restated in Lee Plan Objective 2.2)*

   There are currently limited public facilities and services in Alva, because public services are not financially feasible with the type of development pattern that is occurring under the current Lee Plan – low density, spread out single use residential. This application is to create a land use category that would promote a mixed housing and commercial area that could make public services financially feasible for both this district and the adjacent areas in Alva. The applicant has agreed to provide central water and sewer, either through Lee County Utilities, or a facility to be constructed on-site. These facilities will also be made available to residents of the Alva community. The applicant will also work with appropriate agencies to provide other necessary public facilities and services as needed.

7. *Fails to maximize use of future public facilities and services. (Restated in Lee Plan Objective 2.2)*

   The developer will be responsible for providing future facilities and services to community residents as stated in #6 above.

8. *Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, healthcare, fire and emergency response, and general government. (Restated in Lee Plan Objective 2.2)*

   This area of Lee County is faced with enormous growth pressure. Developments are being planned to the east and west that will have a very significant negative impact on the Alva community unless the road network is improved, water and sewer are available and other services are planned for. The county has an opportunity to prevent Alva from being over run by growth through a lack of planning. The timing to plan for this area is now – Babcock to the west and the Hendry properties to the east are all moving forward with development. This property creates an opportunity to make public infrastructure financially feasible.

9. *Fails to provide a clear separation between rural and urban areas.*

   Creating a separation between the rural and urban areas can be achieved by design. The intent of the proposed district is to cluster residential and commercial uses outside of the future restored natural areas. Buffer areas and low density ranchette type development can also be created to maintain a transition from the mix of densities to the surrounding low density residential uses.

10. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

    The approval of the proposed Spanish Creek community will not discourage or inhibit infill development for existing neighborhoods, in large part because adjacent properties are either vacant or developed as ranchettes. There is not vacant inventory to compete with the proposed development.

11. *Fails to encourage an attractive and functional mix of uses.*

    The policies within the proposed text amendment allow for and require a mix of uses within the Spanish Creek Community.

12. *Results in poor accessibility among linked or related land uses.*

    Policies within the proposed text require roads, bike paths, sidewalks and greenways to connect residential neighborhoods and the Town Center. External connections will be made through roadway improvements approved in coordination with Lee County DOT.

13. *Results in the loss of significant amounts of functional open space.*

    To utilize the property for citrus production, almost the entire site was cleared, ditched, and diked to plant trees. Therefore, the current condition of the site contains no

functional open space. The proposed development will include public access to parks and trail ways around restored flowways and a greenway system, creating a vastly improved environment over the current condition.

FACILITIES ANALYSIS

The following analysis, demonstrates how the proposed Spanish Creek Community will support the additional public facilities service the property.

Parks

Level of Service and generation rates for park and recreational facilities are adopted as part of the Lee County Comprehensive Plan in the Capital Improvements Element. The level of service for Parks is established in Policy 95.1.3.5 as follows:

> *(a) Regional Parks 6 acres of developed regional park land open for public use per 1000 total seasonal county population.*
>
> *(b) Community Parks 0.8 acres of developed standard community parks open for public use per 1000 permanent population, unincorporated county only.*

In establishing a facility needs analysis for park and recreation lands, the most recent available demographic data is still the 2000 US Census. According to the census data we can assume an average permanent population of 77%. This is very conservative number based on similar developments with much higher seasonal populations. It is envisioned that the Spanish Creek property will be marketed substantially toward a seasonal and second home buyer population. However, to be very conservative we are using a county wide average. According to the census data the average household size is 2.31 people per household.

Table 1 below shows the park generation created by the proposed development:

Park Type	Generation Rate	Population	Park Acreage
Regional Park	6 acres/1,000 people total	17,154	102.9
Community Park	.8 acres/1,000 people permanent	13,208	10.6

In addition to park area, the Lee County Land Development Code specifies general open space and preserve guidelines for development. The requirement in the LDC is generally 40% open space for residential developments and 30% for commercial. The Spanish Creek Community will need to meet those guidelines as well, generating significant open space area. The proposed overlay plan, goes well beyond the county's current open space and recreational planning method, by master planning an interconnected park, preserve and greenway system that each individual development will need to adhere to. Rather then the current form of development where park and open space areas are isolated and simply used to meet county requirements, the proposed plan of development creates a system of passive recreational opportunities. Going even further, the proposed Policy 1.9.16 requires that all development within the "Transitional" category provide for on site recreational opportunities to help off set the recreational needs of their residents.

Libraries

The level of service for Libraries is also established in Policy 95.1.3.5 as follows:

> *Libraries: Maintain existing per-capita inventory; provide 1.6 items and .274 square feet of library space per capita (permanent residents).*

	Generation Rate	Population	Square Feet
Library	.274 Square Feet Per Capita	13,208	3,619

In accordance with the county's level of service standards, the development will generate the need for 3,619 square feet of additional library space. As with all of the other facilities, this has been taken into account with the conceptual site plan. Policy 1.9.13 requires the developer to work with the facility providers to locate sites within the Spanish Creek Community.

EMS Services

Based on the LOS standard adopted into the Lee Plan (below) and the rule of thumb response time of 2 minutes per mile, at least one Fire/EMS sub station will need to be located within the Spanish Creek community, depending on how centrally the station is located and depending on the location of existing facilited and projected calls from outside of the area.

> *Emergency Medical Service: 3.18 advanced life support ambulance stations per 100,000 population with a five and one half (5 1/2) minute average response time.*

Schools

The Lee County School Board projects student generation by dwelling unit. According to the School Impact Fee Study prepared by Duncan and Associates and adopted by Lee County in 2005, students are projected to be generated at a rate of .334 students per single-family dwelling unit and .132 students per multi-family dwelling unit (Table 9 of the Duncan study). The assumed distribution of single family and multi family units is consistent with the distribution in the transportation impact study conducted by David Plummer and Associates (5,200 single family units and 2,226 multi family units).

Table 1 below shows how the student generation rates break down by school type, in accordance with Table 15 in the School Impact Fee study. According to the study, an allocation of 50.4% was made for elementary schools, 21.4% for middle schools and 28.2% for high school students.

Table 1 - Student Generation Rates*

	Elementary	Middle	High
Single Family	0.168	0.071	0.094
Multi-Family	0.067	0.028	0.037

*Based on the Lee County School Impact Fee Study, September 2005

Table 2 - Estimated Number of Students Generated			
	Elementary	**Middle**	**High**
Single Family	874	369	489
Multi-Family	149	62	82
Total	**1,023**	**431**	**571**

Table 3 - Estimated Facility Impacts from Comp Plan Amendment			
Educational Facility	**Capacity**	**Current Enrollment**	**Remaining Capacity**
Alva Elementary School	267	485	(218)
Lehigh Elementary School	688	953	(265)
Alva Middle School	670	572	98
Lehigh Acres Middle School	1,121	946	175
Lehigh Senior High School	1,739	2,008	(269)

Nearly every school in Lee County is over capacity, which is why a substantial new construction plan is underway by the district. However, the greatest difficulty in building new school sites is finding locations adequate to meet the needs of the district. This property will not have that problem and can provide an overall community benefit by providing needed facilities.

The Impact Fee ordinance was adopted requiring that all new units pay for their proportionate impact on the school system. Therefore there will be no impact on the school system through this plan amendment. Any students generated will have been mitigated for through the payment of impact fees.

Policy 1.9.16 requires that school sites be located within the Spanish Creek Community, and sufficient land has been set aside in the conceptual plan for new sites to accommodate this potential worst-case impact. The intent is to have the new school sites service and become part of the Spanish Creek Community. The conceptual plan for Spanish Creek has provided locations for two elementary school sites, one middle school site and one high school site. These areas are identified as public facilities and reflect potential locations of schools and other public facilities beyond those for schools. This will provide 20 acres for the two elementary schools, 15 acres for the middle school, and 40 acres for the high school, a total of 95 acres. These will be available in convenient locations throughout the subject property. Calculated impact fees will be credited at the appraised fair market value of the school sites upon their donation to the district. Conversely, the applicant will agree to pay the full impact fee and the district can purchase land elsewhere if it is so desired.

SPANISH CREEK
WATER RESOURCE ASSESSMENT

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

JOHNSON ENGINEERING

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

JEI #20023330

JOHNSON ENGINEERING

TABLE OF CONTENTS

1.0 INTRODUCTION 4

2.0 POTABLE WATER SUPPLY DEMAND 8

3.0 IRRIGATION DEMAND 9

4.0 EXISTING LEGAL USERS 10

5.0 POTABLE WATER 12

6.0 RECLAIMED WATER 13

7.0 SURFACE WATER 14

8.0 GROUNDWATER 15

A. Surficial Aquifer 18

B. Sandstone Aquifer 22

C. Lower Hawthorn/Floridan Aquifer 26

9.0 SUMMARY 32

10.0 RECOMMENDATIONS 35

11.0 REFERENCES 37

Appendix A 38

LIST OF FIGURES

Figure 1. Aerial photograph showing the location of the project site 6
Figure 2. Aerial photograph showing the location of existing wells 7
Figure 3. Existing SFWMD water use permits near the project site 11
Figure 4. Cross-section location map 16
Figure 5. Generalized hydrogeologic cross-section 17
Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida 20
Figure 7. L-2202 surficial aquifer hydrograph 21
Figure 8. L-2200 Sandstone aquifer hydrograph 24
Figure 9. L-1977 Sandstone aquifer hydrograph 24
Figure 10. Chloride concentration from L-2200 and L-1977 26
Figure 11. L-5708 hydrograph 27
Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site 29
Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph 31

LIST OF TABLES

Table 1. Potable water demands..... 8
Table 2. Irrigation allocations 9
Table 3. SFWMD water use permits in the vicinity of the project site..... 12

1.0 INTRODUCTION

This assessment evaluated potential sources of water suitable for potable water supply and irrigation of landscaping at the proposed Spanish Creek development (project site). The project site consists of approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. An aerial photograph showing the location of the project site is provided as Figure 1. The project lies north of County Road 78 in the northeast corner of Lee County on the borders with Charlotte and Hendry Counties. The Spanish Creek and Miller's Gully flowways cross the southern portion of the project site. The land has historically been used for farming and citrus operations since the late 1960s, when the County Line Drainage District was created as the primary entity responsible for drainage and irrigation at the project site.

Currently the project irrigates approximately 3,600 acres of citrus using surface water withdrawals from the on-site canals and reservoirs and the surficial aquifer. Five separate South Florida Water Management District (SFWMD) water use permits exist for the land comprising the Spanish Creek project. Permit 36-00188-W for the County Line Drainage District covers the majority if the project site, authorizing irrigation of 3,550 acres of citrus using withdrawals from on-site canals and reservoirs, with an allocation for freeze protection from three surficial aquifer wells. Alva Groves (36-01460-W) and C.M. Hansen farms (36-01568-W) also hold water use permits to irrigate 190 and 65 acres, respectively, using surficial aquifer withdrawals. LaBelle Auto Parts had a permit to irrigate 82.5 acres on the project site using the Sandstone aquifer until the permit was allowed to expire on June 30, 2005, as was the case for Gene's Grove (36-02024-W), which had a permit to irrigate 8.8 acres using surficial aquifer withdrawals. See Figure 2 for existing on-site wells.

Once developed, the Spanish Creek site will consist of 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, two elementary schools, a middle school, a high school, parks, open space and environmental areas at build-out in 2025. The site will require about 200 acres of stormwater management ponds. Due to the lack of utility service, the project will require on-site wastewater treatment, and potable water facilities designed to provide approximately 1.81 million gallons per day (mgd) of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the

total acreage) will also require landscape irrigation at build-out. This assessment evaluates the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, the SFWMD DBHYDRO database, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and project files, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water, and groundwater or any combination thereof for both potable and irrigation supply. In addition, the estimated landscape irrigation demand was calculated using the modified Blaney-Criddle irrigation model, and water quality suitable for irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

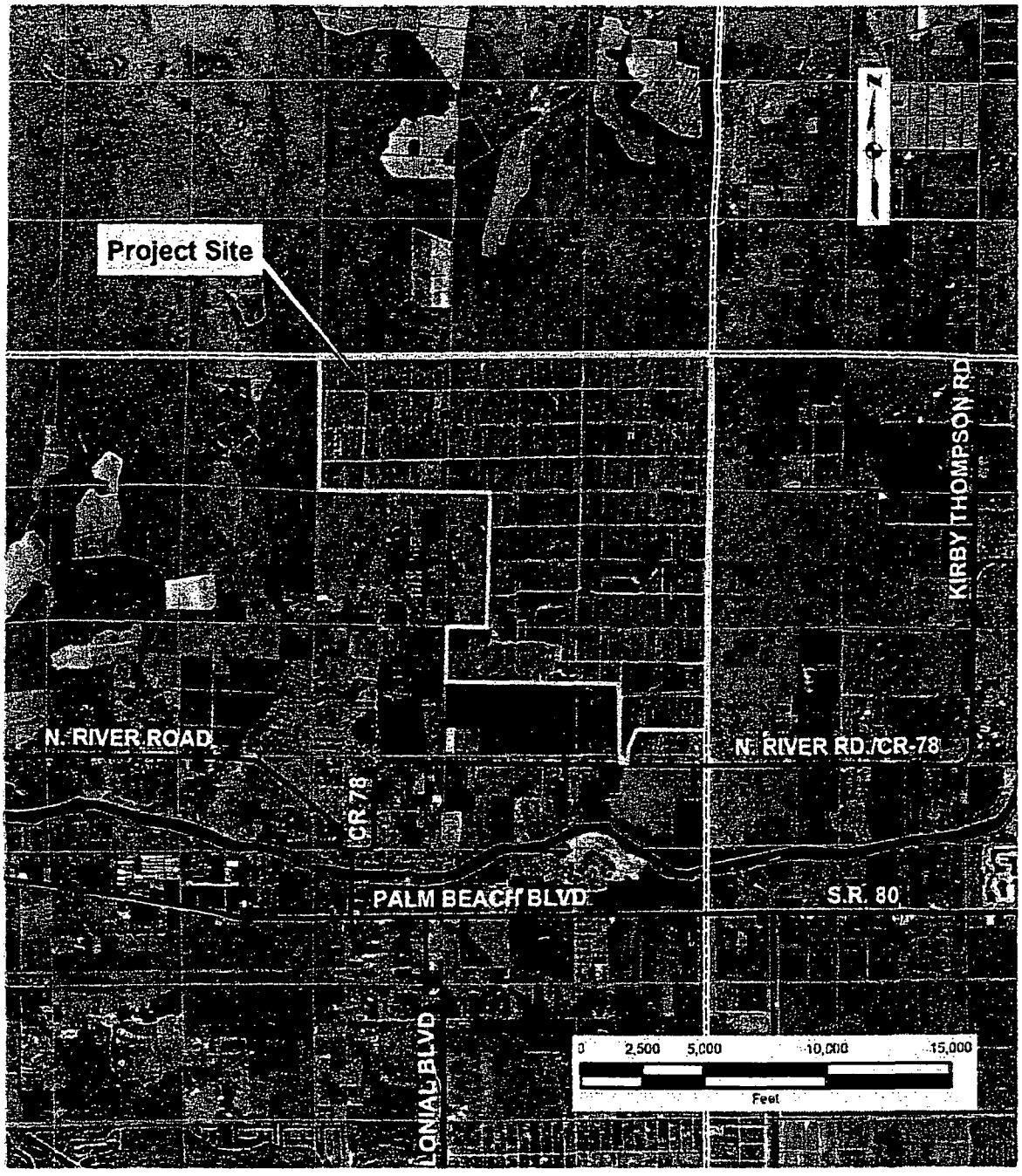


Figure 1. **Aerial photograph showing the location of the project site.**

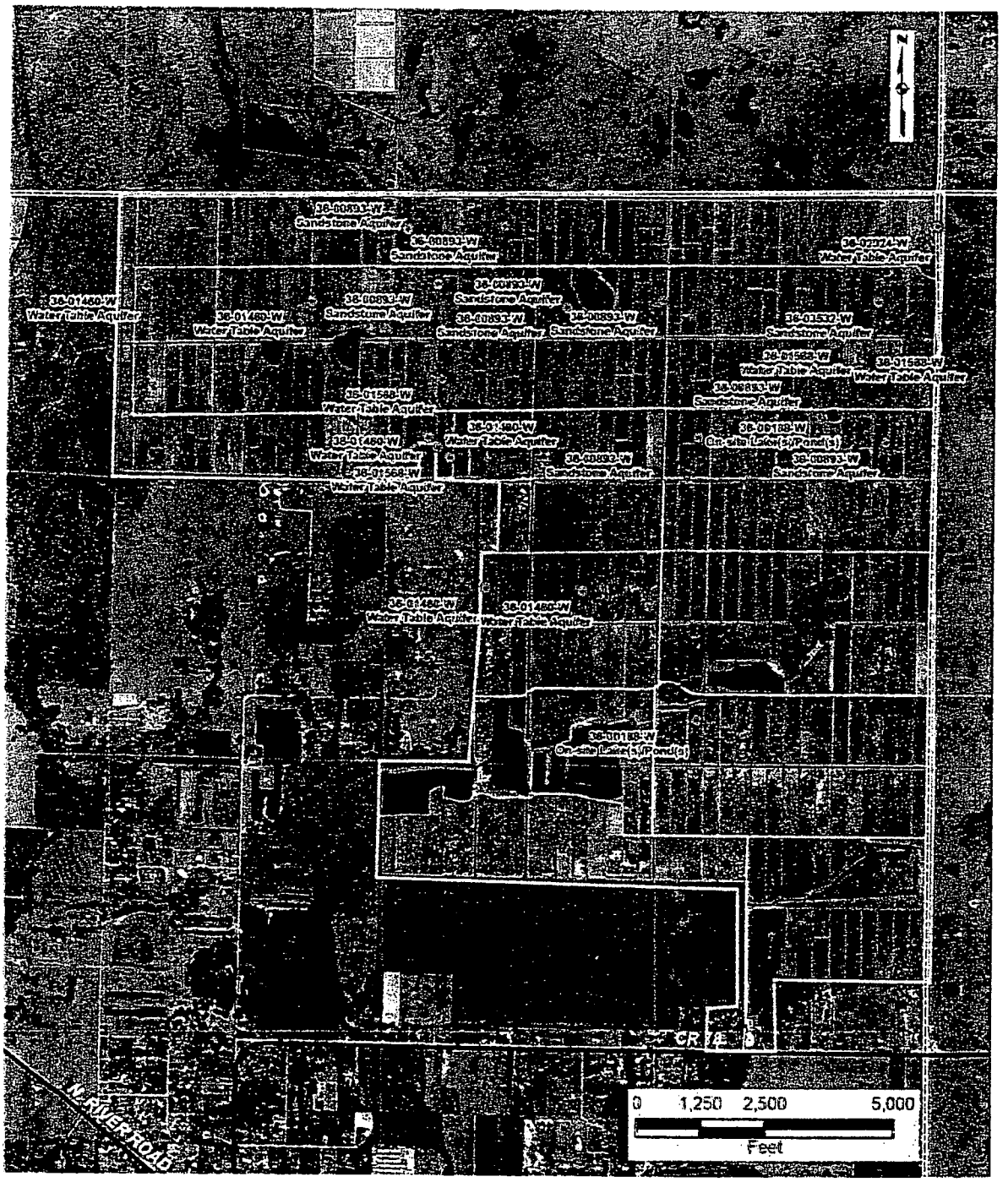


Figure 2. **Aerial photograph showing existing wells on Spanish Creek property (from SFWMD ArcGIS shapefiles, 2006).**

2.0 POTABLE WATER SUPPLY DEMAND

Spanish Creek will consist of approximately 7,400 residential units plus 350,000 square feet of office and retail space at build-out in 2025. Approximately 70% of the 7,400 units will consist of single family residences (5,200 units), while multi-family dwellings will compose the remainder (2,200 units). Each single family residence will require approximately 250 gallons per day (gpd) of potable water, and each multi-family dwelling will require 200 gpd. Public facilities may include educational and community uses, such as police and fire stations, churches, libraries, parks, etc. Public and commercial facilities typically require an additional 0.2 gpd per square foot, for an additional 70,000 gpd, approximately. At build-out, Spanish Creek will have an average annual finished water demand of 1.81 mgd and a maximum daily demand of 2.715 mgd. Assuming a water treatment plant efficiency of about 70%, which is typical for treatment of saline water, the project would require 2.59 mgd of raw water on average, and 3.9 mgd under peak conditions. Plant efficiency would improve with better raw water quality. The following table lists the projected average and peak potable water demands for the residential, retail and office segments of the project (Table 1).

Potable Water Demand (in Million Gallons)				
Use	**Ave. Daily Finished/Raw**	**Annual Finished/Raw**	**Max. Daily Finished/Raw**	**Max. Month Finished/Raw**
Residential				
Single Family (250 gpd)	1.3/ 1.7	474.5/ 620.5	1.95/ 2.54	59.3/ 77.1
Multi-Family (200 gpd)	0.44/ 0.57	160.6/ 208.8	0.66/ 0.86	20.1/ 26.1
Commercial				
Retail (0.2 gpd/ft^2)	0.0525/ 0.068	19.2/ 24.9	0.08/ 0.1	2.4/ 3.1
Office (0.2 gpd/ft^2)	0.0175/ 0.023	6.4/ 8.3	0.026/ 0.034	0.8/ 1

Table 1. Potable water demand

3.0 IRRIGATION DEMAND

Table 2 shows the approximate allocations calculated for the project site using the modified Blaney-Criddle irrigation model. The model uses plant type, air temperature, number of daylight hours, effective rainfall, soil conditions, and 1-in-10 year drought conditions (a drought with a return frequency of once in 10 years) to determine supplemental irrigation requirements. The SFWMD uses this model to determine supplemental irrigation requirements for a project, upon which it bases the permitted irrigation allocation.

Blaney-Criddle Allocation in Million Gallons (1-in-10 drought)	
	Spanish Creek (900 irrigated acres)
Average Daily	3.16
Maximum Daily	4.99
Maximum Monthly	151.77
Annual	1,154.35

Table 2. Irrigation allocations

An irrigation system efficiency of 75% and 900 total irrigated acres for the entire project at build-out were used in the model calculation. A copy of the Blaney-Criddle irrigation model is provided in Appendix A.

The suitability of water for irrigation was assessed by using dissolved chloride concentrations in milligrams per liter (mg/L). A maximum concentration of 600 mg/L was used as a threshold suitable for irrigation of freshwater plants.

4.0 EXISTING LEGAL USERS

Most legal existing users in the vicinity of the project site obtain irrigation water from surface water features, including canals, on-site retention ponds and the Caloosahatchee River, and from the surficial and Sandstone aquifers. Legal domestic users in the area without public water supply primarily use the surficial and Sandstone aquifers as a potable water source. Several SFWMD water use permits for agricultural irrigation have been issued in the vicinity of the project, as well as some minor general permits for landscape and nursery irrigation (Figure 3; Table 3).

The Babcock Ranch, located north and west of the Spanish Creek property, holds SFWMD water use permit 08-00002-W for agricultural withdrawals of up to 26,930.41 MG annually from the surficial, Sandstone, Mid-Hawthorn and Lower Hawthorn aquifers. The State of Florida has recently purchased the portion of the Babcock Ranch adjacent to Spanish Creek for conservation purposes. Directly east of the Spanish Creek property, the Thompson Property held permit 26-00560-W for agricultural irrigation of 1,546 acres using the surficial aquifer. This permit was allowed to expire on June 30, 2005, as was permit 36-02025-W for irrigation of 8.8 acres using the surficial aquifer at Blake's Grove, located west of the project site. Other agricultural operations located to the west of Spanish Creek holding water use permits include, Green's Citrus (36-00848-W) permitted to irrigate 15.29 acres using withdrawals from the surficial aquifer, Alva Grove (36-02049-W) permitted to irrigate 15.1 acres using Sandstone aquifer withdrawals, and Daniels Grove (36-02184-W) permitted for withdrawals from off-site lakes to irrigate 26.44 acres. Ft. Denaud Grove (36-01028-W), southeast of Spanish Creek, is permitted to irrigate 14 acres from the Sandstone aquifer. To the east, Gator Dyess Grove (26-00370-W) and Kinser Grove (26-00135-W) hold permits to irrigate 40 acres from the Sandstone aquifer, and 525 acres using on-site lake and Sandstone aquifer withdrawals, respectively. Northeast of Spanish Creek in Glades County, Dennis G. Small (22-00072-W) has a permit to irrigate 6.11 acres using the Sandstone aquifer.

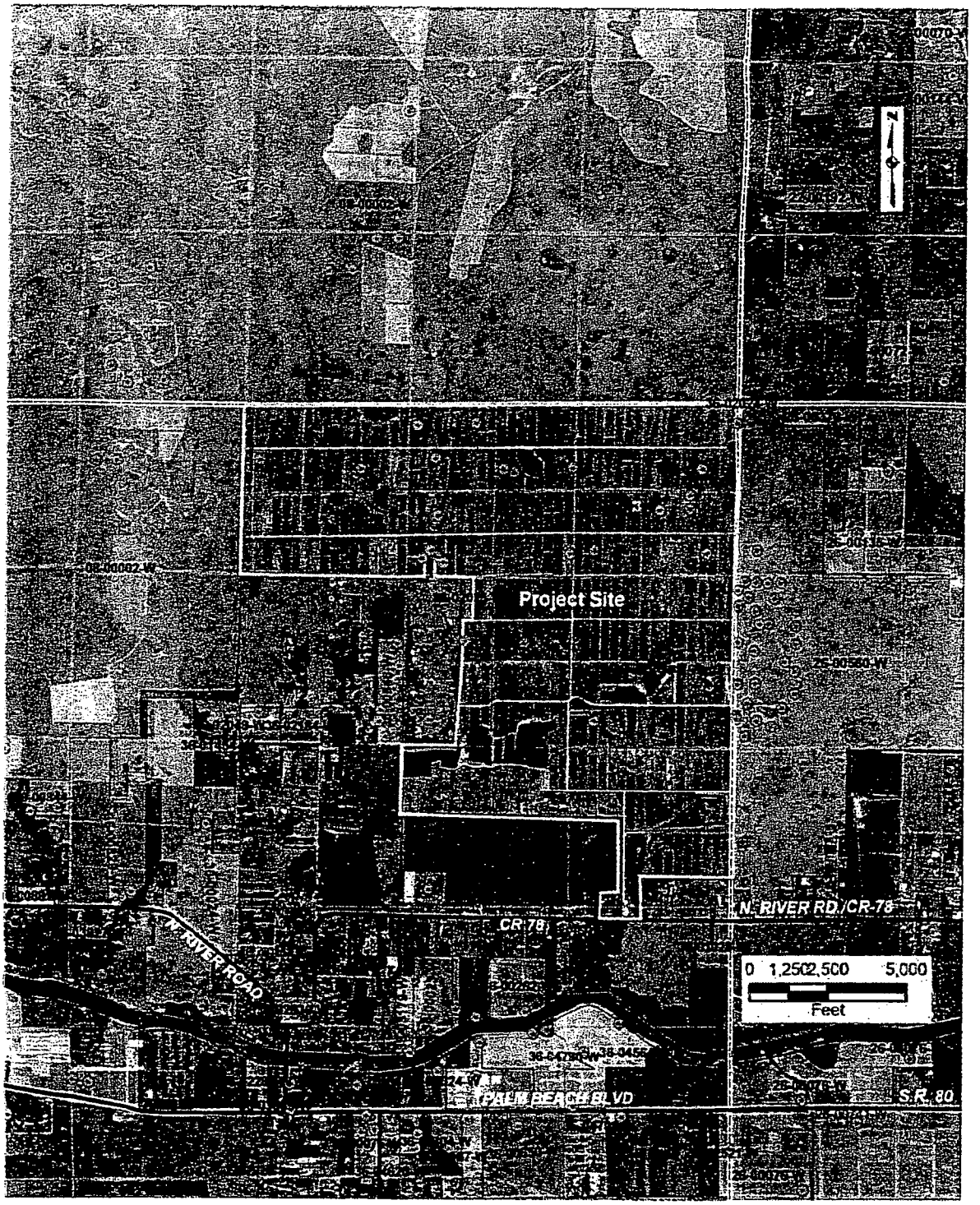


Figure 3. **Existing SFWMD water use permits near the project site (source SFWMD GIS shape files).**

Permitted Project Name	Water Use Type	Source	Permit No.
Babcock Ranch	Agriculture	Surficial, Sandstone, Mid-Hawthorn, Lower Hawthorn	08-00002-W
Dennis G. Small	Agriculture	Sandstone aquifer	22-00072-W
Kinser Grove	Agriculture	On-site lake, Sandstone	26-00135-W
Gator Dyess Grove	Agriculture	Sandstone aquifer	26-00370-W
Thompson Property*	Agriculture	Surficial aquifer	26-00560-W
Green's Citrus	Agriculture	Surficial aquifer	36-00848-W
Ft. Denaud Grove	Agriculture	Sandstone	36-01028-W
Blake's Grove*	Agriculture	Surficial aquifer	36-02025-W
Alva Grove	Agriculture	Sandstone	36-02049-W
Daniels Grove	Agriculture	Off-site lake	36-02184-W

* Expired June 30, 2005

Table 3. SFWMD water use permits in the vicinity of the project site.

Currently, no utility provides potable water service to residents within greater than a mile of the Spanish Creek property, so each residence requires a domestic supply well. According to the Lee County Well Construction Database, most legal domestic users in the area use the Sandstone or the surficial aquifers for domestic supply and irrigation. Water quality data reported from domestic Sandstone and surficial wells near the project site show that chloride concentrations in the Sandstone aquifer regularly exceed 600 mg/L, but surficial aquifer chloride concentrations typically remain below 100 mg/L.

5.0 POTABLE WATER

Currently, no utility provides potable water service within over one mile of the Spanish Creek property, requiring each residence or commercial property to install individual domestic supply and irrigation wells. The City of LaBelle (SFWMD #26-00105-W) has the designated public water supply service area closest to the project site. The City of LaBelle holds an SFWMD permit to withdraw up to 237.02 MG annually from the surficial aquifer. The City routes this water to a water treatment plant with a maximum capacity of 1.0 mgd, where it is treated with lime softening and contact chlorination. The City projects an average daily water usage of 636,900 gpd and a maximum month usage of 781,300 gpd in 2008. No water

distribution lines currently exist near the Spanish Creek project site, and the projected demand of Spanish Creek at build-out exceeds the current SFWMD permitted allocation, as well as the water treatment plant capacity. The City of LaBelle would need to request an increase in allocation from the SFWMD, request a revision of the service territory from the Public Service Commission (PSC), and either upgrade its current water treatment plant or construct a new plant prior to providing service to Spanish Creek. Additionally, the water would have to cross county lines, which is generally discouraged. Under the current rate structure for customers outside of the city limits, it would cost over $1.78 million annually to irrigate 900 acres and over $1 million to supply the required volume of potable water. Spanish Creek would also likely be required to finance the necessary line extensions and plant upgrades. The SFWMD discourages the use of potable water for irrigation purposes, and public supply and domestic users would likely receive precedence should potable water become available. Due to the economic and logistic considerations involved, purchasing irrigation water and/or potable water from an existing outside utility is not a feasible option at this time.

6.0 RECLAIMED WATER

No source of reclaimed water currently exists in the vicinity of the project site. The City of LaBelle uses percolation ponds to dispose of its waste water effluent and has no immediate plans to implement reclaimed water service. Were reclaimed water to become available from an outside supplier, reclaimed water distribution mains would have to be extended to the Spanish Creek project site. Reclaimed water would represent a potential source of irrigation water should it become available in the future. However, the designated set-back distance of 75 feet from a public water supply well (F.A.C. 62-610.471) would need to be observed if users in the area or the project itself rely on groundwater as a drinking water source.

Due to the lack of utility services, Spanish Creek will require its own water and wastewater treatment plants, which will need effluent disposal methods, one option being use of reclaimed water. The proposed Spanish Creek wastewater treatment plant will reuse its treated effluent, at least in part, for irrigation. Operating at full capacity, the plant may produce approximately 1.35 to 1.5 mgd of reuse water, or slightly less than half of the average daily irrigation demand. Based on the anticipated demands of the project at build-out, the plant will

not produce enough reclaimed water to supply the total irrigation volume, even once it reaches full capacity, which may not occur for several years. Reclaimed water from the Spanish Creek plant will be used to irrigate as it becomes available in increasingly larger quantities as the project develops, but reuse effluent from Spanish Creek alone will not supply an adequate volume to serve as the sole irrigation source.

7.0 SURFACE WATER

The existing citrus operation on the Spanish Creek property currently withdraws 1,187 million gallons annually from the on-site ponds and canal system to irrigate approximately 3,550 acres. In the past, the County Line Drainage District has been permitted to withdraw up to 2,776 million gallons annually from surface water. Once the Spanish Creek property is developed, the site will contain approximately 200 acres of surface water management lakes. Other existing users in the vicinity, such as Kinser Grove, also use on-site surface water withdrawals to at least partially meet their irrigation demands. The proposed surface water management system could serve as a source of irrigation water; however, due to the large volume of irrigation water required by the project, lake withdrawals alone will in all likelihood not be able to meet the total irrigation demands. The Spanish Creek development, as proposed, will contain wetland flowway systems throughout the project site. These wetland systems will be subject to SFWMD rules that limit the acceptable amount of drawdown beneath wetlands, thereby limiting the amount of irrigation water that could be withdrawn from the lake system. Additionally, surface water withdrawals not supplemented with groundwater recharge may result in lake drawdowns in excess of natural variations during the dry season, which may not be aesthetically pleasing. Nevertheless, the surface water management system could supply some component of the irrigation demand, especially used in conjunction with groundwater withdrawals. Surface water bodies and the surficial aquifer in this area typically have chloride concentration below 100 mg/L, which would be suitable for blending with brackish groundwater in the on-site lake system in order to achieve suitable irrigation water quality.

8.0 GROUNDWATER

Other projects near the Spanish Creek property obtain irrigation water from groundwater withdrawals. Three main aquifers exist underneath the project site: the surficial aquifer, the Sandstone aquifer, and the Floridan (Lower Hawthorn) aquifer (Figures 4 and 5). Of these three aquifers, most existing legal domestic users in the area withdraw potable water from the Sandstone or surficial aquifers. However, the Sandstone aquifer has reported chloride concentrations exceeding 600 mg/L in much of the area surrounding Spanish Creek, forcing many residences to rely on surficial aquifer wells for potable supply because of the fresher water quality. Many homes and businesses use this source despite the fact that high uranium and radionuclide concentrations have been reported from surficial aquifer wells in the Alva area. Most agricultural operations also use groundwater withdrawals from the surficial or Sandstone aquifers to meets their irrigation demands. As mentioned under the Existing Users section, these projects include Babcock Ranch, the Thompson Property, Blake's Grove, Green's Citrus and Alva Grove. Various groves on the Spanish Creek project site have held agricultural water use permits in the past for surficial and Sandstone aquifer withdrawals.

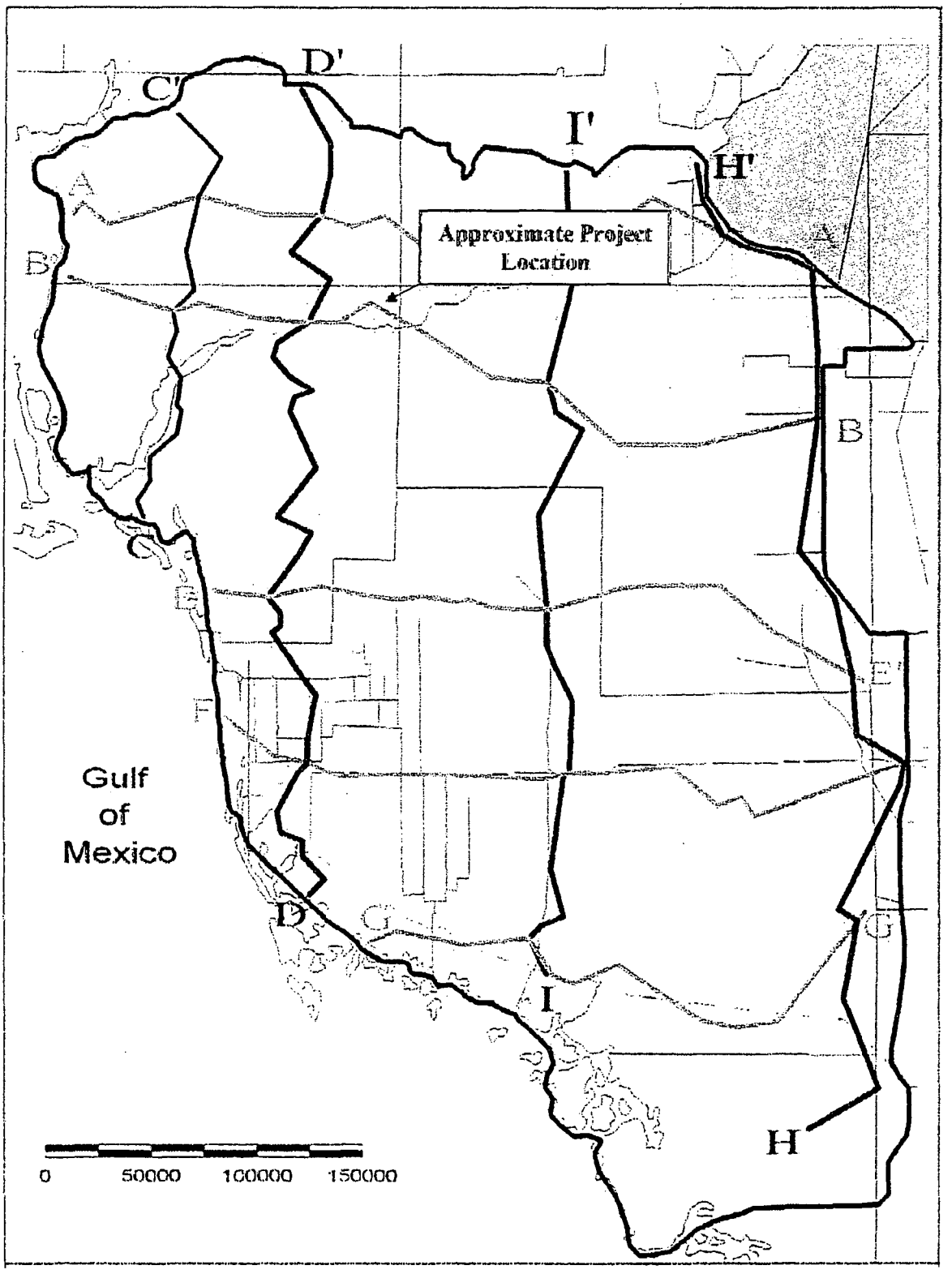


Figure 4. Cross-section location map. (BEM, 2003)

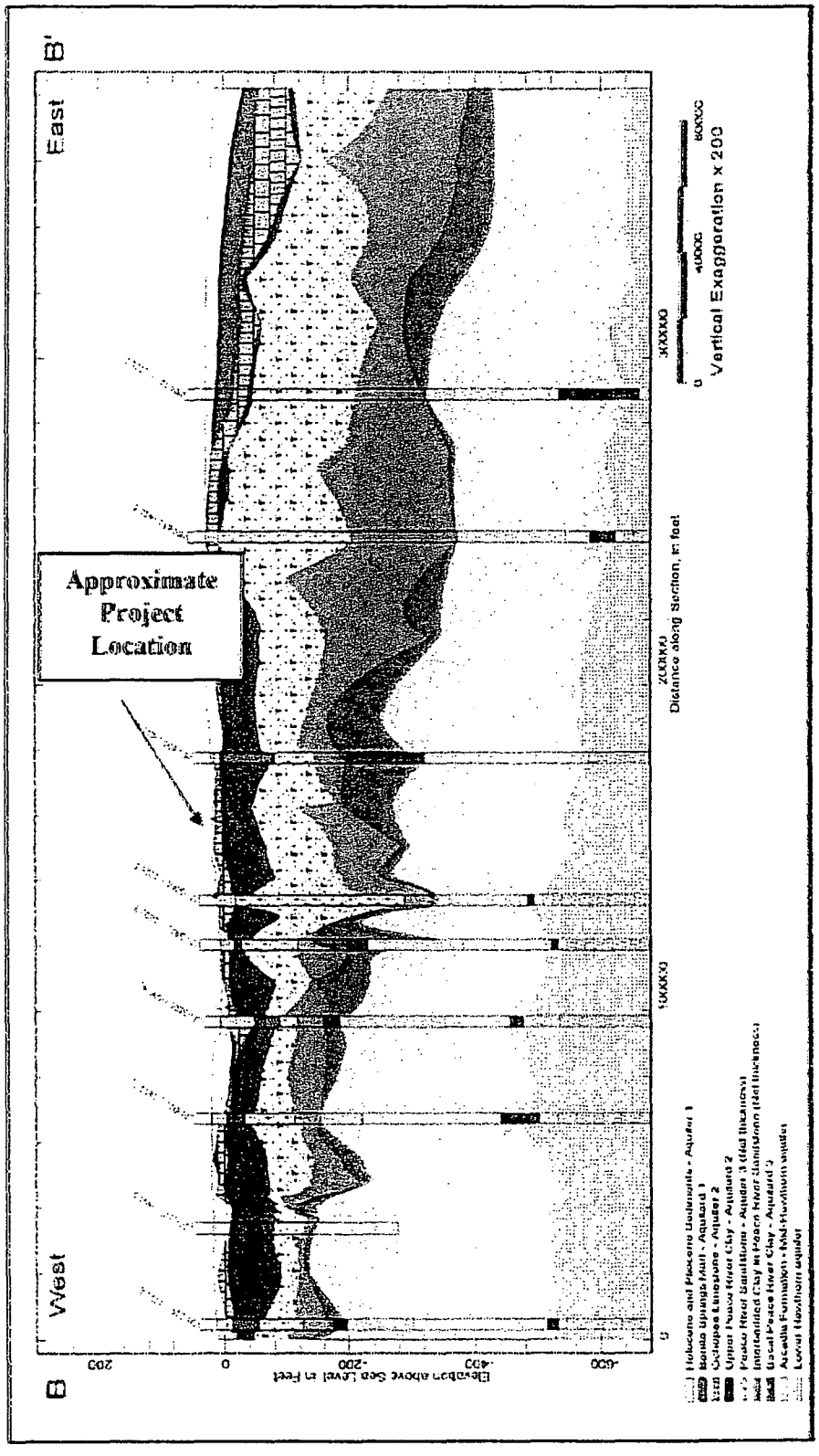


Figure 5. Generalized hydrogeologic cross-section. (BEM, 2003)

A. Surficial Aquifer

The surficial aquifer at this location mainly consists of undifferentiated sands and shell extending from the land surface to approximately 5 to 10 feet below land surface (bls; Figure 6). In some locations, the Ochoppee limestone member of the Tamiami formation may be present close to the surface. Where this limestone does occur, the aquifer will generally display greater productivity. Based on lithologic logs collected near the project site, 20 to 50 feet of confining material may exist between the surficial aquifer and the underlying Sandstone aquifer in northeastern Lee and northwestern Hendry Counties. Lithologic logs from the Florida Geological Survey (FGS) indicate that a mixture of sand and shell extends from land surface to between 5 to 10 feet bls. In selected locations, limestone with varying amounts of fine-grained material may extend from 5 to 40 feet bls. Olive green to yellowish grey silt and clay may form a confining layer between the surficial and Sandstone aquifers from 40 to 60 feet bls. Where silt and clay is not present, mud-rich limestone may act as confinement anywhere from 10 to 40 feet bls. The land surface of the project site averages 20 feet, National Geodetic Vertical Datum (NGVD).

Water level data from USGS surficial aquifer well L-2202, located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD, has recorded water levels ranging from 10.19 to 17.20 feet NGVD for the period of record from 1975 to 2006. Wet season water levels have averaged approximately 15 feet NGVD and dry season water levels have averaged 13 feet NGVD for the past 25 years without any apparent long-term trend (Figure 7). The primary source of water supply to the surficial aquifer is precipitation; however, surface water bodies (*e.g.*, rivers, canals, lakes) may provide recharge to the aquifer when their potentiometric heads are above that of the water table. The Sandstone aquifer may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher. Groundwater in the surficial aquifer at the project site generally flows north to south towards the Caloosahatchee River, following the natural topography, although pumping could alter or reverse the flow gradient.

The hydraulic properties of the surficial aquifer vary depending on the thickness and composition of the formation, with productivity increasing in areas underlain by limestone near the surface. The closest aquifer performance test (APT) conducted on the surficial aquifer was performed 2.17 miles to the southwest of the Spanish Creek property south of the Caloosahatchee River. This test reported a transmissivity of 11,200 gallons per day per foot

(gpd/ft). Another APT performed 2.46 miles to the south, also south of the river, reported a transmissivity value of 71,100 gpd/ft. The County Line Drainage District and other on-site groves have used surficial aquifer wells to irrigate hundreds of acres of citrus grove with no reported production problems. Actual on-site hydraulic properties may vary substantially from those reported by the APTs, as surficial aquifer lithologic and hydraulic characteristics can be highly localized. However, existing surficial aquifer irrigation wells have reported pumping capacities of 200 to 250 gpm and wells at Babcock Ranch, just north of Spanish Creek, produce up to 600 gpm, indicating good productivity at the project site.

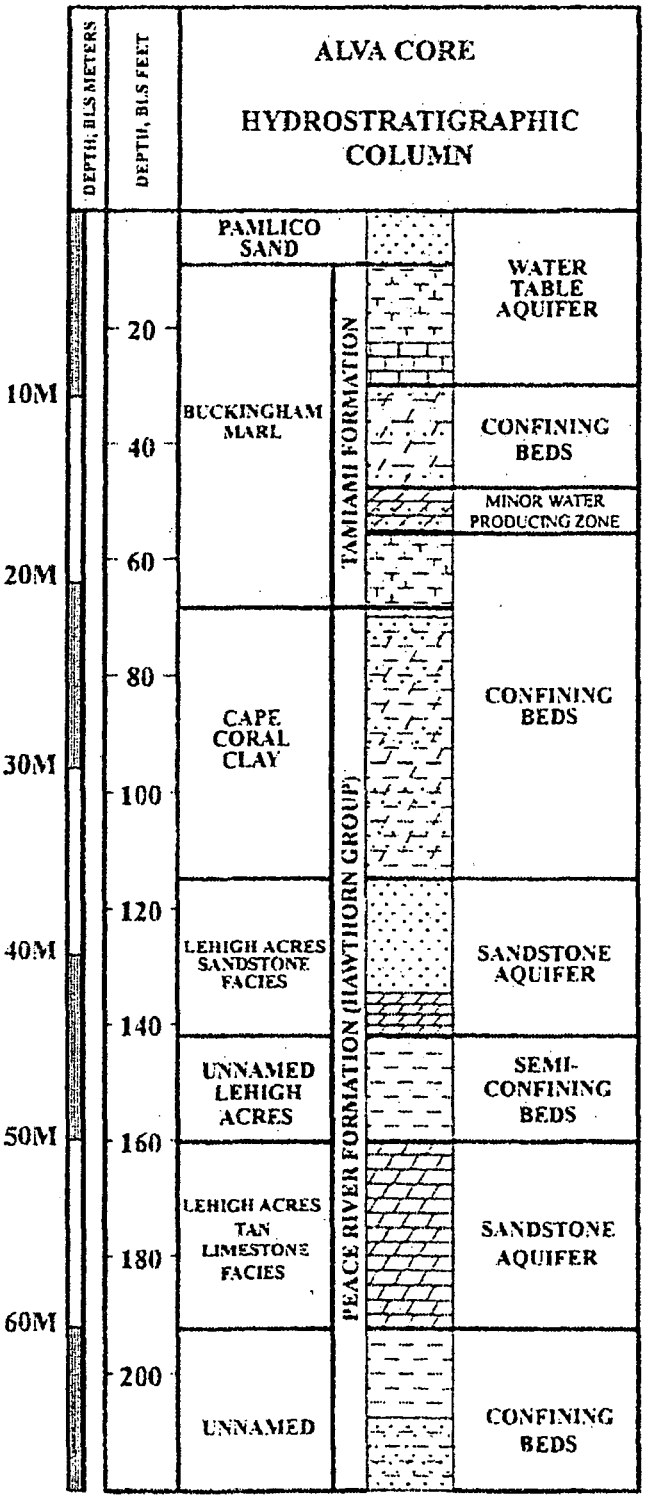


Figure 6. Generalized geology and hydrology of Alva, Lee County, Florida. (Weinberg & Cowart, 2001)

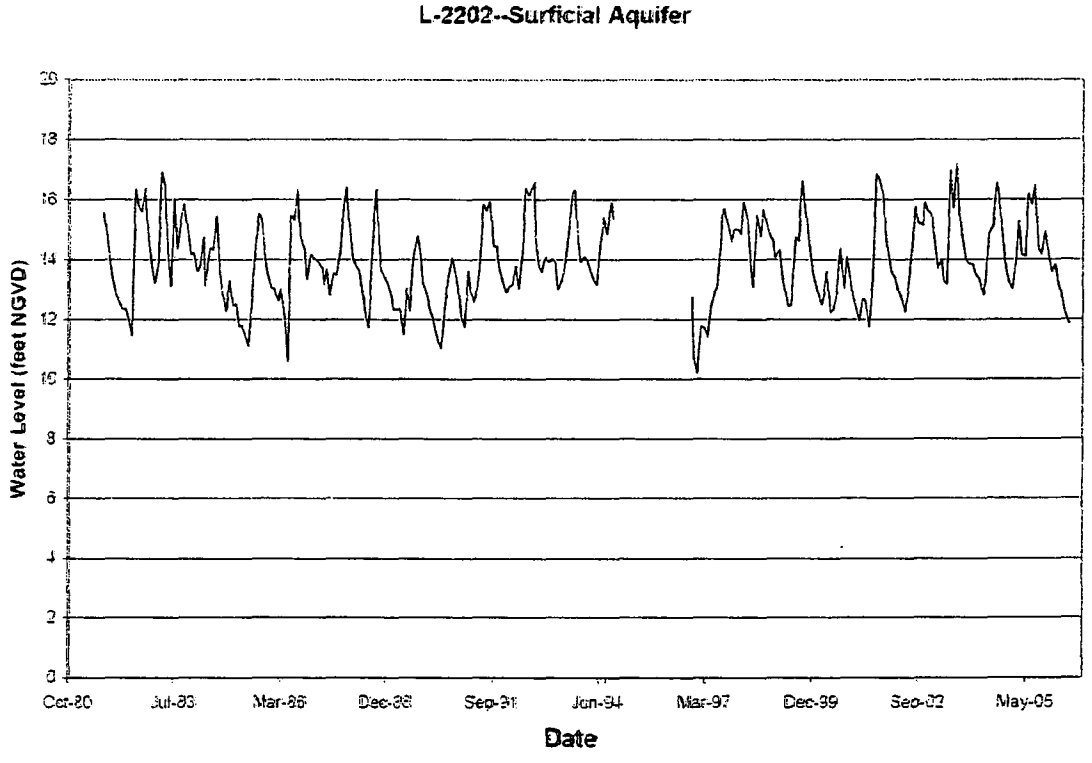


Figure 7. L-2202 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

Long term water quality data for the surficial aquifer near the Spanish Creek property show that chloride concentrations generally remain below 100 mg/L. Chloride concentration data from L-2202 show values ranging from 34 to 124 mg/L for the period of record from 1983 to 1993. Chloride concentrations taken from wells constructed in the surficial aquifer range from 33 to 120 mg/L, as reported in the Lee County Well Construction Database. Because the surficial aquifer at this location could be under the direct influence of surface water, a drinking water system using the surficial aquifer as a source might be subject to specific Florida Department of Environmental Protection (FDEP) filtration and disinfection requirements, as described in 62-550.817, F.A.C. Additionally, the surficial aquifer likely contains high iron concentrations, as is common across southwest Florida, and would require treatment and aeration prior to irrigation usage in order to avoid staining. Furthermore, the surficial aquifer may contain elevated concentrations of dissolved uranium, a potential health concern. According to Weinberg and Cowart (2001), this uranium leaches from phosphatic sands and gravels present in the Buckingham marl of the Tamiami formation, requiring extensive treatment prior to use for public water supply.

B. Sandstone Aquifer

Some legal domestic users in this area use the Sandstone aquifer as their primary source of potable water, although it may have chloride concentrations in excess of 600 mg/L in some locations. Some citrus groves in the area also use Sandstone aquifer wells for primary irrigation or freeze protection. Up to 50 feet of clay, silt and muddy limestone composing the Upper Hawthorn confining zone may separate the surficial and Sandstone aquifers near the Spanish Creek property. Throughout most of Hendry County and the northeastern portion of Lee County, the Sandstone aquifer consists of an upper clastic zone and a lower, generally more productive carbonate zone. Based on lithologic logs from the FGS, the Sandstone aquifer at this location mainly consists of an upper zone of very fine to very coarse quartz sand up to 40 feet thick, followed by limestone, dolomite and, in some cases, shell and sand of the Hawthorn group. The aquifer can extend from approximately 30 to 170 bls, according to lithologic logs and permitted well depths in the area. The lithologic log for FGS well 17416, in Section 10, Township 43 South, Range 27 East to the southwest of the project site, shows the clastic zone extending from

90 to 135 feet bls, followed by the carbonate zone from 135 to 170 feet bls. A lithologic log from FGS well 09015, located in Section 6, Township 43 South, Range 28 East directly east of the project site, shows sands occurring from 30 to 60 feet bls, followed by limestone from 60 to 80 feet bls, followed by shell beds from 80 to 100 feet bls, and more sand from 100 to 160 feet bls. Based on these lithologic logs, little confinement typically exists between the two zones of the Sandstone aquifer, so they generally function as one hydraulic unit.

The land surface of the project site averages 20 feet, NGVD. Data collected at USGS well L-2200 (Figure 8), located 0.26 miles south of the project site at an elevation of 17.3 feet NGVD and open to from 122 to 163 feet bls, show that water levels ranged from 3.51 to 16.32 feet NGVD for the period of record from 1975 to 2006. Water level data collected at USGS well L-1977, located approximately 1.33 miles southwest of the project site at an elevation of 17.1 feet NGVD and open from 65 to 185 feet bls, show that water levels ranged from 2.50 to 15.18 feet NGVD for the period of record from 1974 to 2006 (Figure 9). Recent wet season water levels average approximately 13 feet NGVD, while dry season water levels average 7 feet NGVD at both wells. The long-term water levels at both wells appear to show a slight decline of approximately 2 feet over the period of record.

The primary source of water supply to the Sandstone aquifer is recharge from the overlying surficial aquifer when potentiometric heads in the Sandstone aquifer are lower than those of the surficial. Deeper aquifers may also provide recharge via upward leakage if potentiometric head in the deeper aquifer is higher; however, more than 100 feet of confining material may separate the Sandstone aquifer from underlying aquifers. Water in the Sandstone aquifer generally flows from the northeast to the southwest towards the Caloosahatchee River across the project site, although pumping could alter or reverse the flow gradient.

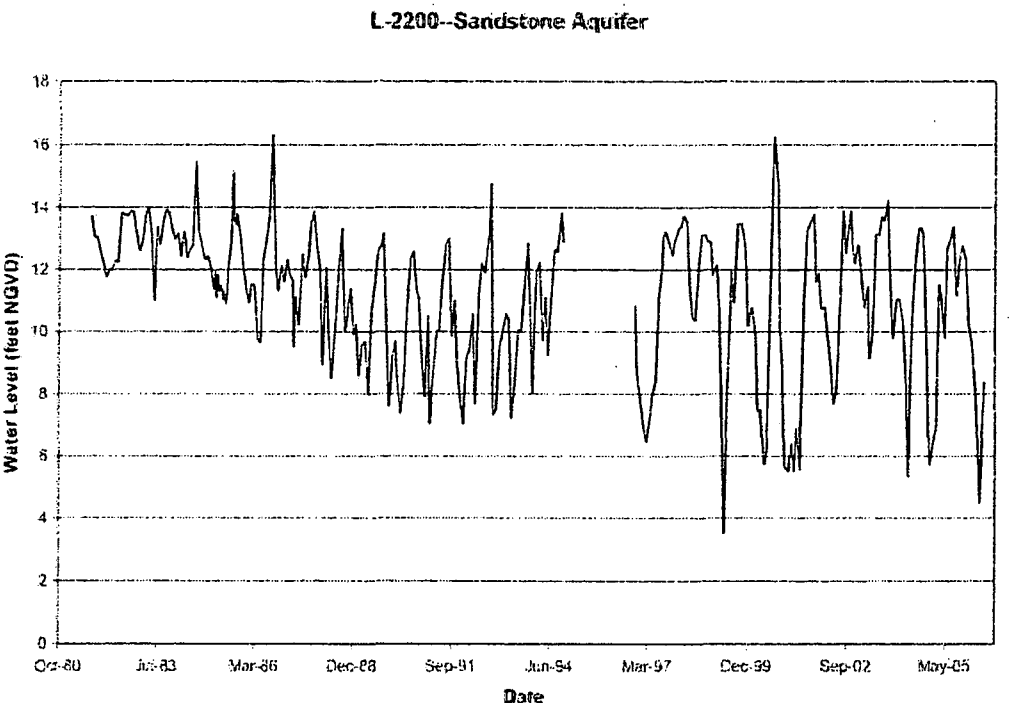


Figure 8. L-2200 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

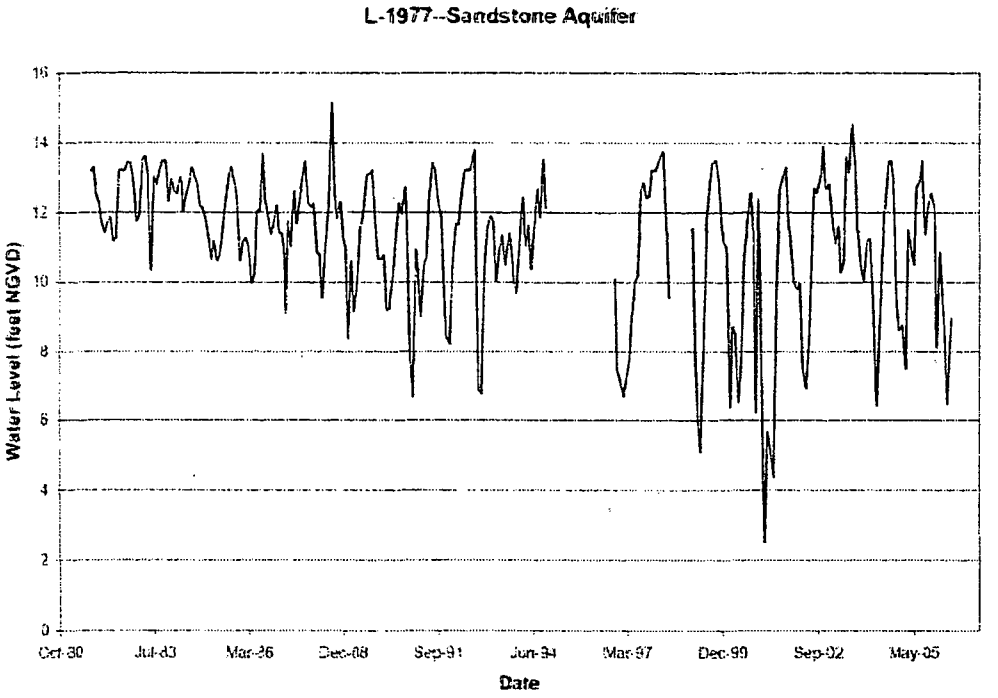


Figure 9. L-1977 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

The hydraulic properties of the Sandstone aquifer vary depending on the thickness and composition of the formation and the open-hole interval of the well tested. The closest APT conducted on the Sandstone aquifer was performed 0.5 miles east of the Spanish Creek property by the SFWMD. The test reported a transmissivity value of 9,100 gpd/ft, with a leakance value of $3.9e^{-2}$/day, and an estimated storage coefficient of $1.61e^{-4}$. Another APT conducted on a well located 1.9 miles to the east reported a transmissivity of 11,700 gpd/ft, a leakance value of 3.74 e^{-4}/day. and a storage coefficient of $2e^{-4}$. A third APT performed on a well located 2.14 miles to the northeast reported a transmissivity value of 16,760 gpd/ft and a storage coefficient of $2e^{-5}$. Based on this information, wells completed in the Sandstone aquifer should be moderately productive at the Spanish Creek property. However, the SFWMD may be reluctant to permit the required withdrawals from this source due to concerns over impacts to legal domestic users and excessive drawdown in the aquifer and under wetlands.

Water quality samples collected from Sandstone aquifer wells L-2200 and L-1977 reported chloride concentrations ranging from 660 to 900 and 500 to 2,100 mg/L, respectively (Figure 10). The Lee County Well Construction Database reports chloride concentrations ranging from 365 to 975 mg/L for Sandstone aquifer wells in the general vicinity of the project site. In 1969, Gee and Jensen conducted a well survey of the area as part of an assessment prepared for the County Line Drainage District. This survey listed Sandstone aquifer chloride concentrations from sampled wells of 630 to 1,300 ppm (roughly equivalent to mg/L). As the data indicates, the Sandstone aquifer exhibits elevated chloride concentrations in this area, causing some users to rely on the surficial aquifer for domestic supply. The water quality of the Sandstone aquifer at the Spanish Creek project site would not be suitable for potable supply without prior advanced treatment, as chloride concentration exceed the secondary maximum contaminant level for drinking water of 250 mg/L. Depending on the specific water quality encountered, direct irrigation of freshwater plants may or may not be possible. Groundwater with chloride concentrations exceeding 600 mg/L would require blending with fresh water sources prior to irrigation.

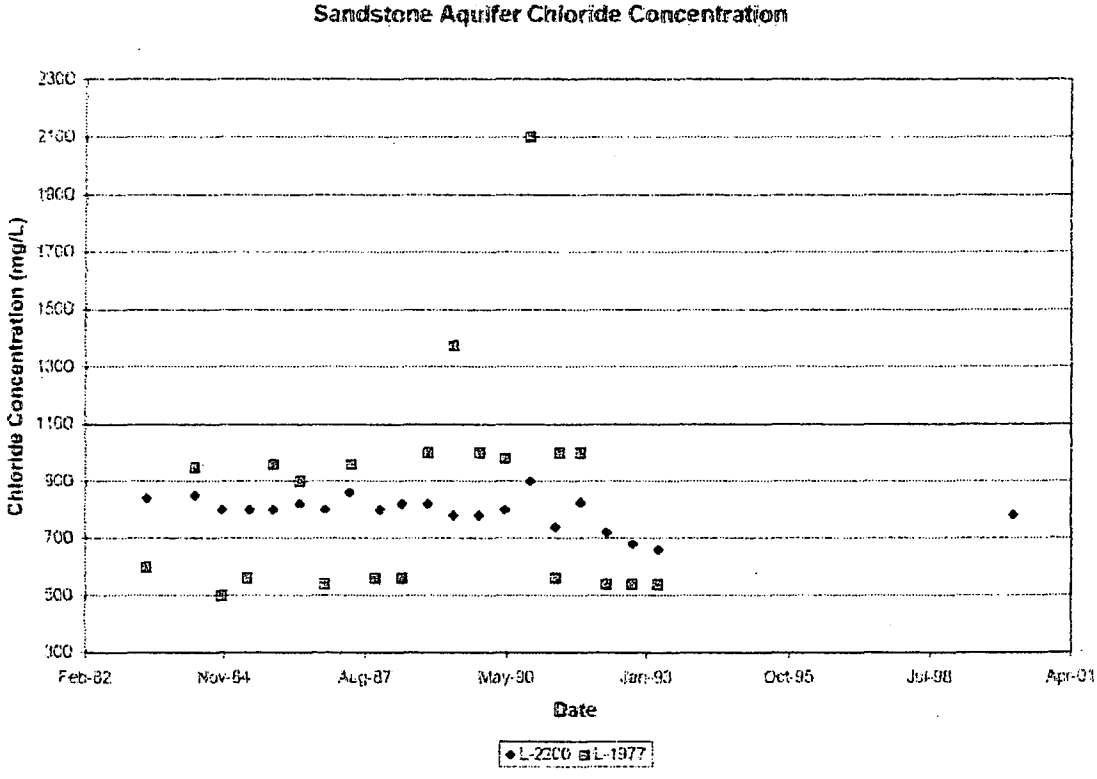


Figure 10. Chloride concentration from USGS wells L-2200 and L-1977.

C. Lower Hawthorn/Floridan Aquifer

Few users of the Floridan aquifer system exist in the vicinity of the project. The nearest SFWMD-permitted user of the Floridan aquifer was Adams Groves (36-00042-W), located 2.84 miles to the south of Spanish Creek. This permit expired June 30, 2005. Some citrus groves in Hendry County use Lower Hawthorn aquifer wells for freeze protection, including the Bob Paul Main Grove and the LaBelle Private Drainage District. These projects lie over five miles east of Spanish Creek. The County Line Drainage District did have an on-site well with a total depth of 567 feet and a cased depth of 145 feet open to the upper Floridan aquifer. This well may have cross-connected the Sandstone and Flordian aquifers, potentially contributing to the elevated chloride concentration levels in the Sandstone aquifer. The County Line Drainage District subsequently abandoned this well. According to the SFWMD water use permit issued for the County Line Drainage District in 1980 (permit 36-00188-W; application 08099-B), the well had a reported pumping capacity of 1,135 gpm. Lithologic logs from FGS wells indicate that the top

of the Lower Hawthorn aquifer, which is part of the Floridan aquifer system, may begin around 530 to 660 feet bls and may extend to around 900 feet bls. USGS well L-5708, located 0.28 miles west of the project site, is reported as being open to the upper Floridan aquifer and has listed cased and total depths of 620 and 920 feet bls, respectively. Water levels recorded at L-5708 ranged from 45.9 to 57.6 feet NGVD for the period of record from 1984 to 2006 (Figure 11).

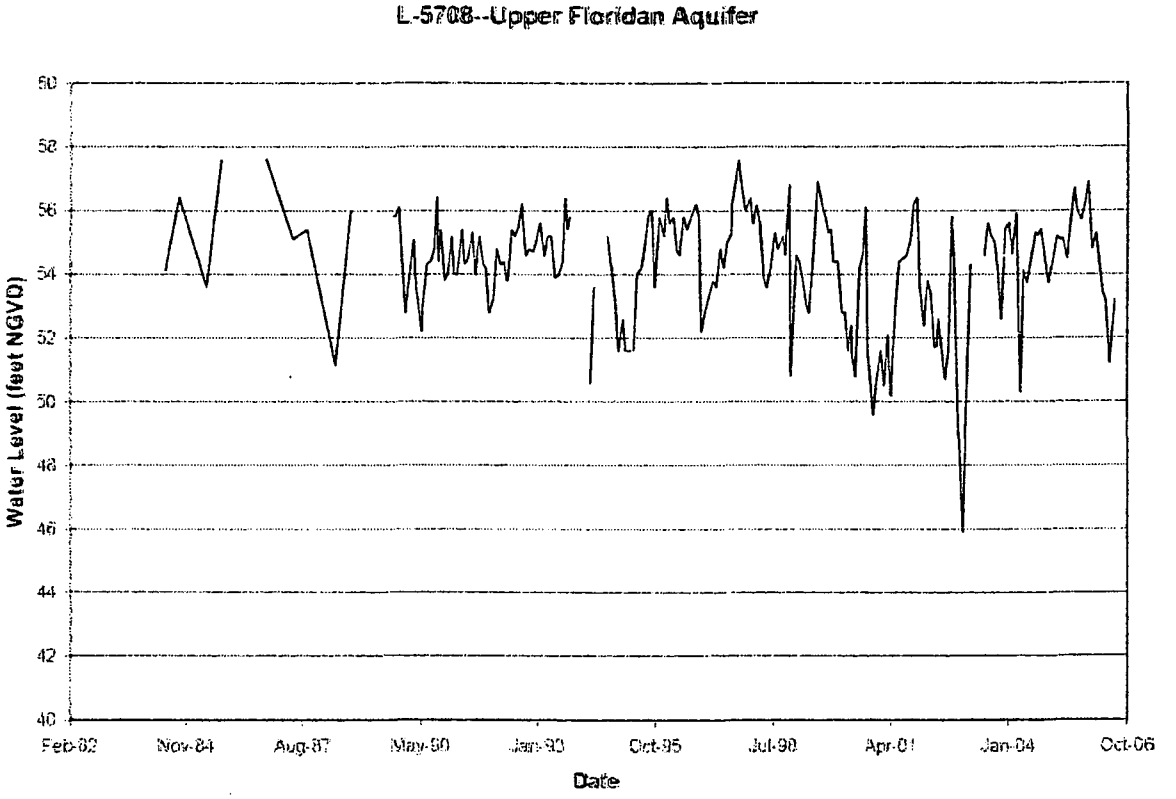


Figure 11. L-5708 hydrograph (USGS website: http://www.sflorida.er.usgs.gov)

In 1997, the SFWMD constructed a tri-zone monitor well and a test production well open to the Floridan aquifer system in northern Hendry County west of LaBelle at a site approximately six miles east of Spanish Creek property. According to the SFWMD report (Bennett, 2003), the Floridan aquifer consists of the basal portion of the Arcadia formation composed of sandy carbonate mudstones and wackestones, followed by well-indurated, low porosity limestone. This interval extends from 665-740 feet bls and comprises the first zone of the SFWMD monitor well. The Suwannee limestone begins at 740 feet bls and extends to 810

feet bls, consisting of packestone and grainstone units containing substantially less quartz and phosphate than the Arcadia formation. A low porosity clay unit separates the Suwannee from the Ocala limestone, which begins at 810 feet bls. The Ocala consists of poorly to moderately-indurated wackestones and mudstones to a depth of 1,150 feet, BLS. Well-indurated packestones and dolostones characterize the Avon Park formation, which begins at 1,150 feet bls. The interval from 1,645 to 1,885 predominantly contains well-crystallized, highly fractured dolostones (Figure 12).

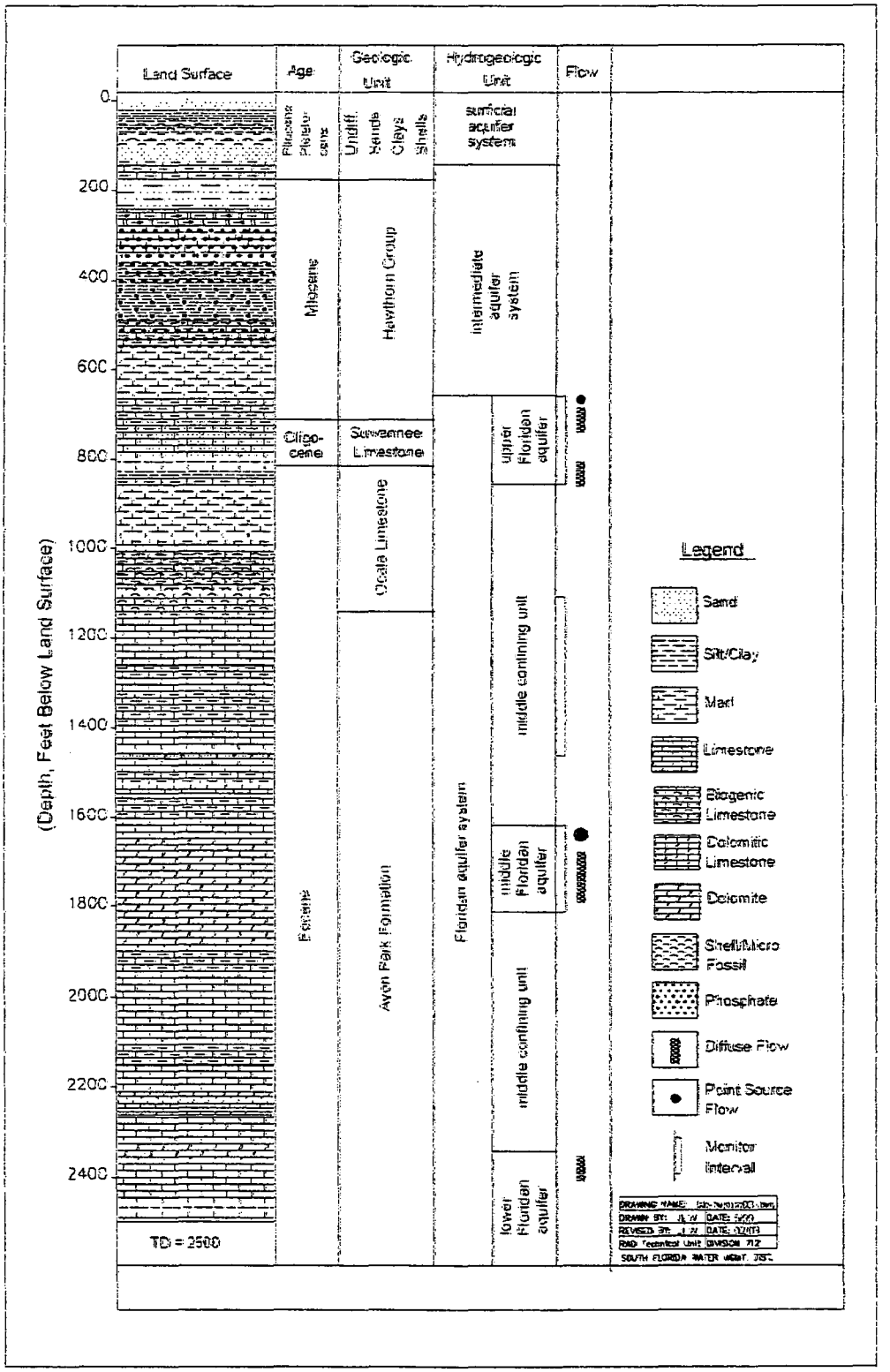


Figure 12. Generalized hydrogeologic section at SFWMD Floridan aquifer test site (Bennett, 2003)

The SFWMD conducted an APT on the LaBelle Floridan aquifer test production well for the interval from 670 to 850 feet bls of the Upper Floridan aquifer. The APT, which was performed at a constant pumping rate of 1,700 gpm for 72 hours with a 24 hour recovery period, reported a transmissivity value of 68,630 gpd/ft, a storage coefficient of 6.7 x 10^{-5}, and a leakance value of 3.39 x 10^{-3} gpd/ft^3. This interval had a specific capacity of 17.3 gpm/ft. Chloride concentrations collected during the APT were 591.0 mg/L. The SFWMD performed a second APT on the interval from 1,110 to 1,460 feet bls within the Ocala limestone. This APT, which was performed at a constant pumping rate of 310 gpm for 72 hours with 24 hours of recovery, reported a transmissivity value of 26,460 gpd/ft, a storage coefficient of 1.2 x 10^{-4}, and a leakance value of 2.9 x 10^{-3} gpd/ft^3. Chloride concentrations collected during the test were 566.4 mg/L. The interval from approximately 700 to 900 feet bls within the Upper Floridan aquifer appears to display the highest productivity based on the reported transmissivity values.

Following the APTs, the SFWMD instituted a long-term water level and water quality monitoring program. Data collected from December 1ninenine8 to March 1nineninenine show chloride concentrations of 700 mg/L for the interval from 670 to 837 feet bls, 500 mg/L from 1,142 to 1,458 feet bls, and 9,900 mg/L from 1,645 to 1,75nine feet bls. Monitoring data from March 2002 to August 2005 show that water levels averaged 52.4 feet, NGVD for the zone from 670 to 837 feet BLS, 52.9 feet, NGVD from 1,142 to 1,458 feet bls, and 47.5 feet, NGVD from 1,645 to 1,759 feet bls (Figure 13). Land surface elevation at the site is approximately 17 feet, NGVD. The potentiometric head data, as well as the water chemistry data, suggest that the upper two zones of the Floridan aquifer are hydraulically connected.

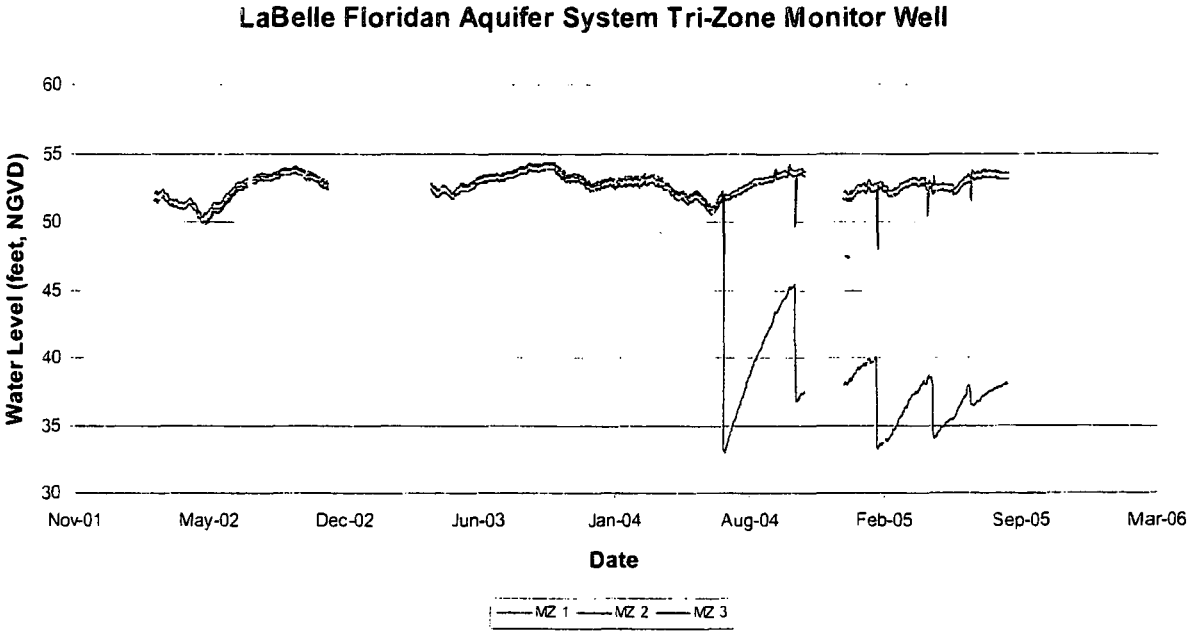


Figure 13. SFWMD Floridan aquifer tri-zone monitor well hydrograph (Bennett, 2003)

The sampled chloride concentrations exceed the secondary drinking water standard of 250 mg/L for drinking water, so groundwater from the Floridan aquifer would require treatment prior to use as a public water supply due to the elevated chloride and total dissolved solid (TDS) concentrations. The Bennett (2003) report identifies the base of the Underground Source of Drinking Water, defined as water having TDS concentrations less than 10,000 mg/L, as occurring at an approximate depth of 1,675 feet, bls. The Lower Hawthorn aquifer could yield ample amounts of water for irrigation, as well as potable supply, but would require blending with fresher sources, such as surface water, prior to irrigation of freshwater plants.

9.0 SUMMARY

The Spanish Creek development will consist of a mixed residential and commercial development covering approximately 3,700 acres located in Sections 1-3 and 11-14 of Township 43 South, Range 27 East, Lee County, Florida. The project will require potable water for 5,200 single family units, 2,200 multi-family units, 350,000 square feet of commercial and office space, and five schools at build-out in 2025. Due to the lack of utility service, the project will require on-site wastewater treatment and potable water facilities designed to provide approximately 1.81 mgd of finished drinking water on average, and 2.715 mgd for a maximum daily demand. Approximately 900 acres (25% of the total acreage) will also require landscape irrigation at build-out. The site currently consists of a 3,600-acre citrus grove that mainly uses surface water with some minor surficial and Sandstone aquifer withdrawals for irrigation. This assessment evaluated the potable supply and irrigation demands of the entire project site at build-out, and the potential water resources available to meet those needs.

This assessment was performed by reviewing readily available information from sources of public record including: South Florida Water Management District (SFWMD) water use permits and ArcGIS shapefiles, well completion reports, United States Geological Survey (USGS) monitor well data and technical reports, Johnson Engineering data and reports, and other consultants' reports. The information was utilized in part to evaluate the potential use of potable water, reclaimed water, surface water and groundwater, or any combination thereof. In addition, the estimated landscape irrigation and potable water demands were calculated, and water quality suitability for both potable supply and irrigation was assessed. This water resources assessment could be used in support of SFWMD public water supply and landscape irrigation water use permit applications for the project site.

The Spanish Creek property is located in the northeast corner of Lee County in a heavily agricultural region. Potable water from the City of LaBelle, the closest utility provider, is not a viable option, since the utility does not currently have the distribution system in place to serve the Spanish Creek site. Reclaimed water from outside suppliers is not currently available for irrigation purposes because local utilities dispose of their waste water effluent by other means. However, the proposed on-site wastewater treatment plant will produce up to 1.35 to 1.5 mgd of reclaimed water at build-out. This volume of reclaimed water should be utilized for irrigation to

the greatest extent feasible. Surface water could also serve as a potential source of irrigation water. The project will be required to construct approximately 200 acres of stormwater management lakes, which could be used to at least partially meet the irrigation demand. The project will contain wetland flowway systems, so any surface water withdrawals will have to be managed so as to guard against wetland impacts and meet applicable SFWMD criteria.

The surficial aquifer contains freshwater suitable for irrigation but might not be able supply enough water to meet the total irrigation demands without excessive drawdown. The surficial aquifer typically contains high iron concentrations and would require aeration in the on-site lake system prior to irrigation usage. The surficial aquifer would not be the preferable source of potable water, although chloride concentrations remain below 250 mg/L, as it might be under the direct influence of surface water and would require additional monitoring and treatment. This aquifer may also contain elevated uranium and radionuclide concentrations, requiring extensive treatment prior to public supply use. Many residences in the area also rely on the surficial aquifer for domestic supply, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit substantial withdrawals from this source for either potable or irrigation supply.

The Sandstone aquifer might be able to produce adequate volumes of irrigation or potable water for the project at build-out, although probably not both. Due to the lack of site-specific data and variability within the aquifer, on-site testing would be required prior to consideration of this aquifer as a viable source. Chloride concentrations in the Sandstone aquifer near the project regularly exceed 600 mg/L, which would require blending in the on-site lake system or advanced treatment prior to irrigation or potable usage, respectively. Some legal domestic users in the area rely on the Sandstone aquifer as a potable water source, so a large-scale public supply wellfield could potentially impact these users, necessitating mitigation. The SFMWD would likely not permit withdrawals from this source on the scale required by the project at build-out for either potable or irrigation supply.

The Floridan aquifer represents a potential source of both irrigation and potable water at the project site, although this source would require blending with fresher sources prior to irrigation use and advanced treatment prior to potable supply. The chloride concentrations of water encountered in the Floridan aquifer range from 680 to 9,900 mg/L and generally increase with depth. The aquifer could easily supply volumes of water sufficient to meet the project's

irrigation demands, but use of the source would have to be limited in order to prevent the blended irrigation water quality from becoming too saline. If blended in the on-site lake system, the SFWMD would limit Lower Hawthorn withdrawals so that the resultant chloride concentration in the stormwater ponds did not exceed 200 mg/L after 90 days without rainfall recharge. The Floridan aquifer may also serve as the primary drinking water source. If this is the case, appropriate water treatment and brine disposal methods would be necessary.

10.0 RECOMMENDATIONS

Based on the assessment described above, withdrawals from the upper Floridan aquifer represent the best source of irrigation and potable water in terms of both quantity and permittability. A Floridan aquifer wellfield and reverse-osmosis water treatment plant would be the most viable potable water supply system for the project. In terms of irrigation supply, the project should use as much reclaimed water generated by the proposed on-site wastewater treatment plant as possible, which will supply less than half of the average daily irrigation demand at build-out. Floridan aquifer withdrawals blended in the on-site lake system in order to reduce chloride concentrations should supply the remainder.

Prior to constructing the potable supply or irrigation systems, Johnson Engineering recommends constructing at least one Floridan aquifer test well in order to more thoroughly assess the water quality and yield of this aquifer at the project site. A testing program will provide more information on the hydrogeology of the Spanish Creek site, particularly depths of tops of aquifers, aquifer thicknesses, and specific hydraulic characteristics of the water-producing units. Variations in chloride concentration with depth should be assessed during test well construction and compared with reported values in cases where no recent monitor data exists. Johnson Engineering recommends conducting an aquifer performance test prior to using the Floridan aquifer as a drinking water and/or irrigation source in order to ascertain the anticipated yield and water quality of this aquifer. For potable water supply, in particular, this information will be required for the design of the water treatment plant and public supply wellfield. Information gathered during test well construction and aquifer performance testing could also be used in support of SFWMD water use permit applications for both public water supply and landscape irrigation. If successful, the test wells could later be converted into production or monitoring wells as part of the public supply and/or irrigation systems.

Previous investigations and monitoring data indicate that the Floridan aquifer can readily supply the necessary quantities of water without harm to the resource or other users of the aquifer. No other active legal users of the Floridan aquifer exist in the area surrounding Spanish Creek. However, most neighboring legal and domestic users do rely on the surficial and Sandstone aquifers to meet their potable supply needs. These aquifers represent the only economical sources of potable water to most residences and businesses in this area of Lee

County, although chloride concentrations in the Sandstone aquifer may be elevated, and the surficial aquifer may contain high uranium and radionuclide concentrations. By targeting the Floridan aquifer as its main water source, Spanish Creek would avoid competition with and adverse impacts to these existing users, along with associated mitigation responsibilities. The SFWMD considers such factors in the water use permitting process, in addition to best management of the resource, and encourages the use of the lowest quality water available. The SFWMD defines the Floridan aquifer as an alternative water supply, making the use of this source eligible for District funding. The Spanish Creek project will require a water treatment plant for disinfection and distribution regardless of the public supply source, establishing the infrastructure necessary to accommodate the use of brackish groundwater.

11.0 REFERENCES

BEM Systems, Inc., 2003, Hydrostratigraphy Review Report, for SFWMD Southwest Florida Feasibility Study, Southwest Florida Regional Model Development.

Bennett, M.W., 2003, Hydrogeologic Investigation of the Floridan Aquifer System LaBelle, Hendry County, Florida, SFWMD Technical Publication WS-15.

Johnson Engineering, 2004, Executive Summary Paul Property Public Water Supply Water Resource Assessment, prepared for the Bonita Bay Group.

SFWMD, 2006, Water Use Permit Shapefiles, http://www.sfwmd.gov/org/gisit/index.html

SFWMD, 2006, Environmental Resource Regulation Application and Permit Information Database, http://wdweb02.sfwmd.gov/apps/reg/query_apps_permits.cfm

SFWMD, 2006, DBHYDRO Browser, http://glades.sfwmd.gov/pls/dbhydro_pro_plsql/show_dbkey_info.main_page

USGS, 2006, Water Resources Groundwater Levels for Florida, http://nwis.waterdata.usgs.gov/fl/nwis/gwlevels

USGS, 2006, Water Resources Groundwater Conditions in Southern Florida, http://www.sflorida.er.usgs.gov/

Weinberg, J. M. and J.B. Cowart, 2001, Hydrogeologic Implications of Uranium-Rich Phosphate in Northeastern Lee County, in Florida Geological Survey Special Publication No. 49.

Appendix A

Calculations Of Irrigation Requirements (1-in-10)

Rainfall Station:	*La Belle*
Irrigation System:	Sprinkler
Irrigated Acreage:	900.00
Crop:	Turf Grass
Soil Type:	0.80
Multiplier	1.33
Efficiency	0.75

Calculations	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Average Rainfall (inches)	1.95	2.11	2.02	2.54	4.57	9.38	8.19	7.85	6.82	3.80	1.73	1.72	52.68
Evapotranspiration (inches)	1.78	2.10	3.62	4.98	6.65	7.42	7.75	7.48	6.27	4.75	2.98	2.10	57.88
Average Effective Rainfall (inches)	0.90	0.99	1.03	1.37	2.51	4.85	4.40	4.18	3.47	1.93	0.86	0.82	27.31
1-in-10 Effective Rainfall (inches)	0.67	0.83	0.25	0.67	1.98	3.94	3.86	3.93	2.90	1.51	0.92	0.90	22.36
Average Irrigation (inches)	0.88	1.11	2.59	3.61	4.14	2.57	3.35	3.30	2.80	2.82	2.12	1.28	30.57
1-in-10 Irrigation (inches)	1.11	1.27	3.37	4.31	4.67	3.48	3.89	3.55	3.37	3.24	2.06	1.20	35.52

1-in-10 Annual Supplemental Crop Requirement = 35.52 inches

Annual Supplemental Crop Water Use:

35.52 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 1154.35 MG

1-in-10 Maximum Monthly Supplemental Crop Requirement = 4.67 inches

Maximum Monthly Supplemental Crop Water Use:

4.67 inches X 900 Acres X 1.33 X 0.02715 MG/AC-IN = 151.77 MG

Notes:
Evapotranspiration was calculated using a modified Blaney-Criddle method.
Average effective rainfall is the amount that is useful to crops in an average year.
2-in-10 drought rainfall is the rainfall minimum expected with a probability of 2 year in 10.
2-in-10 effective rainfall is the amount that is useful to crops in a 2-in-10 drought rainfall.
Average irrigation is the net amount that should be required for maximum yields during an average year.
2-in-10 irrigation is the net amount that should be required for maximum yields during a 2-in-10 drought year.

SPANISH CREEK

UTILITY COST PLAN

SEPTEMBER 2006

Prepared for:

FLORIDA CITRUS COMPANY
5465 E. HARBOR POINT
VERO BEACH, FLORIDA 32968

Prepared by:

JOHNSON ENGINEERING

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS
2158 Johnson Street
Fort Myers, Florida 33901

The purpose of this effort was to determine the utilities infrastructure costs and phasing required to supply potable water, wastewater, and irrigation water services to the Spanish Creek community. The costs are differentiated by Backbone System and Development System. The Backbone System is the portion of the utilities that is typically associated with a Public Service Commission-permitted utility company. The Development System is the portion of the utilities that is typically constructed by private developers.

The cost plan was based in part on the following Build-Out Schedule:

Year	Single Family Units	Multi Family Units	Commercial / Retail SF
2008	105	45	0
2009	105	45	0
2010	141	59	0
2011	141	59	0
2012	176	74	0
2013	176	74	0
2014	211	89	157,500
2015	246	104	0
2016	281	119	0
2017	316	134	0
2018	351	149	157,500
2019	386	164	0
2020	422	178	0
2021	492	208	35,000
2022	492	208	0
2023	422	178	0
2024	386	164	0
2025	351	149	0
Total	5200	2200	350,000

The wastewater treatment plant will be a secondary treatment system that meets EPA Class One Reliability Standards. Integral to the proposed facilities is the non-potable reuse central irrigation systems for effluent disposal. The wastewater treatment plant will require approximately 15 acres of land. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum month demand capacity of 0.7, 1.4, and 2.1 MGD

coming online in the years 2008, 2016, and 2021, respectively. Each interim phase will include oversized plant components, and yard and process piping to allow for easy expansion in subsequent phases.

The water treatment plant will likely be a brackish water reverse osmosis facility. The treatment facility assumes a brackish raw water quality allowing a conservative 70% recovery. The water treatment plant will require approximately five acres of land, not including the wellfield. The plant is proposed to be constructed in three phases. Each respective phase will have a total maximum day demand capacity of 0.5, 1.5, and 2.8 MGD coming online in the years 2008, 2013, and 2019, respectively. Each interim phase will include oversized plant components and yard and process piping to allow for easy expansion in subsequent phases.

The disposal method for the brine concentrate (a by-product of the water treatment process) and effluent (a by-product of the wastewater treatment process) is through deep well injection. One deep injection well can be used for disposal of both the brine and effluent. It should be recognized that the primary method of effluent disposal is through reuse water irrigation; however, a backup disposal method is required during the wet season when there will be excess effluent to dispose.

The irrigation system will consist of reservoirs (lakes and/or aboveground storage tanks), wells, and high-service pumps. The primary irrigation water supply will be reuse water from the wastewater plant. Backup wells will be used to supplement the reuse water during periods of high irrigation demand. The irrigation pump station will maintain a pressurized irrigation system at all times. Also, the irrigation pump station will be designed based on alternating odd and even numbered addresses irrigating eight hours a day, three days a week. The irrigation pump station will likely require no more than three acres of land, not including the wellfield.

Manifolded master pump stations will be used to convey wastewater to the wastewater plant. The individual subdivisions will be required to provide the infrastructure to convey wastewater to the master pump stations through a series of smaller lift stations. The master pump stations will reduce the required pump sizes for the smaller lift stations by limiting the number of lift stations on any given manifolded force main system. This allows for more

efficient designs so that the smaller lift stations can operate within more narrow flow and head conditions while build-out is occurring.

The costs are presented in the remainder of this document.

The Opinion of Probable Construction Costs – Backbone System shows the cost at 100 percent build-out in 2006 dollars of the backbone system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Opinion of Probable Construction Costs – Development System shows the cost at 100 percent build-out in 2006 dollars of the development system alone. The costs are itemized by wastewater system, water system, and irrigation system.

The Wastewater Treatment Plant, Water Treatment Plant, and Irrigation Pump Station Cost and Phasing sections show when these respective facilities are expected to be expanded and the costs for each expansion.

The Yearly Cost Breakdown Tables show the cost by year for the Backbone System and Development System. The Backbone System is depicted in two variations, including and excluding treatment facilities and the irrigation pump station, respectively.

The Utility Cost Breakdown Charts show costs by year for the Backbone System and Development System in a graphical format.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
BACKBONE SYSTEM

Part 1: Backbone - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	2.1 MGD Wastewater Treatment Plant and Injection Well	1	EA	$36,000,000	$36,000,000
1-2	Master Pump Station	5	EA	$1,500,000	$7,500,000
1-3	Force Mains	1	LS	$687,500	$687,500
				PART 1 SUB-TOTAL	$44,187,500

Part 2: Backbone - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	2.8 MGD Water Treatment Plant	1	EA	$20,000,000	$20,000,000
2-2	Potable Water Mains	1	LS	$2,641,085	$2,641,085
2-3	Potable Well and Appurtenances	5	EA	$400,000	$2,000,000
2-4	Raw Water Mains	1	LS	$675,000	$675,000
				PART 2 SUB-TOTAL	$25,316,085

Part 3: Backbone - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Pump Station (With Storage)	1	EA	$6,000,000	$6,000,000
3-2	Irrigation Distribution Pipe	1	LS	$5,670,000	$5,670,000
3-3	Irrigation Well and Appurtenances	2	EA	$300,000	$600,000
3-4	Raw Water Irrigation Pipeline	1	LS	$120,000	$120,000
				PART 3 SUB-TOTAL	$12,390,000

PART	PHASE	TOTALS
1	**Wastewater System**	$44,187,500
2	**Potable Water System**	$25,316,085
3	**Irrigation System**	$12,390,000
	SUBTOTAL:	**$81,893,585**
	25% Contingency Fee:	**$20,473,396**
	TOTAL ESTIMATED PRICE	**$102,366,981**

Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

OPINION OF PROBABLE CONSTRUCTION COSTS
DEVELOPMENT SYSTEM

Part 1: Development - Wastewater System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
1-1	Gravity Sewer	1	LS	$32,179,000	$32,179,000
1-2	Lift Stations	1	LS	$3,075,000	$3,075,000
1-3	Force Mains	1	LS	$2,565,000	$2,565,000
				PART 1 SUB-TOTAL	$37,819,000

Part 2: Development - Potable Water System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
2-1	Potable Water Mains	1	LS	$23,161,203	$23,161,203
				PART 2 SUB-TOTAL	$23,161,203

Part 3: Development - Irrigation System					
Item No.	Item Description	Est. Qty.	Unit	Unit Cost	Total Estimated Price
3-1	Irrigation Distribution Pipe	1	LS	$13,760,946	$13,760,946
				PART 3 SUB-TOTAL	$13,760,946

PART	PHASE	TOTALS
1	Wastewater System	$37,819,000
2	Potable Water System	$23,161,203
3	Irrigation System	$13,760,946
	SUBTOTAL:	$74,741,149
	25% Contingency Fee:	$18,685,287
	TOTAL ESTIMATED PRICE	$93,426,436

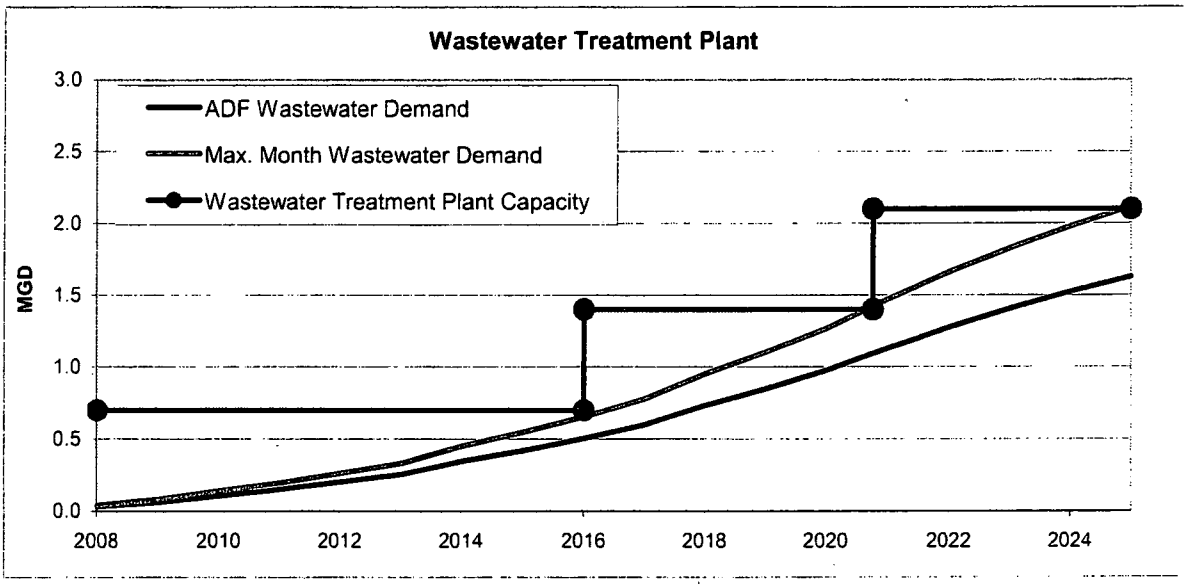
Notes:

1. All costs are in 2006 dollars and do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

WASTERWATER TREATMENT PLANT COST AND PHASING

Wastewater Demand		
Average Day Demand	90%	of Potable ADF
Max Month Demand	1.3	Peak Factor



Wastewater Treatment Plant

Year	Max Month Flow Capacity MGD	Cost (In Millions)
2008	0.70	$27.00
2016	1.40	$9.00
2021	2.10	$9.00
	Total	$45.00

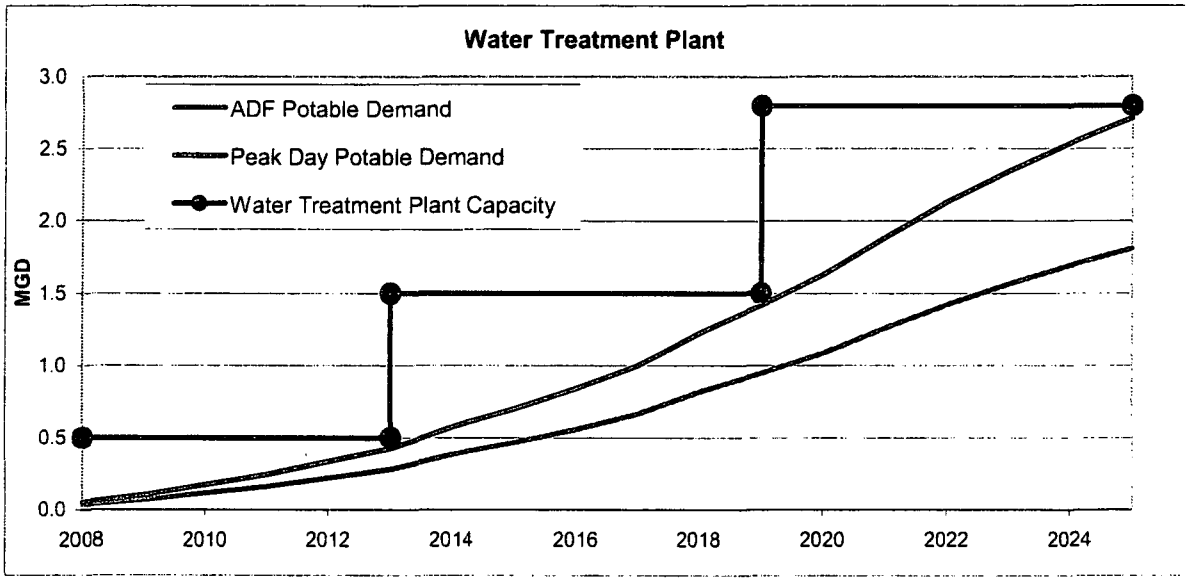
Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

WATER TREATMENT PLANT COST AND PHASING

Potable Water Demand		
Single Family	250	GPD / Unit, ADF
Multi-Family	200	GPD / Unit, ADF
Commercial/Retail	0.2	GPD / SF, ADF
Max Day Demand	1.5	Peak Factor



Water Treatment Plant

Year	Max Day Flow Capacity MGD	Cost (In Millions)
2008	0.5	$8.75
2013	1.5	$3.75
2019	2.8	$12.50
	Total	$25.00

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

IRRIGATION PUMP STATION COST AND PHASING

Irrigation Pump Station

Year	Capacity (Percent)	Cost (In Millions)
2008	50%	$3.75
2016	50%	$3.75
	Total	$7.50

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

JOHNSON ENGINEERING

YEARLY COST BREAKDOWN TABLES

All Infrastructures For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$27.40	$9.01	$4.06	$40.47
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$4.12	$0.45	$5.15
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$9.60	$0.39	$4.22	$14.20
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$13.02	$0.62	$14.44
2020	$0.97	$0.63	$0.76	$2.36
2021	$9.93	$0.60	$0.73	$11.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$55.23**	**$31.65**	**$15.49**	**$102.37**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand for water and wastewater, plus the cost of the treatment facilities and irrigation pump station as shown above. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

All Infrastructures Less Treatment Facilities and Irrigation Pump Station For Backbone System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.40	$0.26	$0.31	$0.97
2009	$0.27	$0.17	$0.21	$0.65
2010	$0.27	$0.17	$0.21	$0.65
2011	$0.33	$0.22	$0.26	$0.81
2012	$0.33	$0.22	$0.26	$0.81
2013	$0.58	$0.37	$0.45	$1.40
2014	$0.47	$0.30	$0.36	$1.13
2015	$0.53	$0.35	$0.42	$1.29
2016	$0.60	$0.39	$0.47	$1.45
2017	$0.84	$0.55	$0.66	$2.05
2018	$0.73	$0.47	$0.57	$1.78
2019	$0.80	$0.52	$0.62	$1.94
2020	$0.97	$0.63	$0.76	$2.36
2021	$0.93	$0.60	$0.73	$2.26
2022	$0.80	$0.52	$0.62	$1.94
2023	$0.73	$0.47	$0.57	$1.78
2024	$0.66	$0.43	$0.52	$1.62
2025	$0.00	$0.00	$0.00	$0.00
Totals	**$10.23**	**$6.65**	**$7.99**	**$24.87**

Notes:

1. All costs are in 2006 dollars and include 25% contingency.

2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost, less the cost of the treatment plant facilities and irrigation pump station prorated over 17 years based on average day demand of water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

All Infrastructures For Development System

Year	Wastewater (In Millions)	Potable Water (In Millions)	Irrigation (In Millions)	Total Cost (In Millions)
2008	$0.92	$0.56	$0.34	$1.82
2009	$0.92	$0.56	$0.34	$1.82
2010	$1.23	$0.75	$0.45	$2.43
2011	$1.23	$0.75	$0.45	$2.43
2012	$1.54	$0.94	$0.56	$3.03
2013	$1.54	$0.94	$0.56	$3.03
2014	$2.67	$1.63	$0.97	$5.27
2015	$2.15	$1.32	$0.78	$4.25
2016	$2.46	$1.50	$0.89	$4.85
2017	$2.76	$1.69	$1.01	$5.46
2018	$3.89	$2.38	$1.42	$7.69
2019	$3.38	$2.07	$1.23	$6.68
2020	$3.68	$2.26	$1.34	$7.28
2021	$4.48	$2.74	$1.63	$8.86
2022	$4.30	$2.63	$1.56	$8.50
2023	$3.68	$2.26	$1.34	$7.28
2024	$3.38	$2.07	$1.23	$6.68
2025	$3.07	$1.88	$1.12	$6.07
Totals	**$47.27**	**$28.95**	**$17.20**	**$93.43**

Notes:

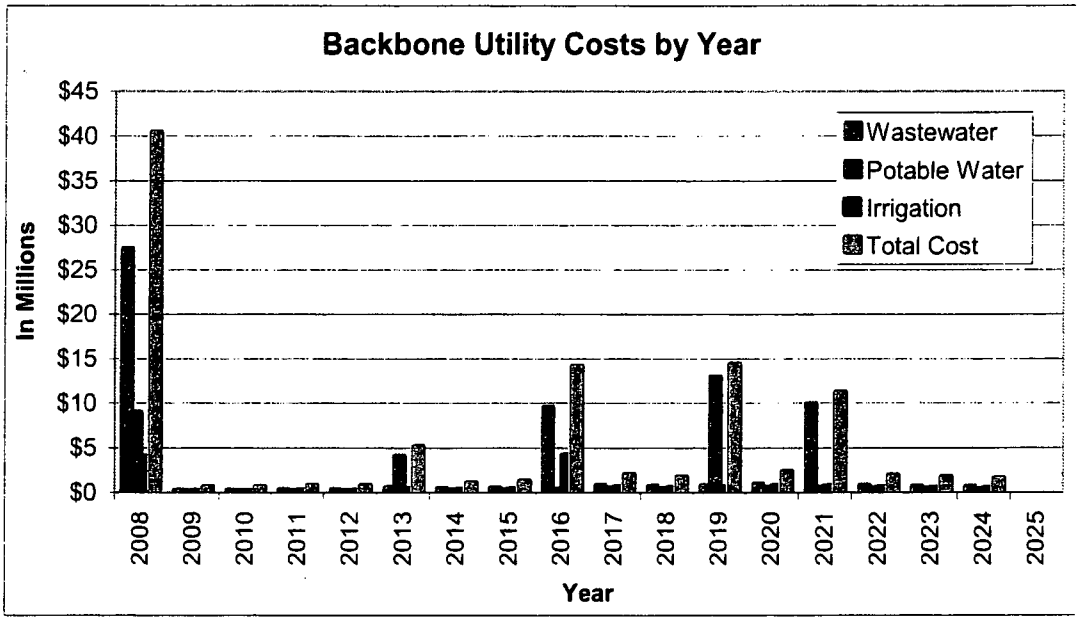
1. All costs are in 2006 dollars and include 25% contingency.

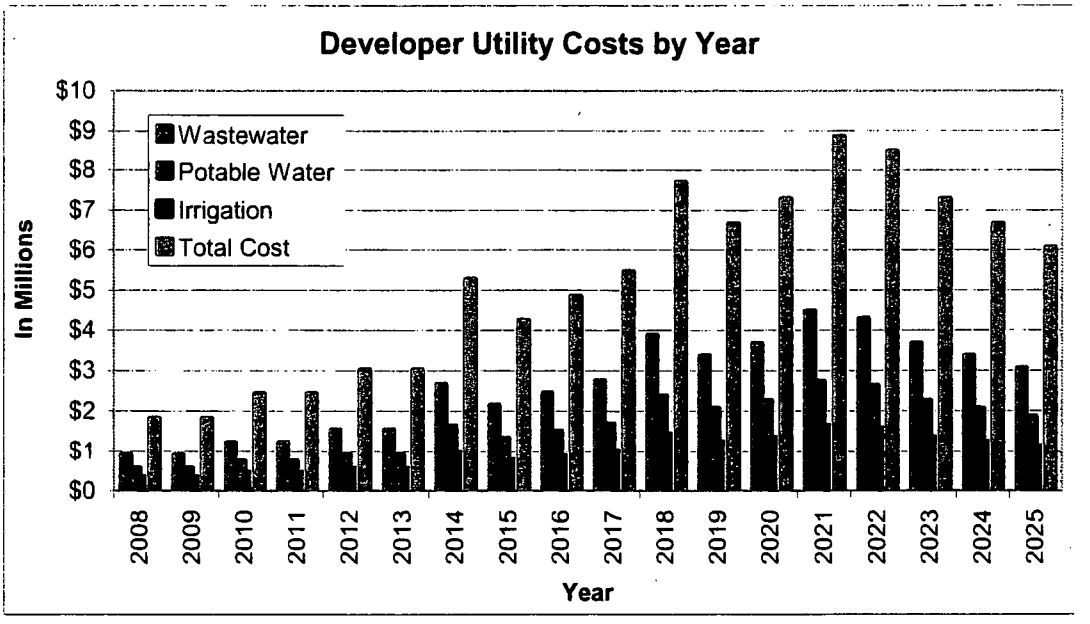
2. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

3. The yearly cost breakdown is based on the total cost for the development system prorated over 17 years based on average day demand for water and wastewater. This calculation was performed individually for the Potable Water, Wastewater, and Irrigation Systems.

JOHNSON ENGINEERING

UTILITY COST BREAKDOWN CHARTS





Notes:

1. The charts above depict the information contained in the Yearly Cost Breakdown Table for all infrastructures.

Overall Notes:

1. All costs are in 2006 dollars. The costs do not include engineering and permitting fees. Engineering, design, and permitting fees are estimated to be 12% of construction costs, not including construction services.

2. Conceptual level costs and phasing concepts for the treatment facilities are presented. These numbers will be refined once the actual treatment schemes are developed and the phasing and costs refined through master planning, preliminary design, permitting, and final design. The actual phasing capacities and costs may/will change.

3. Johnson Engineering's opinions of probable construction cost provided herein are made on the basis of Johnson Engineering's experience and qualifications and represent Johnson Engineering's best judgment as a consulting company generally familiar with the construction industry. However, since Johnson Engineering has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions, Johnson Engineering cannot and does not guarantee that proposals, bids or actual construction cost will not vary from opinions of Probable Construction Cost prepared by Johnson Engineering.

Julie Wilkins

From: Ron Inge [ringe@landsolutions.net]
Sent: Tuesday, September 12, 2006 8:58 PM
To: juliew@dnreng.com; Dan Delisi; Dan Delisi
Subject: Comments: Cape Coral Pine Island Road Due Diligence

Thanks for forwarding this for review. Were you able to find the special provision that would allow an asphalt plant to be rebuilt on this site for several more years? We obtained that in the early 90's, I believe. At any rate, I will try to find it.

It looks like we have a right-in, right-out and left-in capability, is that correct? Thus, no left out turning?

The range of uses looks fairly extensive, what are we missing/

Can the property be developed by pulling the City equivalent of a development order, or will there need to be further public hearings?

Ronald E. Inge
Land Solutions, Inc./Development Solutions, LLC.
6150 Diamond Centre Court, Bldg. 1300
Fort Myers, FL 33912
Phone 239-489-4066
Fax 239-481-8477
email: ringe@landsolutions.net

From: Julie Wilkins [mailto:juliew@dnreng.com]
Sent: Tuesday, September 12, 2006 5:29 PM
To: Ron Inge
Cc: Dan Delisi
Subject: Cape Coral Pine Island Road Due Diligence

Ron,

Attached is the very quick, *brief* due diligence report that you requested on the Cape Coral property (1401 Pine Island Road SW). The scope was limited to current entitlements in order to accommodate your request for speedy delivery. A hard copy will also be sent to you. Please call Dan or me, if you have any questions or comments.

Thanks,

Julie

Julie Craichy Wilkins
Planner
Delisi Fitzgerald, Inc.
1500 Royal Palm Square Blvd., Ste 101
Ft. Myers, FL 33919
P 239 418 0691 F 239-418-0692

CONFIDENTIALITY STATEMENT

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

City of Cape Coral
Department of Community Development

Permit Fees

1. Building Permits

A. 1 and 2 Family Residential - $5.50 per $1,000 of construction value or fraction thereof, covers building, plumbing, mechanical, electrical and roofing.

Valuation Basis:

Living Area	$44.00 / SF
Garage	$25.00 / SF
Patio or Entry	$12.50 / SF

B. Multi-family Residential, Commercial and Industrial

Fee per $1,000 of construction value or faction thereof.

Up to $50,000	$8.00
Over $50,000 to $100,000	$5.00
Over $100,000	$2.00

Valuation Basis – See attached Building Valuation Table

C. Plan Review

1 and 2 Family Residential	$55.00
All Others	40% of Building permit fees, with a minimum of 120.00

D. Application Deposits (non-refundable)

1 and 2 Family Residential	$110.00
Non 1 and 2 Family	$200.00
Master Plan Review	**$120.00**

E. Plumbing (new construction, renovations and additions)

$5.00 per plumbing fixture (as defined in Chapter 2 of the Florida Building Code 2001 Plumbing) per unit/$50.00 minimum per unit

***Solar System**	$45.00

F. Electrical (new construction, renovations and additions)
Per Electric meter up to 250 amperes, plus $025 per ampere over 250 amperes/ $45.00 minimum

Sign – electrical	$35.00
Pool, dock or lift – electrical	$45.00
Temporary electrical pole	$40.00

G. Mechanical, Heating and Air Conditioning (new construction, renovations and additions)

	$45.00 per system plus $5.00 per ton
Duct only	$45.00
Equipment change-out	$45.00
Refrigeration (commercial)	$45.00 per system Plus $5.00 per ton

H. Roofing (new construction, renovations and additions)

Up to 5,000 square feet of roof area	$50.00
5,000 square feet of roof area and over	Additional $5.50 per 1,000 square feet or fraction thereof.

I. Gas LP and Natural gas installations	$45.00

J. Swimming Pool

Pools, residential or commercial	$110.00
Spas, residential or commercial	$ 75.00
Electrical	$45.00
Enclosure	$45.00

K. Miscellaneous

(Awnings / shutters, boatlifts / davits, fences, sheds, soffit / fascia, tents, pool enclosures, slabs, boat docks, walls and retaining walls, etc.)	$45.00

L. **Demolition**	$90.00

M. Building Move $355.00

N. Zoning Fee

Single Family	$44.00
Duplex	$44.00
Multi-family	$400.00
Non Residential (per review not per building)	$300.00
Miscellaneous	$22.00

O. Plan Re-submittal and Revision Fees

Re-submittal, first	No Charge
Re-submittal, 2nd and third	$50.00
Re-submittal, 4th	**4 times the plan review fee**
Submittal of additional documentation	**$50.00**
Plan revisions (not additions)	$50.00

P. Concurrency Review Fee

Residential, per dwelling unit	$15.00
Non-residential	$75.00

Q. **Radon Fee** $ .01 per Sq Ft.

R. Landscaping fee

1 and 2 Family Residences	$25.00
Other uses	$30.00

S. Re-inspection Fee

First re-inspection, per discipline	$25.00
Second and <u>subsequent</u> re-inspections of like kind 4 times the re-inspection fee$	**($100.00)**

T. Permit Extensions

First extension (prior to expiration of permit)	$30.00
Second & subsequent extensions (prior to expiration of permit)	$100.00 plus 50% of the original permit fee

U. Storm-Water Fee

Retention plans review and related inspections for commercial, industrial, professional, and multi-family (not including duplexes)	$397.00
Surface water miscellaneous	$40.00

V. Right of Way Construction Permit Fees

Right-of-way review (except for Telecommunications companies)	$99.00
Driveway, culverts stakeout and appurtenant work (per access cut)	$99.00
Sod, swale stakeout and appurtenant work (minimum fee for improvements up to 80 linear feet)	$62.00
(additional fee for improvements in excess of 80 linear feet)	$.78 per foot
Curb, gutter, sidewalk, sod and pavement (minimum fee for improvements up to 80 linear feet)	$800.00
(additional fee for improvements in excess of 80 linear feet)	$5.85 per ft.
Miscellaneous improvement of existing construction	$125.00
Re-staking, whenever necessary	$170.00

W. Fire Permit Fees

Non 1 & 2 Family	$40.00 Minimum
New Construction based on valuation	$2.45 per $1000
Miscellaneous/Renovation	$40.00 minimum
based on valuation	$7.85 per $1000

X. Impact Fees (Road)

Single Family Dwelling	$2,698.00
Two-Family Dwelling or Duplex	$3,784.00
Multi-Family Dwelling	$1,892.00 per unit
Hotel / Motel	$2,031.00 per room
Retail/Shopping Center	$4,601 per 1,000 sq ft.
Bank	$7,302 per 1,000 sq ft
Car Wash, Self Service	$1,529 per stall

(Permit Fees revised 12/30/05) jml

Convenience Store w/Gas Sales	$10,219 per 1,000 sq ft
Golf Course (open to public)	$783 per Acre
Movie Theater	$6,745 per 1,000 sq ft
Restaurant, Sit-Down	$5,907 per 1,000 sq ft
Restaurant, Fast-Food	$11,593 per 1,000 sq ft
House of Worship	$1,341 per 1,000 sq. ft.
Office General	$2,123 per 1000 sq ft
Office Medical	$6,959 per 1,000 sq ft
Hospital	$1.175 per 1,000 sq ft
Nursing Home	$1,175 per 1,000 sq ft
Day Care Center	$3,731 per 1,000 sq ft
Elem/Sec. School (private)	$646 per 1,000 sq ft
Industrial Park	$1,862 per 1,000 sq ft
Warehouse	$1,327 per 1,000 sq ft
Mini-Warehouse	$461 per 1,000 sq ft
Time Share	$1,892 per Dwelling
MobileHome/RV Par	$1,408 per Pad

Y. Park Impact $1,115.00 per living unit

Z. Fire Impact

Non 1&2 Family
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$0.161 per square foot**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$0.184 per square foot**

Residential New Construction
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$316.33 per dwelling unit**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$360.00 per dwelling unit**

AA. School Impact Fees

Single Family	$4,309.00
Single Family Admin. Fee	$51.34
Multi-Family (Duplex, Townhouse Etc.)	$1,704.00
Multi-Family Admin. Fee	$31.78

Utilities Fees – Contact Utilities Department Gerry Burton 574-0534

Contact Telephone Numbers

Building	573-3159	Permitting	574-0546
Engineering	574-0718	Stormwater	574-0599
Fire	574-0503	Zoning	574-0553

City of Cape Coral
Department of Community Development

Permit Fees

1. Building Permits

A. 1 and 2 Family Residential - $5.50 per $1,000 of construction value or fraction thereof, covers building, plumbing, mechanical, electrical and roofing.

Valuation Basis:

Living Area	$44.00 / SF
Garage	$25.00 / SF
Patio or Entry	$12.50 / SF

B. Multi-family Residential, Commercial and Industrial

Fee per $1,000 of construction value or faction thereof.

Up to $50,000	$8.00
Over $50,000 to $100,000	$5.00
Over $100,000	$2.00

Valuation Basis – See attached Building Valuation Table

C. Plan Review

1 and 2 Family Residential	$55.00
All Others	40% of Building permit fees, with a minimum of 120.00

D. Application Deposits (non-refundable)

1 and 2 Family Residential	$110.00
Non 1 and 2 Family	$200.00
Master Plan Review	**$120.00**

E. Plumbing (new construction, renovations and additions)

$5.00 per plumbing fixture (as defined in Chapter 2 of the Florida Building Code 2001 Plumbing) per unit/$50.00 minimum per unit

***Solar System**	$45.00

F. Electrical (new construction, renovations and additions)
Per Electric meter up to 250 amperes, plus $025 per ampere over 250 amperes/ $45.00 minimum

Sign – electrical	$35.00
Pool, dock or lift – electrical	$45.00
Temporary electrical pole	$40.00

G. Mechanical, Heating and Air Conditioning (new construction, renovations and additions)

	$45.00 per system plus $5.00 per ton
Duct only	$45.00
Equipment change-out	$45.00
Refrigeration (commercial)	$45.00 per system Plus $5.00 per ton

H. Roofing (new construction, renovations and additions)

Up to 5,000 square feet of roof area	$50.00
5,000 square feet of roof area and over	Additional $5.50 per 1,000 square feet or fraction thereof.

I. Gas LP and Natural gas installations	$45.00

J. Swimming Pool

Pools, residential or commercial	$110.00
Spas, residential or commercial	$ 75.00
Electrical	$45.00
Enclosure	$45.00

K. Miscellaneous

(Awnings / shutters, boatlifts / davits, fences, sheds, soffit / fascia, tents, pool enclosures, slabs, boat docks, walls and retaining walls, etc.)	$45.00

L. Demolition	$90.00

(Permit Fees revised 12/30/05) jml

M. Building Move $355.00

N. Zoning Fee

Single Family	$44.00
Duplex	$44.00
Multi-family	$400.00
Non Residential (per review not per building)	$300.00
Miscellaneous	$22.00

O. Plan Re-submittal and Revision Fees

Re-submittal, first	No Charge
Re-submittal, 2nd and third	$50.00
Re-submittal, 4th	**4 times the plan review fee**
Submittal of additional documentation	**$50.00**
Plan revisions (not additions)	$50.00

P. Concurrency Review Fee

Residential, per dwelling unit	$15.00
Non-residential	$75.00

Q. **Radon Fee** $ .01 per Sq Ft.

R. Landscaping fee

1 and 2 Family Residences	$25.00
Other uses	$30.00

S. Re-inspection Fee

First re-inspection, per discipline	$25.00
Second and <u>subsequent</u> re-inspections of like kind 4 times the re-inspection fee$	**($100.00)**

T. Permit Extensions

First extension (prior to expiration of permit)	$30.00
Second & subsequent extensions (prior to expiration of permit)	$100.00 plus 50% of the original permit fee

(Permit Fees revised 12/30/05) jml

U. Storm-Water Fee

Retention plans review and related inspections for commercial, industrial, professional, and multi-family (not including duplexes)	$397.00
Surface water miscellaneous	$40.00

V. Right of Way Construction Permit Fees

Right-of-way review (except for Telecommunications companies)	$99.00
Driveway, culverts stakeout and appurtenant work (per access cut)	$99.00
Sod, swale stakeout and appurtenant work (minimum fee for improvements up to 80 linear feet)	$62.00
(additional fee for improvements in excess of 80 linear feet)	$.78 per foot
Curb, gutter, sidewalk, sod and pavement (minimum fee for improvements up to 80 linear feet)	$800.00
(additional fee for improvements in excess of 80 linear feet)	$5.85 per ft.
Miscellaneous improvement of existing construction	$125.00
Re-staking, whenever necessary	$170.00

W. Fire Permit Fees

Non 1 & 2 Family	$40.00 Minimum
New Construction based on valuation	$2.45 per $1000
Miscellaneous/Renovation	$40.00 minimum
based on valuation	$7.85 per $1000

X. Impact Fees (Road)

Single Family Dwelling	$2,698.00
Two-Family Dwelling or Duplex	$3,784.00
Multi-Family Dwelling	$1,892.00 per unit
Hotel / Motel	$2,031.00 per room
Retail/Shopping Center	$4,601 per 1,000 sq ft.
Bank	$7,302 per 1,000 sq ft
Car Wash, Self Service	$1,529 per stall

(Permit Fees revised 12/30/05) jml

Convenience Store w/Gas Sales	$10,219 per 1,000 sq ft
Golf Course (open to public)	$783 per Acre
Movie Theater	$6,745 per 1,000 sq ft
Restaurant, Sit-Down	$5,907 per 1,000 sq ft
Restaurant, Fast-Food	$11,593 per 1,000 sq ft
House of Worship	$1,341 per 1,000 sq. ft.
Office General	$2,123 per 1000 sq ft
Office Medical	$6,959 per 1,000 sq ft
Hospital	$1.175 per 1,000 sq ft
Nursing Home	$1,175 per 1,000 sq ft
Day Care Center	$3,731 per 1,000 sq ft
Elem/Sec. School (private)	$646 per 1,000 sq ft
Industrial Park	$1,862 per 1,000 sq ft
Warehouse	$1,327 per 1,000 sq ft
Mini-Warehouse	$461 per 1,000 sq ft
Time Share	$1,892 per Dwelling
MobileHome/RV Par	$1,408 per Pad

Y. Park Impact $1,115.00 per living unit

Z. Fire Impact

Non 1&2 Family
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$0.161 per square foot**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$0.184 per square foot**

Residential New Construction
(Located in a structure that is **less than** thirty feet (30') in height and less than 30,000 square feet in gross floor area) **$316.33 per dwelling unit**

(Located in a structure that is thirty feet (30') **or more** in height and/or 30,000 square feet or more in gross floor area) **$360.00 per dwelling unit**

AA. School Impact Fees

Single Family	$4,309.00
Single Family Admin. Fee	$51.34
Multi-Family (Duplex, Townhouse Etc.)	$1,704.00
Multi-Family Admin. Fee	$31.78

Utilities Fees – Contact Utilities Department Gerry Burton 574-0534

Contact Telephone Numbers

Building	573-3159	Permitting	574-0546
Engineering	574-0718	Stormwater	574-0599
Fire	574-0503	Zoning	574-0553

#04525
8/09/06

FLORIDA CITRUS
CPA 2004-00006, NORTHEAST LEE RURAL VILLAGE

SUFFICIENCY RESPONSE TO
3RD ROUND SUFFICIENCY QUESTIONS IN MEMO DATED JANUARY 27, 2006
FROM DAVID LOVELAND, TRANSPORTATION PLANNING MANAGER,
TO PAUL O'CONNOR, PLANNING DIRECTOR

Comment:

The Department of Transportation has reviewed the applicant's September 30, 2005 resubmittal, which attempts to respond to the issues we raised in our memo of April 27, 2005 and a subsequent meeting. Some of the referenced exhibits in the resubmittal were missing, but the applicant did provide revised Exhibits 9 and 10 upon staff request (via a December 13, 2005 e-mail). However, a key premise of the applicant's submittal is that a new east-west extension of CR 78 bypassing "downtown" Alva will mitigate the project's impacts on CR 78 (North River Road) and Broadway. The applicant did not submit any model runs that demonstrated that the alternative road (aka, the "Alva Bypass") in fact relieved the impacted segments and such information is critical to the County's review of the application. The applicant should provide a table showing the volumes and level of service calculations on CR 78 and Broadway with and without the Alva Bypass in place to demonstrate that the relief is in fact realized. The applicant should also submit copies of his model runs for staff review. (There is one reference to a revised Exhibit 8 that might contain this information but that was not included in the submittal to staff.)

Response:

DPA responded fully and at length to the staff's previous sufficiency comments and questions. Unfortunately, the staff did not receive all of the exhibits that DPA prepared. Among the missing exhibits was Exhibit 8, which provided the level of service analysis demonstrating that the proposed CR 78 Alva By-Pass will provide sufficient relief to CR 78 and Broadway so that the widening of these two roads would not be necessary.

DPA regrets the inconvenience that this may have caused the staff. DPA was unaware that the staff did not have all of the materials needed to complete the staff's review. DPA called the staff in early December, 2005, to check on the status of the staff review and learned that Exhibits 9 and 10 were missing. DPA immediately provided these two exhibits to the staff via e-mail on December 13. However, DPA was unaware that Exhibit 8 was also missing.

To make sure that the staff has all of the materials from DPA's prior sufficiency response, DPA delivered the complete sufficiency response, including Exhibits 7-10 and the CPA travel model assignments both with and without the proposed new road, in a letter to Mr. David Loveland on March 1, 2006, with copies of the letter provided to Mr. Matt Noble and Mr. Lili Wu.

Finally, there have been minor modifications to the preliminary alignment shown in Exhibit 7 (Revised), which is attached. As before, this is a preliminary alignment for discussion purposes. The actual alignment will be determined through a more detailed corridor study.

Comment:

As part of the latest submittal, the applicant indicates "(I)n conjunction with the proposed land use changes, it is recommended that the County's 2020 Financially Feasible Plan be amended to include the proposed new two-lane road." Staff has a couple of concerns with this concept. First, the applicant presumes that the impact fees he is expected to generate ($20.8 million) will be enough to cover the Lee County portion of the Alva Bypass ($21.8 million), even though it is actually $1 million short. The presumption is that a future update of the road impact fees will lead to enough of a rate increase that the shortfall will be covered, but the applicant doesn't get the privilege of this beneficial presumption – at this point we don't know what the road impact fee update study will show and what will be approved by the Board of County Commissioners. Under today's conditions, the applicant's expected road impact fees are not enough to fully cover the cost of the Lee County portion of the Alva Bypass.

Response:

The County has recently proposed road impact fee increases up to three times the current rates. With these huge increases, Spanish Creek's anticipated road impact fee payments under the new fee schedule would easily cover the difference (5%) between the current estimate of the cost of the road and the anticipated impact fee collections under the current fee schedule.

In any event, as part of the CPA, the Applicant has proposed several Comprehensive Plan Policies under Objective 21.7 intended to ensure the financial-feasibility of the proposed new road, with the stipulation that the new road be fully funded by the private sector.

Policy 21.7.3 states (bold for emphasis):

> If the road impact fees generated, in total, by Spanish Creek Community do not address the total costs of the bypass in Lee County a MSBU, MSTU, or a CDD shall provide an additional **one (1) million dollars** (2005) to provide the road by 2015.

Policy 21.7.5 states (bold for emphasis):

> If the Spanish Creek Comprehensive Plan Amendment is approved for over 5,000 residential units, Lee County shall require the construction of the Lee County portion of a **privately-funded**, two-lane road that extends from the CR 78/Kirby Thompson Road intersection in Hendry County to just east of the CR 78/Cemetery Road intersection in Lee County and by-passes the Alva Community to the north. Lee County shall establish a funding source(s) that will require a fair share contribution from all developments within the CPA area plus all other new developments that access the road or directly benefit from construction, so that the new road is **fully funded by private development**. Funding sources may include, but are not limited to, the following: a super impact fee; proportionate share payments by all developments; a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU); a Uniform Community Development District (UCDD); or another funding mechanism(s) that ensures the full funding of the new road. All **private contributions** for the construction of this new two-lane road shall be creditable against the road impact fee payments, because the road is being constructed specifically to mitigate the traffic impacts of private development on CR 78, Broadway (including the Alva Bridge), SR 80 and the Alva Community.
>
> - Within two years of the adoption of this Comprehensive Plan Amendment, Lee County will conduct a **privately-funded** engineering study to establish the precise alignment for this new road and to determine the right-of-way requirements. Right-of-way acquisition will be **privately funded**, but conducted by Lee County. Construction of the new road will be scheduled by the County no later than 2015 to ensure that the new road is in place when needed.
>
> - The Applicant shall facilitate the construction of this new road by reserving 150 feet of right-of-way within the CPA area for an eventual four-lane, divided roadway and dedicating the right-of-way to the County for credit against road impact fees.
>
> - Lee County shall enter into an interlocal agreement with Hendry County to ensure the construction of the Hendry County portion of the new road in a timely manner. The Applicant shall assist Lee and Hendry Counties by seeking the cooperation of Hendry County property owners in reserving the right-of-way for the road, and dedicating the right-of-way.
>
> - The new road will have good access management, with minimum spacing for full median openings of one quarter mile and minimum spacing for directional median openings and driveway connections of 660 feet, subject to review and approval by Lee County.

Comment:

The Alva Bypass also wouldn't provide the necessary relief without the Hendry County portion, estimated by the applicant to cost another $10.1 million. Lee County couldn't agree to amending the 2020 Financially Feasible Plan to add the Alva Bypass in conjunction with the applicant's requested land use change without a firm commitment by Hendry County to include their portion of the Alva Bypass in their financially feasible plan. The applicant has not provided any evidence that Hendry County is willing to do this. It is worth noting that this kind of multi-jurisdictional impact and funding commitment might best be addressed through the Development of Regional Impact process.

Response:

The Applicant has anticipated this issue and has met with both of the affected property owners in Hendry County. Both property owners, Mr. Bryan Paul and Mr. Fred Burson have expressed their support for the new road in letters to Mr. Joe Beale. These are included in Appendix A.

The proposed new road is already included in the draft Hendry County 2030 Needs Plan, which is included in Appendix B. The Hendry County portion of the new road is shown in the draft 2030 Needs Plan as Road N in the inset (Box A).

Applicant has also met with the Hendry County officials to discuss the new road. They generally support the new road, but indicated that they would support its inclusion in the 2030 Financially-Feasible Plan only if a funding source is identified. They indicated that road impact fees would be an appropriate funding source.

Comment:

Finally, the applicant makes the argument that, because the County does not assume any significant amount of development on his site by 2020, it would not affect the 2020 Financially Feasible Plan by pipelining the project's road impact fees to build the Lee County portion of the new Alva Bypass. However, the revenue projections used in building the Financially Feasible Plan are not site specific, they are projected based on historic collection trends countywide. Therefore, there is not a direct relationship between the assumed level of development on this site and the projection of available impact fees, so you can't necessarily conclude that pipelining the Florida Citrus CPA road impact fees won't affect the future revenue forecasts.

Response:

The revenue projections used in building the Financially Feasible Plan may be based on historic collection trends, however historic collections in this part of the county have been de minimis and would not have been considered. Furthermore, the legal basis to obtain impact fees is the dual rational nexus test. The expenditure of these funds in North Fort Myers or Cape Coral would not meet the test. The Applicant should not be compelled to contribute impact fees that will not be used in any manner to serve this part of the county and then be asked to construct a significant east/west roadway in addition to the payment of impact fees, as this would raise legal issues.

The applicant also seems to assume that there are no other competing projects in this part of the County in the plan. The Alva area is part of the North Road Impact Fee District, which includes everything north of the Caloosahatchee River from Pine Island to the Hendry County line. There are in fact a large number of projects within that road impact fee district in the 2020 Plan that could compete for the road impact fees generated by Florida Citrus CPA.

Response:

The staff is correct that there are other road improvement projects in the long-range transportation plan, which are located within the North Road Impact Fee District. And, it's understood that the County can spend fees collected from Florida Citrus anywhere within that district.

But, it must be pointed out that the impacts of this CPA would be felt primarily east of I-75. A review of the adopted 2030 Financially-Feasible Plan shows that there are no road improvements planned in the North Road Impact Fee District east of I-75. The improvement in the adopted Financially-Feasible Plan that is closest to the Florida Citrus CPA is located 16 road miles away.

The Applicant intends to fully mitigate the traffic impacts of the CPA. This would be accomplished if the County spends the fees where they will do the most good in off-setting those impacts. That is, in the Alva area.

Finally, the expenditure of the Florida Citrus CPA road impact fees on the proposed new road would be of great benefit to the Alva community. Even without the development associated with the Florida Citrus CPA, traffic volumes on CR 78 can be expected to increase significantly due to development further east in Hendry and Glades Counties and to the northwest along SR 31 in Lee and Charlotte Counties. Without the proposed CR 78 Alva By-Pass, those increased volumes will pass through the center of Alva and past the elementary school. The proposed new road will divert the increased traffic volumes around the center of town, allowing the town to retain its rural character.

Muse Area Development

Recently, Glades County approved the Muse Planning Area Land Use Plan Amendment. Appendix C includes excerpts from the Transportation Analysis prepared by Tindale-Oliver in support of that Plan Amendment.

The Tindale-Oliver study essentially ignores the potential traffic impacts of the Muse area Plan Amendment on Lee County. As shown in Figure 2 and Figure 4 in Appendix C, CR 78 south and west of Kirby Thompson Road is identified as "Not on Study Network". SR 80 west of Cowboy Way is also identified as "Not on Study Network". In other words, the study did not evaluate the impacts of the Plan Amendment on roads leading into Lee County or in Lee County itself.

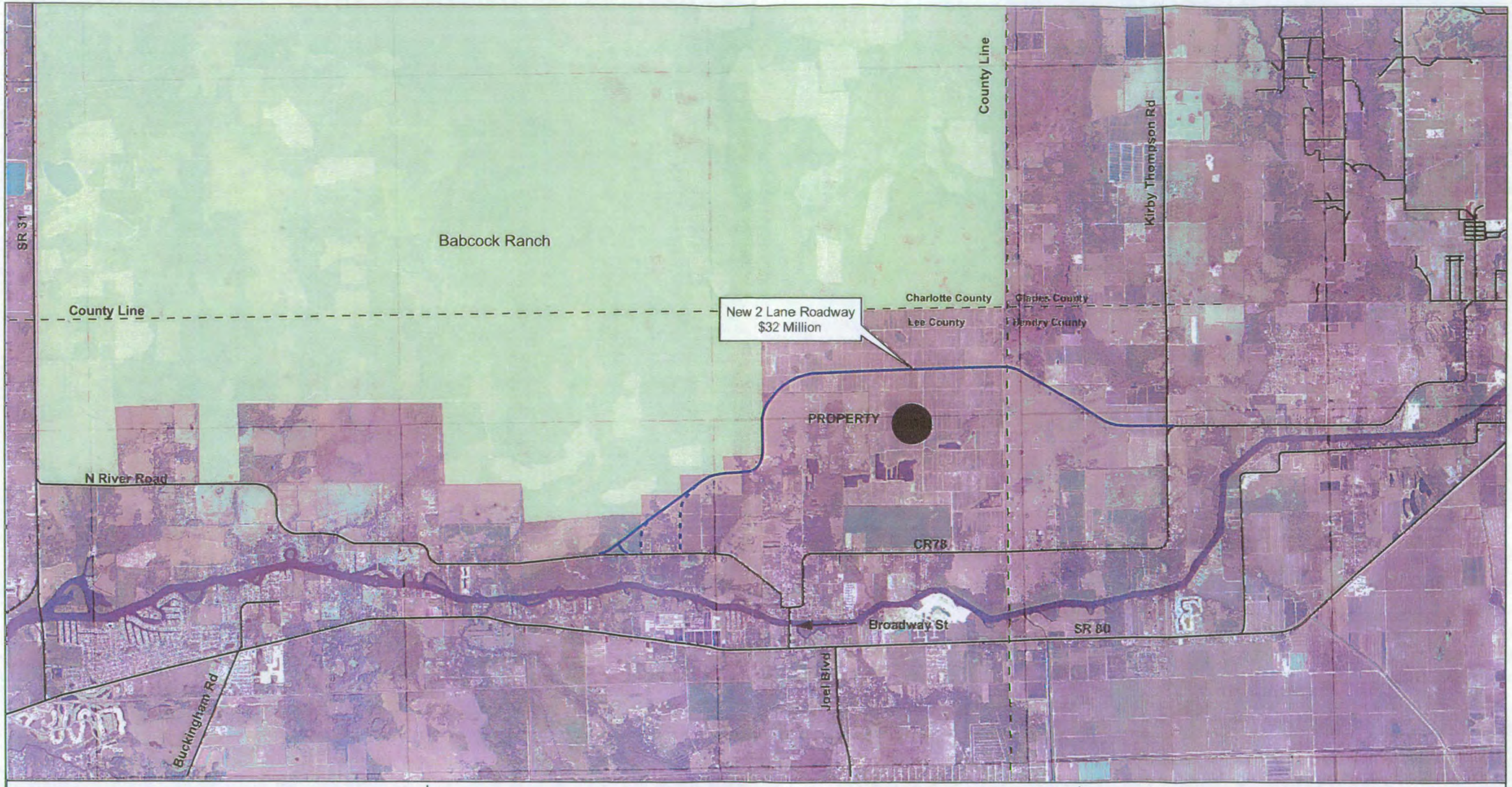
Traffic generated in the Muse area of Glades County will certainly impact Lee County in general and Alva in particular. As shown in Figures 2 and 4, access from the Muse area is provided to the east via SR 29 and to the south via CR 78. The nearest major urban area is the Ft. Myers/Cape Coral urban area to the southwest. Many Muse area residents will take advantage of the employment, shopping and service opportunities in Ft. Myers and Cape Coral. This traffic will travel south on Kirby Thompson Road and west on CR 78 into Lee County, where it will pass through the center of Alva. The proposed CR 78 Alva By-Pass will be needed to divert this Muse area traffic around, rather than through, Alva.

As shown in Table 2 in Appendix C, the Muse area Plan Amendment assumed that there will be 3,590 residential units, including 2,540 single-family units and 1,050 multifamily units. In addition, there will be 250,000 sq. ft. of retail development and 50,000 sq. ft. of office development.

Tindale-Oliver has estimated that these uses will generate approximately 45,575 daily trips. If 20% of these trips travel to Lee County, then approximately 9,115 daily trips will enter Lee County on CR 78 from the Muse area alone. This would more than triple the estimated external volume (3,856 vehicles per day) entering Lee County on CR 78, as assumed in the Lee County 2030 travel model assignments.

Then, of course, there will be additional traffic generated by future development along CR 78 in Hendry County. The Florida DCA is currently reviewing the West LaBelle Land Use Study, which was prepared in support of proposed Comprehensive Plan Amendments in northwest Hendry County.

Whether or not the Florida Citrus CPA is approved, Lee County will need to reconsider its transportation plans for the area north of the Caloosahatchee River and east of SR 31. The County's long range transportation plans should be amended to include an CR 78 Alva By-Pass. The Florida Citrus CPA provides the County with an opportunity to pursue this CR 78 Alva By-Pass for the betterment of the Alva community.



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 4/28/06)

Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

N

0 0.5 1 2 Miles

dpa

04525/06G/0406

APPENDIX A

LETTERS FROM HENDRY COUNTY PROPERTY OWNERS IN SUPPORT OF PROPOSED CR 78 ALVA BY-PASS

Bryan Paul Citrus, Inc.

March 3, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, FL 32968

RE: **Proposed CR 78 Alva By-Pass, #04525**

Dear Joe,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would agree.

The proposed new road is already in the draft Hendry County 2030 Needs Plan. I support including the proposed new road in the 2030 Financially-Feasible Plan, once it is adopted.

In addition, I will coordinate with you and the other affected property owner to set an alignment and will cooperate in providing the right-of-way for that alignment. I also support the use of road impact fees generated by development on my property for this new road.

Good luck in your efforts to advance this new road.

Very truly yours,

Bryan Paul

P.O. Box 2357 • LaBelle, Florida 33975-2357 (863) 675-4410 • FAX (863) 675-4570

Burson·Weathers
Real Estate Company

March 2, 2006

Mr. Joe Beale
Florida Citrus Company
4511 8th Lane SW
Vero Beach, Florida 32968

RE: Proposed CR 78 Alva By-Pass, number 04525

Dear Mr. Beale,

As we discussed, I support your efforts to construct the proposed CR 78 Alva By-Pass. As one of the two affected property owners in Hendry County, I have seen the general alignment and I am in agreement with it.

I think this new road will be very beneficial to both Hendry and Lee County, because it will allow east-west traffic to avoid going through the center of Alva. I am sure the residents of Alva would also agree with your efforts to help keep traffic out of their neighborhood.

The proposed new road is already in the draft Hendry County 2030 Future land Use Plan. I support including the proposed new in the 2030 Financially-Feasible Plan.

In addition, I will coordinate with you and the other affected property owner(s) to set alignment and will cooperate in providing the right-of way for that alignment. I also support the use of road impact fees generated by new construction for this new road.

Respectfully yours,

Fred Burson

2260 Bay Street, Suite 11, Fort Myers, FL 33901
(239) 332-0030 • FAX (239) 337-3939 • Toll Free 1-888-332-3345 • FAX 1-888-337-3939
Commercial Properties • Investments • Property Management • Real Estate Tax Consultant

APPENDIX B

DRAFT HENDRY COUNTY 2030 NEEDS PLAN

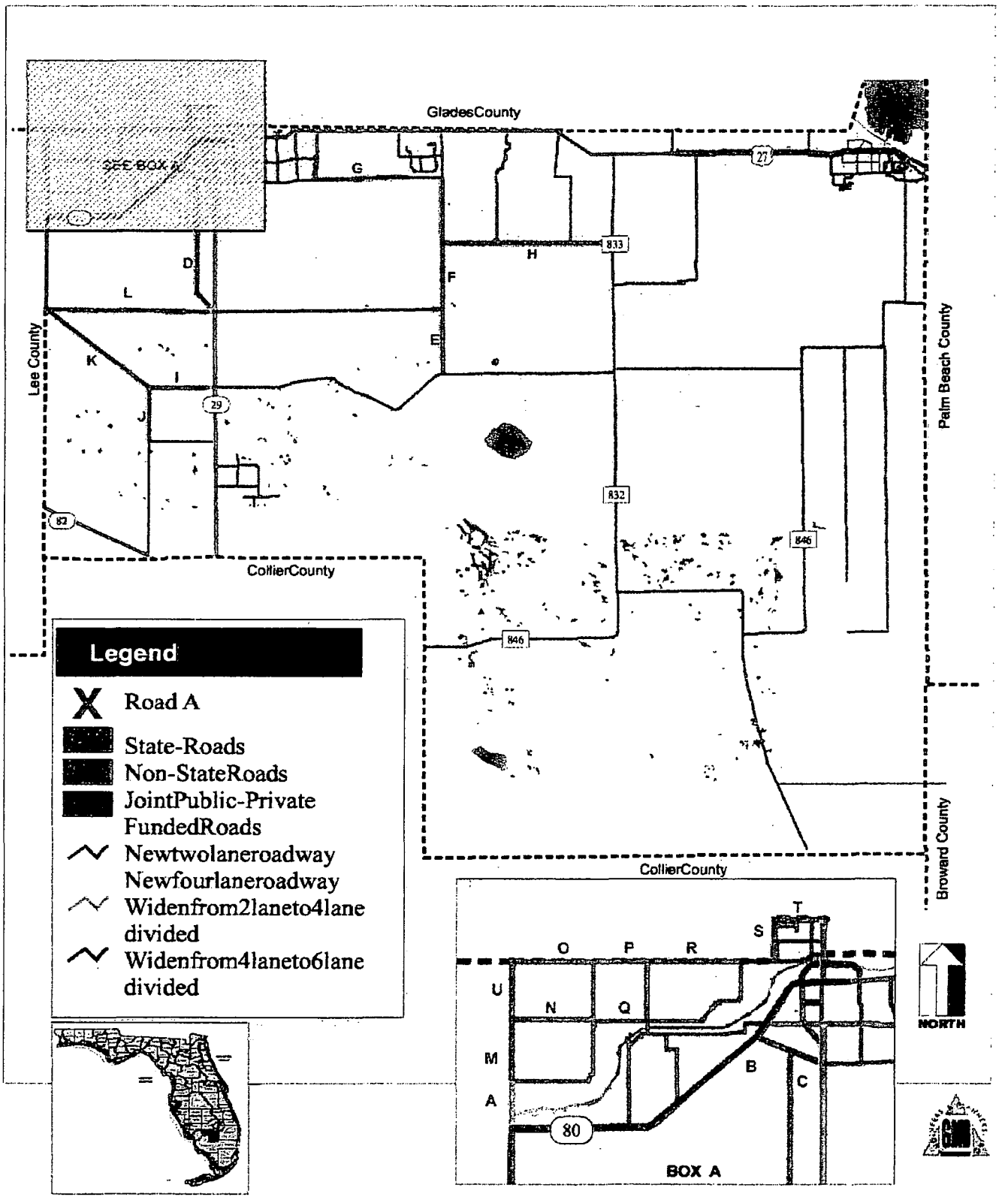


FIGURE3 .8

Year 2030 Hendry County Needs Plan

Source: Hendry County Long Range Transportation Plan, Draft Report, April 2005

APPENDIX C

EXCERPTS FROM THE MUSE PLANNING AREA TRANSPORTATION ANALYSIS FOR LAND USE PLAN AMENDMENT REPORT

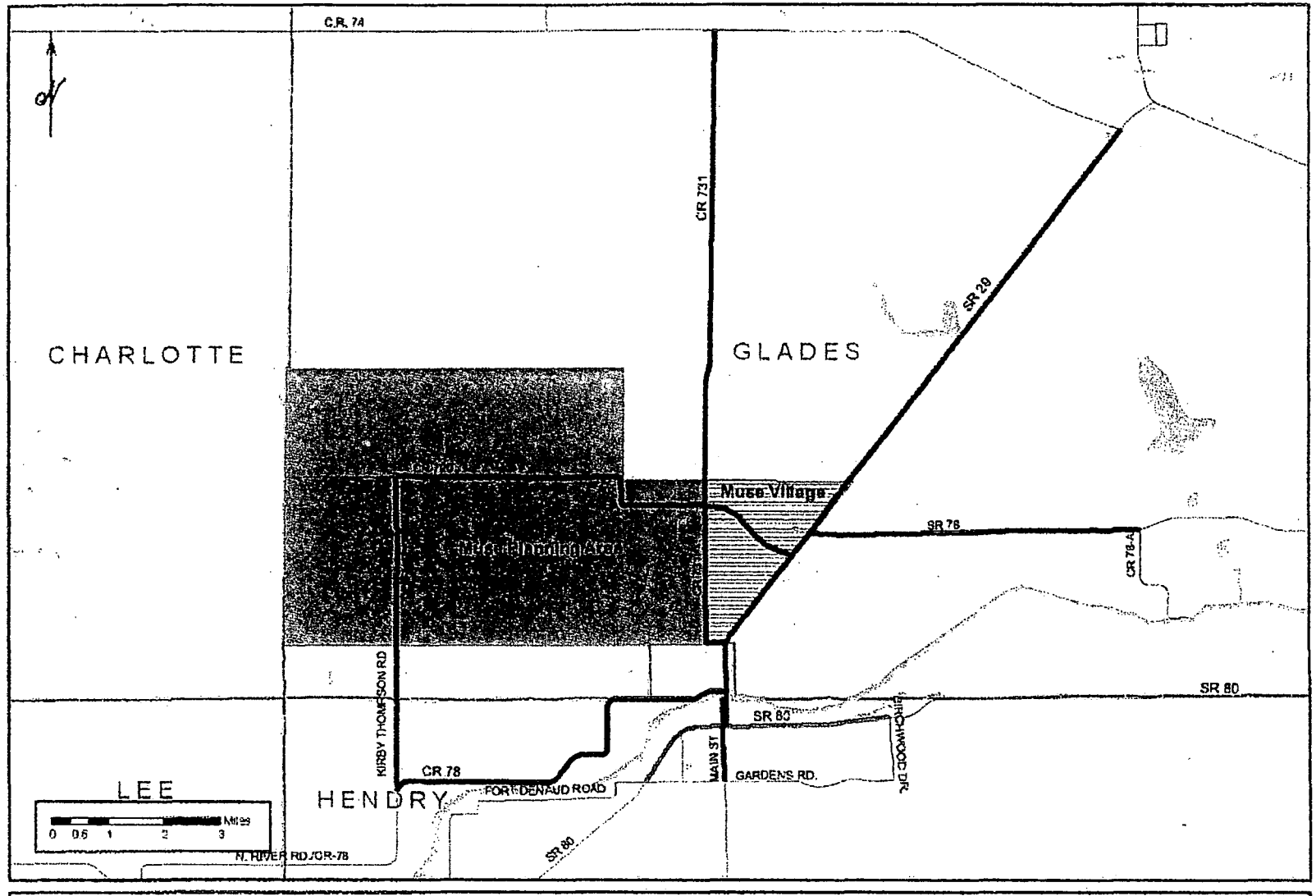
Prepared by Tindale-Oliver & Associates, April 26, 2006

MUSE PLANNING AREA
TRANSPORTATION ANALYSIS
FOR LAND USE PLAN AMENDMENT
REPORT

Prepared for:
Lykes Brothers, Inc.

Prepared by:
Tindale-Oliver & Associates, Inc.

Tampa, Florida
April 28, 2006
44501.05
COPR

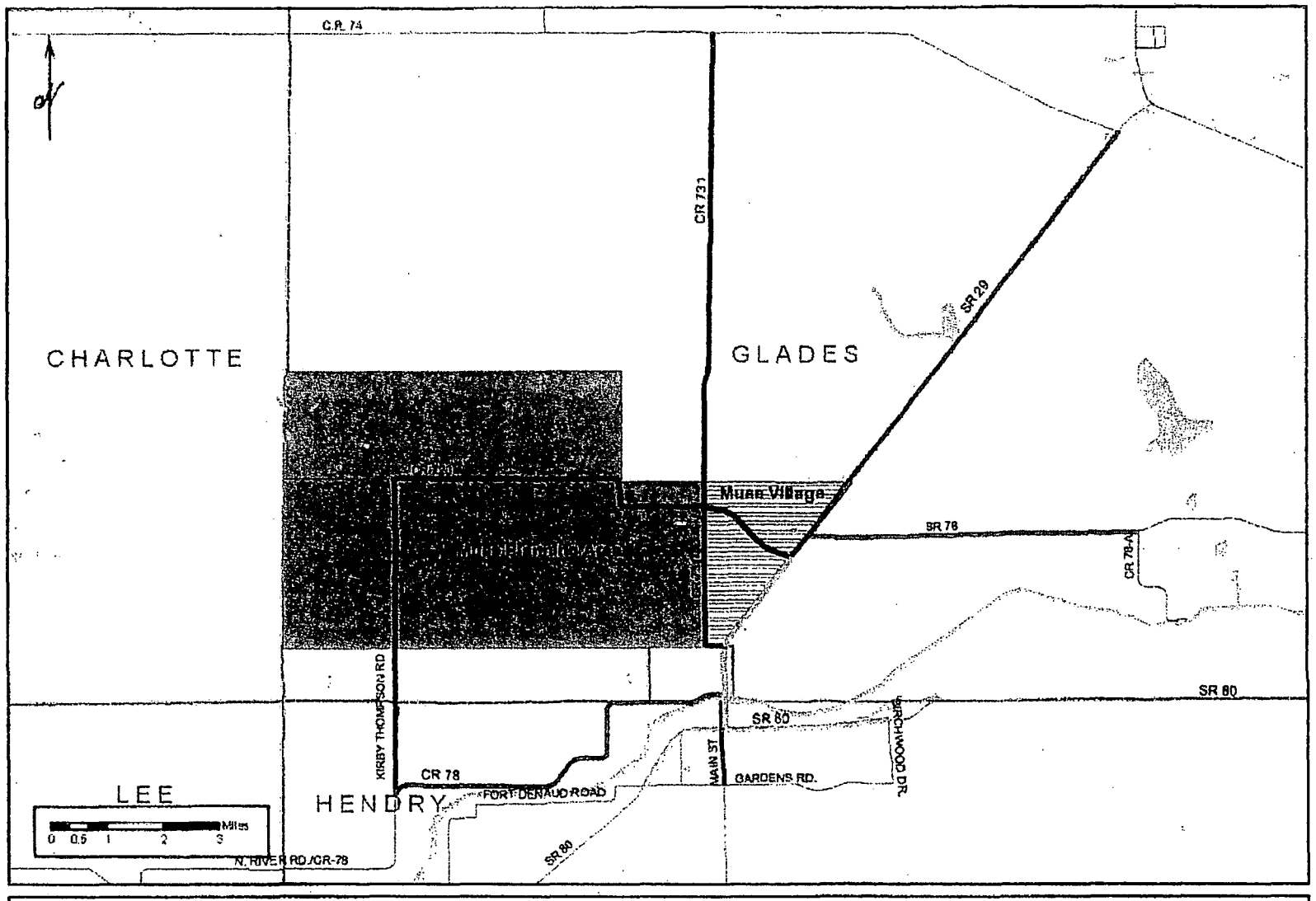


Legend (Number of Lanes)

2 —— Not on Study Network

4

Figure 2
2006 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida



Legend (Number of Lanes)

2 — 6 — 8

4 — Not on Study Network

Figure 4
2030 Muse Transportation Network
Muse Land Use Plan Amendment
Glades County, Florida

Proposed Land Uses and Trip Generation

The quantities of development for the proposed Muse Area for both the 2010 and 2030 scenarios are summarized in Table 2. The daily and peak hour of the adjacent street trip generation of the proposed development scenarios were estimated using data published in *Trip Generation* (Institute of Transportation Engineers, 7th Edition, 2004). As shown in Table 2, the proposed development is estimated to generate 4,905 daily trip-ends in the "short-term" 2010 development scenario, and 45,575 daily trip-ends at project build-out. Daily trip generation was used for this generalized future capacity analysis.

Table 2: Muse Village Development Quantities

2010 ITE Trip Generation Estimate

ITE Land Use, Code, and Size				Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
SFDU	210 (Fitted Curve)	325	units	2,519	59	178	237	195	115	310
RETAIL	820 (Fitted Curve)	20,000	sf	2,386	37	23	60	104	112	216
Total Site Generated Trips				**4,905**	**96**	**201**	**297**	**299**	**227**	**526**

2030 ITE Trip Generation Estimate

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	SFDU	210 (Fitted Curve)	635	units	4,921	114	340	454	357	209	566
2323	SFDU	210 (Fitted Curve)	508	units	3,937	91	274	365	292	171	463
2324	SFDU	210 (Fitted Curve)	381	units	2,953	69	207	276	225	132	357
2325	SFDU	210 (Fitted Curve)	635	units	4,921	114	340	454	357	209	566
2326	SFDU	210 (Fitted Curve)	381	units	2,953	69	207	276	225	132	357
Total SFDU Trips			**2,540**	**7.75**	**19,685**	**457**	**1,368**	**1,825**	**1,456**	**853**	**2,309**

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	MFDU	220 (Fitted Curve)	263	units	1,728	26	106	132	97	52	149
2323	MFDU	220 (Fitted Curve)	210	units	1,412	27	80	107	76	44	120
2324	MFDU	220 (Fitted Curve)	158	units	1,097	20	61	81	57	34	91
2325	MFDU	220 (Fitted Curve)	263	units	1,728	33	99	132	94	55	149
2326	MFDU	220 (Fitted Curve)	158	units	1,097	20	61	81	57	34	91
Total MFDU Trips			**1,050**	**6.73**	**7,062**	**126**	**407**	**533**	**381**	**219**	**600**

ITE Land Use, Code, and Size					Daily Trips	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
2322	RETAIL	820 (Fitted Curve)	50,000	sf	4,328	63	40	103	190	206	396
	OFFICE	710 (Fitted Curve)	25,000	sf	459	55	7	62	18	89	107
2323	RETAIL	-	-	-	-	-	-	-	-	-	-
	OFFICE	-	-	-	-	-	-	-	-	-	-
2324	RETAIL	820 (Fitted Curve)	100,000	sf	6,791	96	61	157	300	326	626
	OFFICE	710 (Fitted Curve)	25,000	sf	459	55	7	62	18	89	107
2325	RETAIL	820 (Fitted Curve)	100,000	sf	6,791	96	61	157	300	326	626
	OFFICE	-	-	-	-	-	-	-	-	-	-
2326	RETAIL	-	-	-	-	-	-	-	-	-	-
	OFFICE	-	-	-	-	-	-	-	-	-	-
Total RETAIL + OFFICE Trips			300,000		**18,828**	**365**	**176**	**541**	**826**	**1,036**	**1,862**

Total Gross Site Generated Trips	**45,575**	**948**	**1,951**	**2,899**	**2,663**	**2,108**	**4,771**

NORTHEAST LEE RURAL VILLAGE

RECEIVED
FEB 27 2004
PERMIT COUNTER

COMPREHENSIVE PLAN AMENDMENT APPLICATION

SUBMITTED TO:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING
POST OFFICE BOX 398
FORT MYERS, FLORIDA 33902-0398

Barraco and Associates, Inc.

2271 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
(239) 461-3170

ORIGINAL

TABLE OF CONTENTS

SECTION 1 APPLICATION FORM

SECTION 2 PROPOSED TEXT AMENDMENT

SECTION 3 NARRATIVE

SECTION 4 GENERAL INFORMATION AND MAPS

- MAP 1 - PARCEL MAP
- MAP 2 - AERIAL / LAND USE / ZONING MAP
- MAP 3 - EXISTING FUTURE LAND USE MAP
- MAP 4 - PROPOSED FUTURE LAND USE MAP
- MAP 5 - ZONING MAP
- SKETCH AND LEGAL DESCRIPTION
- LETTER OF AUTHORIZATION
- MAP 6 - ARCHEOLOGICAL SENSITIVITY MAP

SECTION 5 TRAFFIC CIRCULATION ANALYSIS

SECTION 6 ENVIRONMENTAL IMPACTS

SECTION 7 INTERNAL CONSISTENCY WITH LEE PLAN

SECTION 8 APPENDICES

- PARCEL LIST
- PARCELS IN OPEN LANDS CATEGORY
- BEBR POPULATION PROJECTIONS (YEARS 2003 AND 2000)
- CENSUS DATA
- WATER MANAGEMENT NARRATIVE
- FTAA ARTICLE

LEE COUNTY
SOUTHWEST FLORIDA

RECEIVED
FEB 27 2004
PERMIT COUNTER

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (941) 479-8585
FAX: (941) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D 2-27-04 REC'D BY: AE

APPLICATION FEE ——— TIDEMARK NO: CPA2004-00006

THE FOLLOWING VERIFIED:
Zoning ☑ Commissioner District ☑
Designation on FLUM ☑ Open Lands / Rural

(To be completed by Planning Staff)

Plan Amendment Cycle: [X] Normal [ ] Small Scale [ ] DRI [ ] Emergency

Request No: CPA2004-

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is:_____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

2-24-04 _____
DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

Florida Citrus Corporation
APPLICANT

4511 8th Lane SW
ADDRESS

Vero Beach	FL	32968
CITY	STATE	ZIP

(772) 473-0910	(772) 529-1064
TELEPHONE NUMBER	FAX NUMBER

See attached list of Agents
AGENT*

ADDRESS

CITY	STATE	ZIP

TELEPHONE NUMBER	FAX NUMBER

Same as Applicant
OWNER(s) OF RECORD

ADDRESS

Davenport	IA	52807
CITY	STATE	ZIP

TELEPHONE NUMBER	FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

[ ] Text Amendment

[X] Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended
Map No. 1

B. SUMMARY OF REQUEST (Brief explanation):
Change Future Land Use Category of subject property from Rural and Open Lands to Rural Village

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 23351 N RIVER RD , ALVA FL 33920
2. STRAP(s): See Attached List

B. Property Information

Total Acreage of Property: 3,713+/- acres

Total Acreage included in Request: 3,713+/- acres

Area of each Existing Future Land Use Category: Open Lands - 3,030 +/-
Rural - 683 +/-

Total Uplands: 3,619.6

Total Wetlands: 93.4

Current Zoning: AG-2

Current Future Land Use Designation: Rural and Open Lands

Existing Land Use: Citrus Agriculture

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

D. Proposed change for the Subject Property:
Change Future Land Use Category from "Rural" and "Open Lands" to "Rural Village"

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	1,289 Units
Commercial intensity	30,000 square feet
Industrial intensity	N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	7,426 Units
Commercial intensity	100,000 square feet
Industrial intensity	N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

4. Map and describe existing zoning of the subject property and surrounding properties.

5. The legal description(s) for the property subject to the requested change.

6. A copy of the deed(s) for the property subject to the requested change.

7. An aerial map showing the subject property and surrounding properties.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts
NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis **See attached Analysis from DPA**
The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for: **See Narratives**
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space.

   Analysis should include (but is not limited to) the following:
   - Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
- Projected 2020 LOS under existing designation;
- Projected 2020 LOS under proposed designation;
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including: **Forthcoming**
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

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

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).

2. A map and description of the soils found on the property (identify the source of the information).

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).

4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

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

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

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

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

   a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
   b. Provide data and analysis required by Policy 2.4.4,
   c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

   a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

AFFIDAVIT

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

Signature of owner or owner-authorized agent

February 22, 2004
Date

Daniel DeLisi
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 22 day of Feb 2004, by Daniel DeLisi, who is personally known to me or who has produced _____ as identification.

(SEAL) AMY DIGHTON Notary Public - State of Florida My Commission Expires Aug 16, 2007 Commission # DD204627 Bonded By National Notary Assn.

Signature of notary public

Amy Dighton
Printed name of notary public

AGENTS

Mr. Daniel DeLisi, AICP
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170
Fax: (239) 461-3169

Ms. Neale Montgomery
Pavese, Haverfield, Dalton, Harrison & Jensen, L.L.P.
1833 Hendry Street
Fort Myers, Florida 33901
(239) 334-2195
Fax: (239) 332-2243

Mr. Andrew D. Tilton, P.E.
Johnson Engineering, Inc.
413 W. Hickpochee Avenue
LaBelle, Florida 33935
(863) 612-0594
Fax: (963) 612-0341

Mr. Mark Gillis
David Plummer & Associates
1531 Hendry Street
Fort Myers, Florida 33901
(239) 332- 2617
Fax: (239) 332-2645

Ms. Rae Ann Boylan
Boylan Environmental Consultants, Inc.
11000 Metro Parkway, Suite 4
Fort Myers, Florida 33912
(239) 418-0671
Fax: 418-0672

Northeast Lee Rural Village
Strap # List

1	01432700000010010
2	01432700000010030
3	01432700000010020
4	01432700000010070
5	01432700000010080
6	01432700000010090
7	01432700000010100
8	01432700000010110
9	01432700000010120
10	01432700000010130
11	01432700000010140
12	01432700000010150
13	01432700000010160
14	01432700000010170
15	02432700000010010
16	02432700000010020
17	02432700000010030
18	02432700000010040
19	02432700000010050
20	0243270000001006A
21	0243270000001007A
22	0243270000001008A
23	0243270000001009A
24	0243270000001010A
25	0243270000001011A
26	02432700000010120
27	02432700000010150
28	0243270000001014A
29	02432700000010160
30	02432700000010170
31	03432700000010010
32	0343270000001002A
33	0343270000001003A
34	0343270000001004A
35	0343270000001005A
36	03432700000010060
37	03432700000010100
38	03432700000010110
39	03432700000010120
40	03432700000010130
41	03432700000010140
42	03432700000010150
43	03432700000010160
44	03432700000010170
45	0243270000001010B
46	0243270000001006D
47	0243270000001006E
48	0243270000001007E
49	0243270000001008C
50	0243270000001009C
51	0243270000001013C
52	0343270000001002C
53	0243270000001014C

Northeast Lee Rural Village
Strap # List

54	0343270000001003C
55	0343270000001004C
56	0343270000001005C
57	0143270000001005F
58	0243270000001007F
59	0243270000001006G
60	0243270000001008D
61	0143270000001033A
62	01432700000010340
63	0143270000001032A
64	01432700000010310
65	01432700000010300
66	01432700000010290
67	01432700000010280
68	01432700000010260
69	0143270000001027A
70	01432700000010250
71	01432700000010200
72	01432700000010210
73	01432700000010240
74	01432700000010230
75	01432700000010220
76	01432700000010180
77	01432700000010190
78	0243270000001030A
79	0243270000001029A
80	0243270000001028A
81	02432700000010260
82	02432700000010250
83	0243270000001024A
84	02432700000010230
85	02432700000010220
86	02432700000010210
87	02432700000010200
88	02432700000010180
89	02432700000010190
90	03432700000010340
91	0343270000001032A
92	0343270000001033A
93	03432700000010310
94	03432700000010300
95	03432700000010290
96	03432700000010280
97	0343270000001027A
98	03432700000010260
99	03432700000010250
100	03432700000010240
101	03432700000010230
102	03432700000010210
103	03432700000010220
104	03432700000010200
105	03432700000010190
106	03432700000010180

Northeast Lee Rural Village
Strap # List

107	0143270000001032B
108	0343270000001032B
109	0143270000001033C
110	0243270000001024C
111	0343270000001033C
112	0343270000001027C
113	0143270000001027D
114	0243270000001024D
115	01432700000010350
116	01432700000010360
117	0143270000001037A
118	0143270000001038A
119	0143270000001039A
120	01432700000010400
121	01432700000010410
122	0143270000001042A
123	0143270000001044A
124	0143270000001043A
125	0143270000001045A
126	01432700000010460
127	01432700000010470
128	01432700000010480
129	01432700000010490
130	0143270000001050A
131	0143270000001051A
132	0243270000001036A
133	0243270000001037A
134	02432700000010420
135	02432700000010430
136	0243270000001044A
137	0243270000001045A
138	02432700000010490
139	02432700000010500
140	0243270000001051A
141	03432700000010370
142	03432700000010360
143	0343270000001035A
144	0343270000001042A
145	03432700000010430
146	03432700000010440
147	03432700000010450
148	03432700000010460
149	03432700000010470
150	0243270000001045B
151	03432700000010480
152	03432700000010490
153	03432700000010500
154	03432700000010510
155	0143270000001045B
156	0143270000001051B
157	0243270000001051C
158	0343270000001035B
159	0143270000001037C

Northeast Lee Rural Village
Strap # List

160	0143270000001038C
161	0143270000001039C
162	0143270000001043C
163	0143270000001042C
164	0143270000001045C
165	0243270000001051D
166	0143270000001050C
167	0143270000001051C
168	0243270000001051E
169	0343270000001035C
170	0343270000001042C
171	0243270000001051F
172	0143270000001050D
173	0243270000001044D
174	0243270000001051G
175	0343270000001038D
176	01432700000010680
177	01432700000010670
178	0143270000001066A
179	01432700000010650
180	01432700000010610
181	01432700000010620
182	0143270000001064A
183	01432700000010630
184	01432700000010600
185	01432700000010590
186	01432700000010570
187	01432700000010580
188	01432700000010560
189	01432700000010540
190	01432700000010550
191	01432700000010530
192	01432700000010520
193	02432700000010680
194	02432700000010670
195	0243270000001066A
196	0243270000001065A
197	02432700000010640
198	02432700000010630
199	0243270000001062A
200	0243270000001061A
201	0243270000001060A
202	02432700000010560
203	02432700000010550
204	0243270000001054A
205	02432700000010530
206	0243270000001052A
207	03432700000010680
208	03432700000010670
209	03432700000010660
210	03432700000010650
211	03432700000010630
212	03432700000010620

Northeast Lee Rural Village
Strap # List

213	0343270000001061A
214	03432700000010600
215	03432700000010590
216	0243270000001062B
217	03432700000010580
218	03432700000010570
219	03432700000010560
220	03432700000010550
221	03432700000010520
222	03432700000010530
223	03432700000010540
224	0143270000001064B
225	0243270000001066B
226	0243270000001062C
227	0243270000001052B
228	0143270000001066C
229	0243270000001066C
230	0243270000001062E
231	0243270000001065C
232	0243270000001061C
233	0243270000001060C
234	0243270000001054C
235	0243270000001052C
236	0343270000001061C
237	0243270000001052D
238	0343270000001061D
239	12432700000010000
240	12432700000010050
241	1243270000001006A
242	1143270000001001A
243	11432700000010040
244	11432700000010030
245	11432700000010020
246	1143270000001005A
247	11432700000010060
248	11432700000010070
249	11432700000010080
250	1143270000001009A
251	11432700000010100
252	11432700000010110
253	1143270000001001C
254	1143270000001005C
255	1143270000001005D
256	1143270000001009D
257	11432700000010340
258	11432700000010330
259	11432700000010320
260	11432700000010310
261	11432700000010300
262	11432700000010290
263	11432700000010280
264	11432700000010270
265	11432700000010260

Northeast Lee Rural Village
Strap # List

266	11432700000010250
267	11432700000010240
268	11432700000010350
269	11432700000010360
270	11432700000010370
271	11432700000010380
272	11432700000010390
273	11432700000010400
274	11432700000010410
275	11432700000010420
276	11432700000010430
277	11432700000010440
278	11432700000010450
279	11432700000010680
280	1143270000001067A
281	11432700000010660
282	11432700000010650
283	11432700000010640
284	11432700000010630
285	11432700000010620
286	1143270000001061A
287	11432700000010600
288	11432700000010580
289	1143270000001067B
290	1143270000001061C
291	1143270000001061D
292	13432700010010010
293	14432700010010010
294	14432700010010020
295	14432700010010030
296	14432700010010040
297	14432700010010050
298	14432700010010060
299	14432700010010070
300	14432700010010080
301	14432700010010090
302	14432700010010100
303	14432700010010110
304	14432700010010120
305	14432700010010130
306	14432700010010140
307	14432700010010150
308	14432700010010160
309	14432700010010170
310	1343270001001041C
311	13432700010010000
312	1343270001001058C
313	13432700000070000
314	01432700000010040
315	0143270000001005A
316	01432700000010060
317	0143270000001005E
318	02432700000010340

Northeast Lee Rural Village
Strap # List

319	02432700000010330
320	02432700000010320
321	02432700000010310
322	02432700000010270
323	0243270000001028B
324	0243270000001029C
325	0243270000001030D
326	0243270000001036C
327	0243270000001037C
328	02432700000010380
329	02432700000010390
330	02432700000010400
331	02432700000010410
332	02432700000010350
333	02432700000010570
334	0243270000001058A
335	0243270000001058B
336	02432700000010590
337	0243270000001058C
338	02432700000010480
339	0243270000001047A
340	0243270000001047B
341	02432700000010460
342	0243270000001047C
343	0343270000001038A
344	03432700000010390
345	03432700000010400
346	03432700000010410
347	03432700000010410
348	03432700000010090
349	0343270000001008A
350	0343270000001008E
351	0343270000001008F
352	03432700000010070
353	0343270000001008G
354	03432700000010640
355	11432700000010590

NORTHEAST LEE RURAL VILLAGE
COMPREHENSIVE PLAN AMENDMENT

Text Amendment

Policy 1.4.7 Rural Village: *Include areas that are "rural" in character, and will retain a "rural" character through development, but present opportunities for Lee County to comprehensively plan for large areas of land. Rural Village areas will provide for the establishment of self-supporting communities which will provide residential and service opportunities in harmony with agricultural community. Agricultural uses or activities that are rural in nature (including equestrian facilities, grazing, and cooperative farming) are permitted within Rural Villages. Development within the Rural Village Land Use Category is subject to the following criteria:*

1. *Rural Villages will be developed through a planned development process, and will comprise a mixture of uses appropriate for a rural environment. The minimum area for a Rural Village will be 250 acres.*
2. *Residential development is limited to a maximum of 2 dwelling units per acre.*
3. *Commercial uses within the Rural Village Land Use Category are limited to commercial centers that will serve the population of the rural residential uses and satisfy the internal shopping needs of the rural residential area.*
4. *Development will incorporate land for open spaces around the perimeter, including a minimum 50-foot open space buffer from agricultural land uses. Open space may be dedicated to public use or designated for common use, such as hiking and equestrian trails.*
5. *Planned Developments approved within the Rural Village Land Use Category must provide a traffic circulation map allowing for additional east-west corridors to alleviate traffic from S.R. 78.*

NORTHEAST LEE RURAL VILLAGE COMPREHENSIVE PLAN AMENDMENT

INTRODUCTION

The subject site of this Comprehensive Plan Amendment is located within Sections 1 thru 4, and 11 thru 14, Township 43, Range 27, Lee County, Florida. More specifically, the site is located at the northeast corner of Lee County at the intersecting borders of Lee, Charlotte, Hendry and Glades Counties, and encompasses approximately 3,700 acres. This Comprehensive Plan Amendment is to create a new land use designation for a "Rural Village" for the subject property. This new category and the ability to look at this subdivided property comprehensively, provides a unique opportunity to comprehensively plan for growth and the infrastructure required in the area. Map 1 shows the location of the subject property and the surrounding community.

Background/History

The subject property contains several hundred individual parcels (see the attached Strap List and Appendix 1), which comprise the County Line Drainage District, created and incorporated in Lee County on April 3, 1967 and ratified by the Florida Legislature. The original owners of the County Line Drainage District subdivided the property and marketed individual parcels throughout North America and Europe. Each section of land was divided into 68 blocks; each block was further divided into 8 parcels (approximately one acre each), and then planted with citrus trees. The intent was to create a cooperative farming district. Through its existence, the County Line Drainage District has created miles of canals, ditches and swales for agricultural use, as well as roads and even a currently inactive mining operation. **Lee County parcel maps show 355 parcels and the County Line Drainage District files show 629 independent parcels.**

Over the last decade, the applicant has been consolidating ownership of the County Line Drainage District and managing the citrus grove. After working to consolidate this large parcelized area, the applicant presents the County with an opportunity to comprehensively plan for Northeast Lee County and promote creative forms of development that restore an old flow way impacted through citrus farming, and at the same time explore new road corridors to alleviate thru-traffic from Hendry and Glades Counties.

It is important to understand the following with regard to site characteristics of this property:

1. The citrus industry is simply no longer profitable for the subject property (many factors are at work as the justification below describes). It is not development pressure that is causing a downturn in the citrus industry. As soon as it is no longer profitable to farm the existing groves, the property will be converted to its highest and best use. Therefore, this property will develop, with a substantial number of residential units. This comprehensive plan amendment creates an opportunity to avoid a sprawling

development of hundreds of large lot homes. This proposal creates an opportunity for the comprehensive plan to direct the property to develop in a way that implements the goals of Smart Growth, not unplanned growth.

2. Given the current state of the property and how it has been subdivided, at current densities, the property is more likely to retain its current parcel boundaries and develop as unplanned ranchettes. 10-acre ranchettes are selling well in other markets in Florida. The property will be developed under the current parcel boundaries if nothing else happens. It is important to understand that this property is not one large parcel.

3. Development pressure is rapidly increasing in Lee County as both population increases and the areas in western Lee County build out. Population is under accommodated for in the urban areas of Lee County and has been historically under projected for planning purposes. Development is moving into rural areas and counties – the question is weather we allow for sprawling development or direct development as Smart Growth.

4. The property's current Future Land Use designation is both Rural and Open Lands, which allows for rural densities of residential uses and limited commercial to meet the needs of the rural community. The property has been developed for citrus farming and has been significantly altered over time through mining and construction of roads, canals, ditches and dikes. The proposed comprehensive plan amendment presents the opportunity for environmental restoration of an area that has been significantly impacted. The attached narrative from Johnson Engineering outlines the environmental and water management benefits of comprehensively planning for this area.

5. While the Open Lands and Rural Future Land Use categories would allow for clustering of units and comprehensively planned growth, the gross density would not be adequate to provide for central water and sewer and the expense of environmental restoration on the property. The Creation of the Future Land Use category is a win-win situation for the future growth of Lee County.

There is a narrow opportunity for smart growth in this area. With the present Future Land Use categories, when citrus farming ceases to exist on this property, and the existing parcels are sold for home sites, the comprehensive plan will have achieved sprawl.

SURROUNDING LAND USES AND COMPATIBILITY

The subject property is located in the eastern part of Lee County – a growth corridor for southwest Florida. The subject property, as well as most of the properties immediately surrounding this property, is agricultural in nature. However, there is significant development permitting and properties seeking permits directly east of this property, along County Road 78 in both Hendry and Glades Counties. The subject property, as well as western Hendry County, is an emerging area for the development of bedroom communities for people who work in the City of Fort Myers. Because of the growth potential of this area, it will be necessary for Lee County to comprehensively plan for this corridor. The subject Comprehensive Plan

Amendment and the consolidation of the parcels in the County Line Drainage District provide Lee County with that opportunity.

PROPOSED TEXT CHANGE

The intent of creating a new Future Land Use Category is to allow for increased density as an incentive to create a well planned corridor for northeast Lee County.

Policy 1.4.7 Rural Village: *Include areas that are "rural" in character, and will retain a "rural" character through development, but present opportunities for Lee County to comprehensively plan for large areas of land. Rural Village areas will provide for the establishment of self-supporting communities which will provide residential and service opportunities in harmony with agricultural community. Agricultural uses or activities that are rural in nature (including equestrian facilities, grazing, and cooperative farming) are permitted within Rural Villages. Development within the Rural Village Land Use Category is subject to the following criteria:*

1. *Rural Villages will be developed through a planned development process, and will comprise a mixture of uses appropriate for a rural environment. The minimum area for a Rural Village will be 250 acres.*
2. *Residential development is limited to a maximum of 2 dwelling units per acre.*
3. *Commercial uses within the Rural Village Land Use Category are limited to commercial centers that will serve the population of the rural residential uses and satisfy the internal shopping needs of the rural residential area.*
4. *Development will incorporate land for open spaces around the perimeter, including a minimum 50-foot open space buffer from agricultural land uses. Open space may be dedicated to public use or designated for common use, such as hiking and equestrian trails.*
5. *Planned Developments approved within the Rural Village Land Use Category must provide a traffic circulation map allowing for additional east-west corridors to alleviate traffic from S.R. 78.*

JUSTIFICATION

Agricultural Industry

If it is desired to maintain some semblance of rural character in Lee County, we need to become more creative in how we plan for growth. Agricultural lands cannot be preserved by land use regulations alone. Agriculture is a business, and if that business is not profitable, it will cease to exist. Where rural character is tied to agriculture, it is necessary for planners to devise creative ways for agricultural areas to remain by allowing profitability of the agricultural business through development which enhances the community.

The viability of the citrus industry in Lee County, and the subject property in particular, is being negatively impacted. The subject property has been in citrus since 1968. In that time, it

is estimated by the applicant that approximately one-quarter of those years have been profitable, one-quarter experienced loss, and one-half were breakeven years. The near term outlook for citrus in the county is dismal. Trade agreements, citrus canker, cold weather and various new pests have created difficulties for the industry. With the supply/demand matrix continuing to be even more unbalanced and the crop imports from Brazil continuing to rise, the intermediate term outlook appears bleak as well.

The economic shift occurring in Lee County from agriculture, as the dominant source of economic activity, to a more diverse economy is not an issue influenced by land use controls. The economic vitality of agriculture and the citrus industry is part of an increasingly global economy more heavily influenced in Washington than it is in LaBelle or Tallahassee. The Free Trade Area of the Americas agreement (FTAA) and the general trend towards globalization will adversely impact the viability of the citrus industry in Southwest Florida (see attached article). As Professor Spreen describes in the attached analysis of the potential FTAA and the impact of Brazilian imports on the Florida citrus economy, the trade agreement and the increasing trend toward the removal of tariffs impacts the viability of the industry as an economic activity[i].

Area Growth

The eastern Lee County and Hendry County area is experiencing an increase in development pressure. Western Hendry County, in the short-term future, is on the verge of experiencing an accelerated population growth as roadways improve and waterfront opportunities in the coastal counties diminish. There are three central factors that influence the rate of growth and are creating a recent flurry of development activity in both eastern Lee and western Hendry County:

1. Improvements in road and capital infrastructure
2. Buildout of the coastal areas and shifting areas of development pressure
3. Continued and increased rapid population growth in Florida with the retirement of the baby boomer generation.

From a planning perspective, the construction of additional roadway capacity through the expansion of roadway corridors is the single most important factor that allows for growth and development. With the widening of State Road 80, which provides a corridor across the state, population growth is expected to follow in that direction. The State Road 80 corridor is the only major roadway corridor that extends across Florida between I-4 and I-75. Improvements along County Road 78 in Hendry County are also in the process and the County is working to locate a new bridge connecting State Road 80 to County/State Road 78.

Further, in examining growth areas in Lee County as a whole, it is more desirable to direct growth to this area, and away from environmentally sensitive properties to the west and south. The subject property contains few, if any, environmental areas to be preserved, and opportunities for the restoration of an historic flowway. The subject property is mostly uplands, drains well is not prone to flooding, providing an area where development is more sensible than other areas of Lee County.

Land Use Analysis

The existing property is in a very unique state. Similar to Lehigh Acres, the subject property has been subdivided into hundreds of parcels. The Lee County Parcel Maps show 355 parcels that are a part of the County Line Drainage District. However, the Taxing District's records show a total of 629 parcels. For purposes of calculating the impacts of this Comprehensive Plan Amendment we have ignored the existing parcelization of the property and calculated density based on the gross area of each Future Land Use Category (Table 1). However, the actual density of the property is slightly higher if the property develops in its current form.

Table 1

Existing FLUC	Acreage	Units
Open Lands	3,030	606
Rural	683	683
	Total	**1,289**

Chapter XIII of the Lee County Comprehensive Plan deals with property rights of parcels created prior to the adoption of the Lee County Comprehensive Plan in 1984:

4. *Single-Family Residence Provision:*

   a. *Applicability*
   Notwithstanding any other provision of this plan, any entity owning property or entering or participating in a contract for purchase agreement of property, which property is not in compliance with the density requirements of the Lee Plan, will be allowed to construct one single-family residence on said property PROVIDED THAT:

      (1) Date Created:

         (a) the lot or parcel must have been created and recorded in the official Plat Books of Lee County prior to the effective date of the Lee Plan (December 21, 1984), and the configuration of said lot has not been altered; OR

         (b) a legal description of the lot or parcel was lawfully recorded in the Official Record books of the Clerk of Circuit Court prior to December 21, 1984; OR

         (c) the lot was lawfully created after December 21, 1984, and the lot area was created in compliance with the Lee Plan as it existed at that time.

      (2) Minimum Lot Requirements: In addition to meeting the requirements set forth above, the lot or parcel must:

         (a) have a minimum of 4,000 square feet in area if it was created prior to June 27, 1962; OR

(b) *have a width of not less than 50 feet and an area of not less than 5,000 square feet if part of a subdivision recorded in the official Plat Books of Lee County after June 27, 1962, and prior to December 21, 1984; OR*

(c) *have a minimum of 7,500 square feet in area if it was created on or after June 27, 1962, and prior to December 21, 1984, if not part of a subdivision recorded in the official Plat Books of Lee County; OR*

(d) *have been in conformance with the zoning regulations in effect at the time the lot or parcel was recorded if it was created after December 21, 1984; OR*

(e) *have been approved as part of a Planned Unit Development or Planned Development.*

Effect of Land Use Change

Appendix 2 shows the record from the Property Appraiser's Office with the number of parcels in the Open Lands Future Land Use Category that are below five acres. All of these parcels would be allowed a single-family home, despite being less than the five-acre minimum area required under the current Lee Plan for the Open Lands Future Land Use Category. Our conservative estimate would allow for an additional 38 units and a total of 1,327 units. However, as the taxing district's records indicate, there are substantially more parcels that exist on site than the Lee County Parcel maps indicate. A title search would need to be conducted to know if these properties have been recorded in the Official Record books of the Clerk of Circuit Court. If they have, the property could contain significantly more density than previously assumed.

Population Accommodation

Over the last decade, Lee County has been experiencing rapid growth and development. The Lee County Comprehensive Plan in its current state is unprepared to guide the development pressures that are increasing in the rural portions of the County. Lee County's projections of population for planning purposes and the reliance on population accommodation of the Future Land Use Map significantly under-represents the growth pressures that exist. This is very important for planning because if Lee County under-projects development pressure and does not adequately plan for areas where the development pressure is increasing, unplanned growth will occur.

Table 2 below shows the latest population projection from the Bureau of Economic and Business Research at the University of Florida (BEBR). The published population projections are separated into three categories – Low, Medium and High. It is Lee County and State of Florida practice to use these population projections for planning purposes. However, in 1994, Lee County made a shift from using the High to using the Medium range projections for planning purposes.

Table 2

	2000*	2002	2005	2010	2015	2020	2025	2030
Low	440,888	475,073	490,700	527,900	559,500	586,800	608,900	624,500
Medium	440,888	475,073	507,300	565,700	621,600	678,400	733,400	783,900
High	440,888	475,073	531,600	619,700	712,100	810,400	913,300	1,019,000

* US Census Bureau
Source: Projections of Florida Population by County, 2002-2030, Vol. 36, No. 1, Bulletin 134, January 2003

Population projections from the Bureau of Economic and Business Research are established using the following methodology:

> *"For counties, we made eight projections using four simple extrapolation techniques and three different historical base periods. The four techniques were:*
>
> 1. *Linear – the population will change by the same number of persons in each future year as the average annual change during the base period.*
> 2. *Exponential – the population will change at the same percentage rate in each future year as the average annual rate during the base period*
> 3. *Share of growth – each county's share of state population growth in the future will be the same as its share during the base period.*
> 4. *Shift share – each county's share of the state population will change by the same annual amount in the future as the average annual change during the base period."*
>
> *The low and high projections indicate the range into which two-thirds of actual future county populations will fall, if the future distribution of forecast errors is similar to the past distribution (emphasis added)... Given Florida's population growth history, the probability that a county's future population will be above the high projection is greater than the probability that it will be below the low projection.*[ii]

There are two problems with using the Medium range of population projections for planning Lee County's future growth.

1. The first problem is there is a greater downside to under projecting development pressure and being forced into dealing with growth not adequately planned for than there is with over projecting population and over planning for an area that does not have the development pressure anticipated.

2. The second problem with using the Mid-Range BEBR projections is historically they have greatly underrepresented Lee County's growth. Table 3 shows the BEBR projections released in the year 2000, prior to the release of Census data. It is clear that although Lee County has been relying to some extent on the Mid-Range population projects, growth is actually occurring at the High rate projections. Not acknowledging the development pressure that is building will not make development pressures disappear.

Table 3 – BEBR Population Projections prior to 2000 Census

	2000	2005	2010	2015	2020	2025	2030
Low	409,800	417,800	417,800	411,000	397,100	375,100	344,600
Medium	426,500	471,300	514,500	559,400	605,900	651,400	693,300
High	443,900	531,700	626,700	730,600	843,900	964,700	1,091,100

Source: Projections of Florida Population by County, 2002-2030, Vol. 36, No. 1, Bulletin 134, January 2003

In reviewing the growth trends of Lee County as they relate to the historical population projections by BEBR, it is clear Lee County is following the High range of projections.

Future Land Use Map Population Accommodation

Regardless of the under projection of population and the increasing development pressure in Lee County, the Future Land Use Map greatly over represents the County's ability to accommodate population. Rarely do developments request or are granted the maximum density allowed in the Future Land Use category. Recent decisions by the Board of County Commissioners to decrease densities in in-fill areas and approve densities at substantially lower levels than the Future Land Use category allows for have created a significant amount of population that can be accommodated on the Future Land Use Map. Consider just two recent areas in East Lee County that have an impact on population accommodation - one a development, and one a decrease in allowable density through a Future Land Use Map amendment (Table 3).

Table 4

Area/Project	**FLUM Density / Prior Density**	**Units Approved / Change to Map**	**Unused Density**
Caloosahatchee Shores Plan	2,878 units	2,055 Units	823 Units
Verandah MPD	8,400 +/-	1,500 Units	6,900 Units
Total Unused Density in East Lee			**7,723 +/-**

It is important to note that as development pressure continues to move south to north in Lee County, the trend of development moving east along the State Road 80 and State Road 78 corridors is increasingly apparent. While the population projections for East Lee have been greatly under projected[iii] and demand pressure is building, population accommodation is significantly decreasing.

---

[i] Thomas H. Spreen, Charlene Brewster And Mark A. Brown; The Impact of Elimination of the U.S. Orange Juice Tariff on the Market for Processed Orange Products; International Agriculture Trade and Policy Center; Policy Brief Series; May 2002

[ii] ibid.

[iii] This was established in the Caloosahatchee Shores Community Plan and has been apparent through the rezonings of Verandah, Hawks Haven, Buckingham 320, the Hunter Property, etc.

CHARLOTTE COUNTY

GLADES COUNTY

LEE COUNTY

SUBJECT PROPERTY

HENDRY COUNTY

NORTH RIVER ROAD (C.R. 78)

N

W E

S

Parcel Map
Florida Citrus Properties
Lee County, Florida

MAP 1

0 600 1200 2400

SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING - LANDSCAPE DESIGN
2271 McGREGOR BLVD., POST OFFICE DRAWER 2800, FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170 - www.barraco.net - FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 7995 - SURVEYING LB 6940

J:\21965\DWG\EXHIBITS\21965-PAR.DWG - WED, 2-25-2004 - 4:44 PM

CHARLOTTE COUNTY

GLADES COUNTY

LEE COUNTY

HENDRY COUNTY

SUBJECT PROPERTY
LAND USE: AGRICULTURAL
ZONE: AG-2

NORTH RIVER ROAD (C.R. 78)

CALOOSAHATCHEE RIVER

	LAND USE	ZONING
A	AGRICULTURAL	AG-2
R	RESIDENTIAL	AG-2
V	VACANT	AG-2
C	COMMERCIAL	CPD

N
W E
S

Aerial Photograph
Existing Land Uses and Zoning
Florida Citrus Property
Lee County, Florida

MAP 2

0 600 1200 2400
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING - LANDSCAPE DESIGN
2271 McGREGOR BLVD., POST OFFICE DRAWER 2800, FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170 - WWW.barraco.net - FAX (239) 461-3199
FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 7995 - SURVEYING LB-6940

J:\21966\DWG\EXHIBITS\21966AE03.DWG - WED, 2-25-2004 - 4:45 PM

CHARLOTTE COUNTY

GLADES COUNTY

HENDRY COUNTY

SUBJECT PROPERTY

NORTH RIVER ROAD

Legend

FLUMNov02

- Proposed Land Use

landuse

- Open Lands
- Rural
- Upland Conservation Lands
- Urban Community
- Wetlands

Q:\GIS\21965\21965FLUE.Mxd

N

W E

S

Existing Future Land Use Map
FLORIDA CITRUS
Lee County, Florida

MAP 3

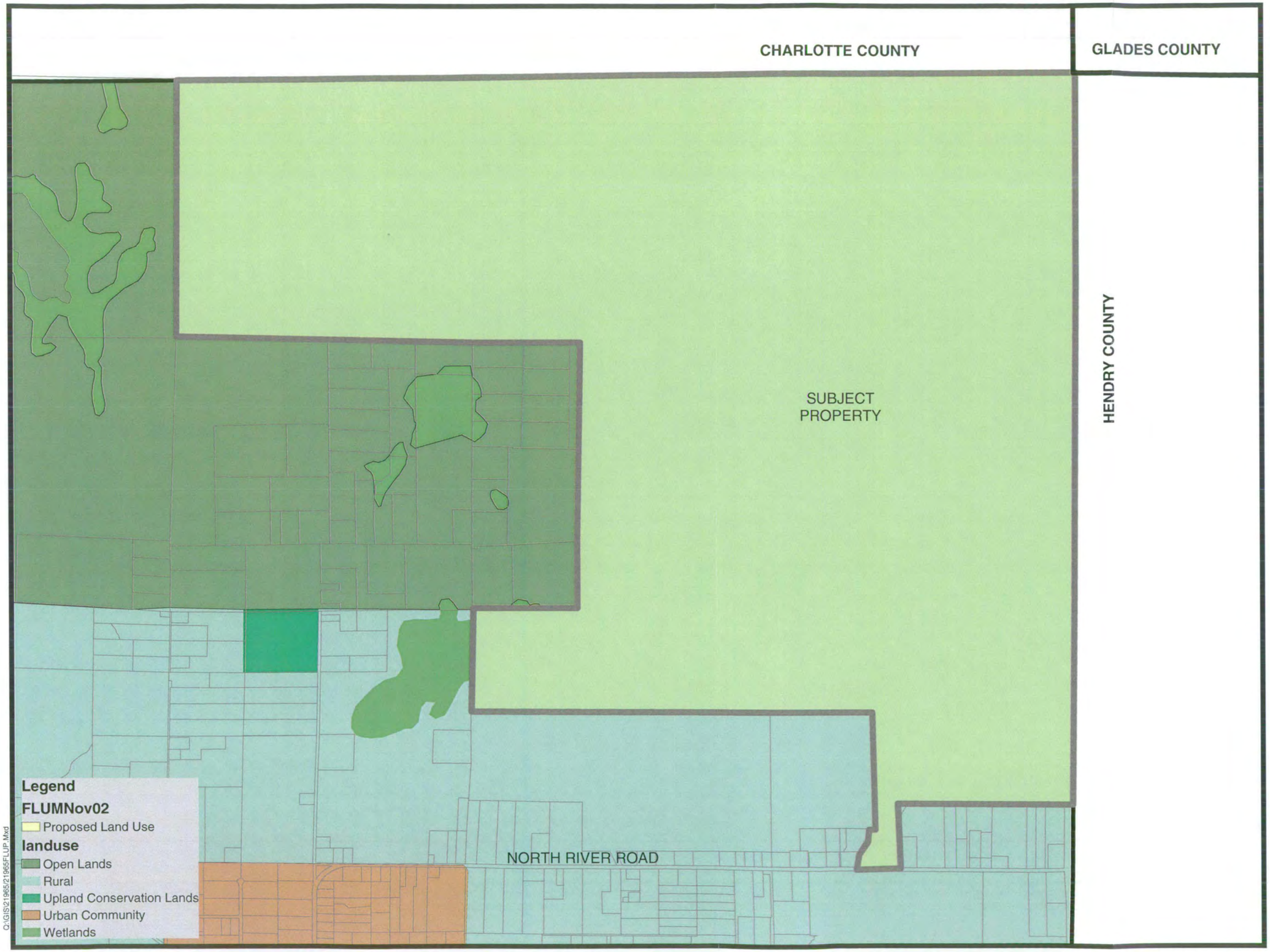
Source: Lee County Property Appraiser

Feet

0 450 900 1,800

It is the responsibility of the user to verify the data contained in this document

Barraco and Associates, Inc.



N
W E
S

Proposed Future Land Use Map
FLORIDA CITRUS
Lee County, Florida

MAP 4

Source: Lee County Property Appraiser

Feet

0 450 900 1,800

It is the responsibility of the user to verify the data contained in this document

Barraco and Associates, Inc.

CHARLOTTE COUNTY

GLADES COUNTY

HENDRY COUNTY

SUBJECT PROPERTY

NORTH RIVER ROAD

Legend

ZONING

CPD

AG-2

Q:\GIS\21965\21965FLUE.Mxd

N

W E

S

Zoning Map
FLORIDA CITRUS
Lee County, Florida

MAP 5

Source: Lee County Property Appraiser

Feet

0 450 900 1,800

It is the responsibility of the user to verify the data contained in this document

Barraco and Associates, Inc.

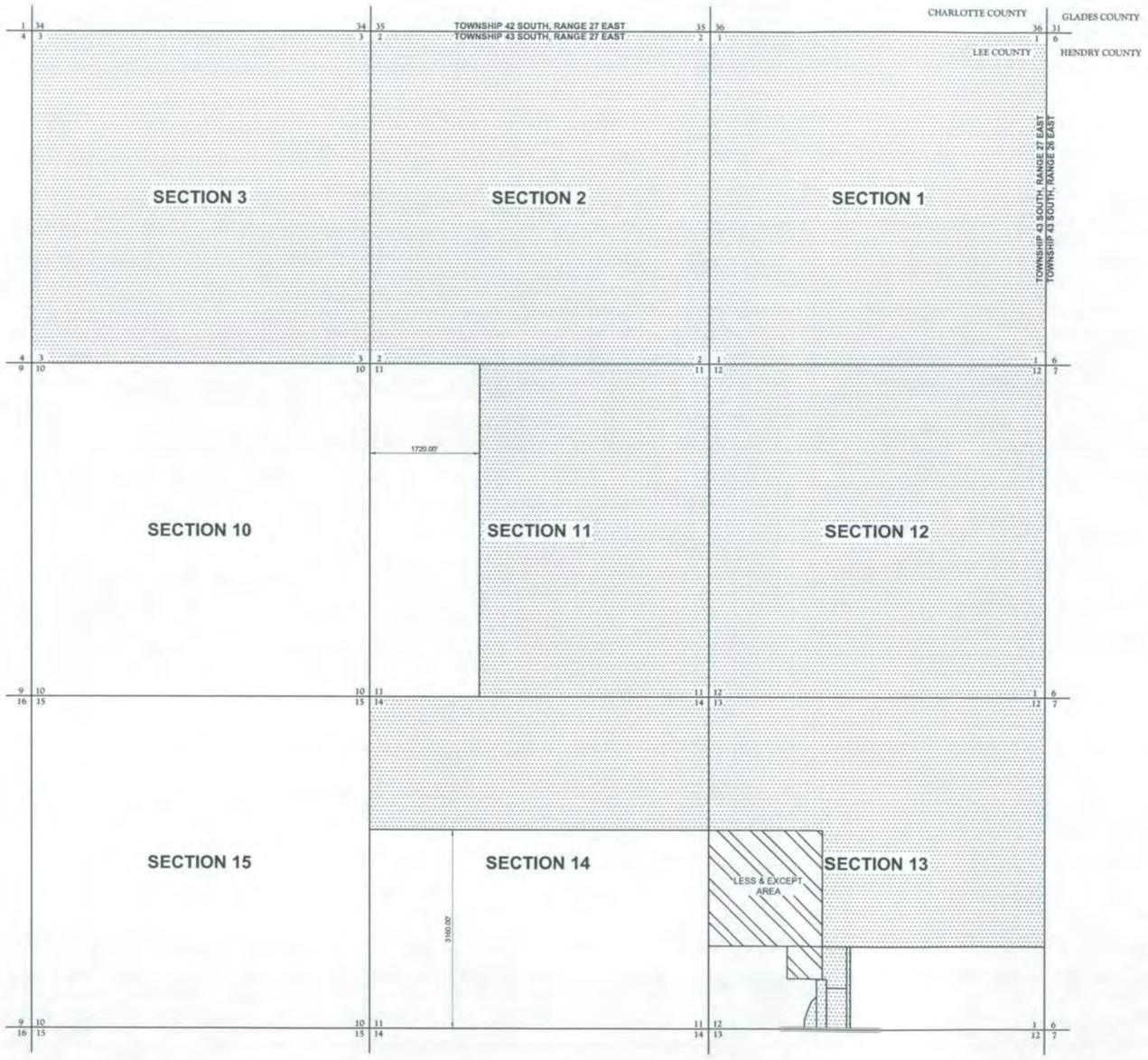
SKETCH OF DESCRIPTION

NOT A SURVEY

NORTH

0 500 1000 2000

SCALE IN FEET



NOTES:

1. LINE WORK SHOWN HEREON IS FOR GRAPHIC PURPOSES ONLY.
2. ACREAGE SHOWN HEREON IS BASED ON THE LEE COUNTY GIS (GEOGRAPHIC INFORMATION SYSTEM) AND IS APPROXIMATE.

LEGAL DESCRIPTION - (BY CLIENT)

THAT PORTION OF SECTIONS 1, 2, 3, 11, 12, 13 AND 14, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING DESCRIBED AS FOLLOWS:

IN TOWNSHIP 43 SOUTH, RANGE 27 EAST, SECTIONS 1, 2, 3, 12, THAT PART OF SECTION 11 WHICH LIES EASTERLY OF A LINE 1,720 FEET (AS MEASURED PERPENDICULAR) EASTERLY OF THE WEST LINE OF SAID SECTION 11, THAT PART OF SECTION 14 LYING NORTH OF THE SOUTH 3,160 FEET OF SAID SECTION 14, AND THE NORTH THREE-QUARTERS OF SECTION 13. EXCEPTING FROM ALL THE LANDS HEREIN DESCRIBED, A PARCEL OF LAND IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM A 4" x 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION13, BEAR SOUTH 00°13'15" EAST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,124.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1,800 FEET; THENCE SOUTH 00°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,360.11 FEET; THENCE NORTH 89°36'20" WEST A DISTANCE OF 562.68 FEET; THENCE NORTH 00°09'00" WEST A DISTANCE OF 524.79 FEET TO A INTERSECTION THEREOF WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER (SOUTH 1/2 OF SOUTHWEST 1/4) OF SAID SECTION 13; THENCE NORTH 89°47'12" WEST ALONG SAID NORTH LINE TO THE WEST LINE OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 13 TO THE POINT OF BEGINNING.

TOGETHER WITH TRACT 9 AND TRACT 10 OF OFFICIAL RECORD BOOK 2229, PAGE 891 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

TRACT 9:
THE SOUTH 1/2 OF THE EAST 1/7 OF THE WEST 7/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.

AND

TRACT 10:
THAT PORTION OF THE SOUTH 2/3 OF THE EAST 1/2 OF THE EAST 1/8 OF THE WEST 6/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA LYING SOUTH OF THE DRAINAGE DITCH.

AND ALSO TOGETHER WITH PARCEL I AND PARCEL II OF OFFICIAL RECORD BOOK 2415, PAGE 2563 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

PARCEL I:
THAT PART OF THE WEST 60 FEET OF THE EAST 1/8 OF THE WEST 8/17 OF THE SOUTH 1/4, LYING SOUTH OF THE CREEK, IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.

AND

PARCEL II:
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, TROPICAL RIVER GROVES, LEE COUNTY, FLORIDA, MORE DESCRIBED AS FOLLOWS:
BEGINNING AT SOUTHWEST CORNER OF SAID SECTION 13, THENCE RUN NORTH 90°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION13 (SAID SOUTHERLY LINE BEING ALSO THE CENTERLINE OF STATE ROAD NO. 78), FOR 1,717.71 FEET; THENCE RUN NORTH FOR 33.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN NORTH 90°%'%00"00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 191.53 FEET; THENCE RUN NORTH 02°51'45" EAST FOR 116.20 FEET; THENCE RUN NORTH18°47'54" EAST FOR 123.32 FEET; THENCE RUN NORTH 21°18'45" EAST FOR 154.13 FEET; THENCE RUN NORTH 42°10'54" EAST FOR 112.81 FEET; THENCE RUN SOUTH 00°22'20" EAST FOR 487.81 FEET TO THE POINT OF BEGINNING.

AND ALSO TOGETHER WITH PART OF OFFICIAL RECORD BOOK 2515, PAGE 3593 (WINDING BROOK CORPORATION) BEING DESCRIBED AS FOLLOWS:
THAT PORTION OF THE SOUTH ONE-QUARTER (1/4) OF SAID SECTION 13 LYING NORTHERLY OF THE CREEK AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:
FROM A 4" x 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 13, BEAR SOUTH 00°13'15" EAST ALONG THE WEST LINE OF SECTION 13, A DISTANCE OF 2,124.00 FEET; THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1,800.00 FEET TO THE BEGINNING OF THE ABOVE REFERENCED LINE; THENCE SOUTH 00°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13 TO THE INTERSECTION WITH THE AFORESAID CREEK.

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 3,713 ± ACRES.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

PROJECT DESCRIPTION

UPDATE THE "PROJLOGO.DWG" FILE IN THE SAME DIRECTORY AS THIS DRAWING

PROJECT SURVEYOR

MARK G. LESTER CERTIFICATE NO. 5836 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

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

FILE NAME	21965SK01.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21965\DWG\SURVEYING\
PLOT DATE	THU, 2-26-2004 - 5:22 PM
PLOT BY	SCOTT WHEELER

DRAWING DATA

SURVEY DATE	
DRAWN BY	MGL
CHECKED BY	
SCALE	AS NOTED
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SKETCH OF DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21965 T43S R27E	1 OF 1

LETTER OF AUTHORIZATION

The undersigned do hereby swear that they are the fee simple title holders and owners of record of property commonly known as Florida Citrus Company, ALJO Groves and and legally described in Exhibit A attached hereto. Florida Agri Mgt Co.

The property described herein is the subject of an application for a Comprehensive Plan Amendment. We hereby designate Daniel DeLisi as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain a Comprehensive Plan Amendment on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Joseph E Beale - Edgar G Brown

Co-Owner Edgar A. Brown

Joseph E. Beale, Jr

Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 24th day of Feb, 2004, by Joseph Beale & Edgar Brown, who is personally known to me or who has produced Fl. Drivers License as identification.

DEBRA A. SPINA
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD164552
EXPIRES 11/13/2006
BONDED THRU 1-888-NOTARY1

Notary Public

Debra A Spina

(Name typed, printed or stamped)

CHARLOTTE COUNTY

GLADES COUNTY

HENDRY COUNTY

SUBJECT PROPERTY

NORTH RIVER ROAD

Legend

SENSITIVITY

1

2

Surveyed

Q:\GIS\21965\21965FLUE.Mxd

N

W E

S

Archeological Sensitivity Map
FLORIDA CITRUS
Lee County, Florida

MAP 6

Source: Lee County Property Appraiser

Feet

0 450 900 1,800

It is the responsibility of the user to verify the data contained in this document

Barraco and Associates, Inc.

FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
IV. AMENDMENT SUPPORT DOCUMENTATION,
B. PUBLIC FACILITIES IMPACTS,
1. TRAFFIC CIRCULATION ANALYSIS

Project #04525

February 24, 2004

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
1531 Hendry Street
Fort Myers, Florida 33901

FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
IV. AMENDMENT SUPPORT DOCUMENTATION,
B. PUBLIC FACILITIES IMPACTS,
1. TRAFFIC CIRCULATION ANALYSIS

Overview

Florida Citrus (hereafter referred to as the Project) is a proposed mixed-use residential development located in the northeast corner of Lee County. It is at the intersection of the Lee, Hendry, Charlotte and Glades County lines, Exhibit 1. The Project is anticipated to include residential, supporting commercial/retail/office, and some recreational uses.

This traffic analysis was prepared in support of a comprehensive plan amendment for the Project.

Traffic Circulation Analysis Requirements

The traffic circulation analysis requirements for a Lee County Comprehensive Plan Amendment are established in the document titled Application For A Comprehensive Plan Amendment, IV. Amendment Support Documentation, B. Public Facilities Impacts, 1. Traffic Circulation Analysis, Appendix A. Long-range and short-range analysis requirements are identified.

The general requirements applicable to this Project, for the long-range traffic analysis, are as follows.

1. Identify the traffic analysis zone (TAZ) within which the Project is located and the socio-economic data forecasts for that zone.
2. Identify the Project's development parameters, convert those parameters to socio-economic data consistent with Lee County travel modeling parameters, and identify any proposed zone split to accommodate the Project.
3. Identify Project access to the surrounding road network.
4. Provide the above information to the Lee County Planning Division.

No short-term or short-range traffic analysis is required as part of this study because there is no "specific and immediate development plan" for the Project.

Development Parameters

The Project's development parameters are summarized below.

Development Parameters

Land Use	Allowed [1]	Proposed [2]
Single Family (d.u.)	900	5,200
Multifamily (d.u.)	389	2,226
Total (d.u.)	1,289	7,426
Commercial/Retail (sq.ft.)	20,000	75,000
Office (sq.ft.)	10,000	25,000
Golf Course (holes)	--	36
Recreation (acres)	--	50

Footnotes:
(1) Reflects anticipated parameters based on existing comprehensive plan designation.
(2) Subject to comprehensive plan amendment.

Long Range – 20 Year Horizon

The Lee County MPO 2020 Financially Feasible Highway Plan (last amended and updated 01/23/04) and the corresponding Florida Standard Urban Transportation (FSUTMS) travel model served as the basis for this study.

FSUTMS Zone Structure

The Lee County Traffic Analysis Zone structure in the vicinity of the Project is presented in Exhibit 2. The Project is situated within the zonal boundary of Traffic Analysis Zone (TAZ) 103. The Project occupies approximately 90% of the land area in that TAZ.

For purposes of the plan amendment, 90% of the land area from TAZ 103 was extracted and assigned a new TAZ to represent the Project, Exhibit 3. Original TAZ 103 was restructured and adjusted to represent only the remaining 10% of non-project land area within the zone, as summarized below.

TAZ Adjustments

TAZ	Original	With Amendment
Original TAZ 103	Florida Citrus & Non-Project	Non-Project Only
New TAZ	Not Applicable	Florida Citrus

Socio-Economic Data

The socio-economic data forecasts assumed in the travel model were reviewed and revised to reflect the above adjustments to the zonal structure for TAZ 103 and the new TAZ. The data forecasts and adjustments are presented in Exhibit 4 and further discussed below.

Original Socio-Economic Forecasts

The original 2020 socio-economic forecasts for original TAZ 103 are as follows, Exhibit 4.

Original TAZ 103 Forecasts

Single-Family [1]	
Dwelling Units	42
Population	101
Multifamily [1]	
Dwelling Units	13
Population	18
Total [1]	
Dwelling Units	55
Population	119
Industrial Employment [2]	5
Commercial Employment [2]	0
Service Employment [2]	15
Total Employment [2]	20

Footnotes:
(1) ZDATA 1 – Trip Productions.
(2) ZDATA 2 – Trip Attractions.

Non-Project Parameters

The resultant socio-economic data established for modified TAZ 103, after adjusting for the removal of the Project, are as follows, Exhibit 4.

Modified TAZ 103 Forecasts [1]

Single-Family [2]	
Dwelling Units	4
Population	10
Multifamily [2]	
Dwelling Units	1
Population	2
Total [2]	
Dwelling Units	5
Population	12
Industrial Employment [3]	1
Commercial Employment [3]	0
Service Employment [3]	2
Total Employment [3]	3

Footnotes:
(1) Reflects 10% of original socio-economic data in original TAZ 103.
(2) ZDATA1 – Trip Productions.
(3) ZDATA2 – Trip Attractions.

All other parameters, such as seasonal/vacancy rates and auto ownerships, remain consistent with those developed by the MPO for year 2020.

Project Parameters

The conversion of the Project development parameters to socio-economic data for ZDATA1 and ZDATA2 files in the travel model are summarized below.

Project Conversion Factors

Single Family Population	= 2.4 [1]
Multi Family Population	= 1.4 [2]
Retail Employment	= 2.5/1,000 sq.ft.
Office Employment	= 4.0/1,000 sq.ft.
Golf Course Employment	= 1.74/hole
Recreational Employment	= 0.16/acre

Footnotes:
(1) Reflects 14% seasonal and 14% vacant per original data for TAZ 103.
(2) Reflects 34% seasonal and 9% vacant per original data for TAZ 103.

The resultant Project socio-economic data established for the new TAZ for purposes of the Comprehensive Plan Amendment are as follows, Exhibit 4.

New Project TAZ Forecasts

	Allowed Without Plan Amendment [1]	Proposed With Plan Amendment
Single-Family [2]		
Dwelling Units	900	5,200
Population	2,164	12,505
Multifamily [2]		
Dwelling Units	389	2,226
Population	539	3,082
Total [2]		
Dwelling Units	1,289	7,426
Population	2,703	15,587
Industrial Employment [3]	0	0
Commercial Employment [3]	50	190
Service Employment [3]	40	180
Total Employment [3]	90	370

Footnotes:
(1) Anticipated development based on existing comprehensive plan designation.
(2) ZDATA1 – Trip Productions.
(3) ZDATA2 – Trip Attractions.

All other parameters, such as seasonal/vacancy rates and auto ownership, remain consistent with those developed by the MPO for year 2020.

Project Access

Project access can be provided directly or indirectly onto North River Road (CR 78). Additional north/south and east/west roadways will be evaluated during the planning process.

Short Range – 5 Year CIP Horizon

There is no "specific and immediate development plans" for the property. Therefore, a short-range analysis is not required. After the Plan Amendment, and as detailed development plans are formulated, additional detailed traffic studies and analyses will be undertaken for the property.

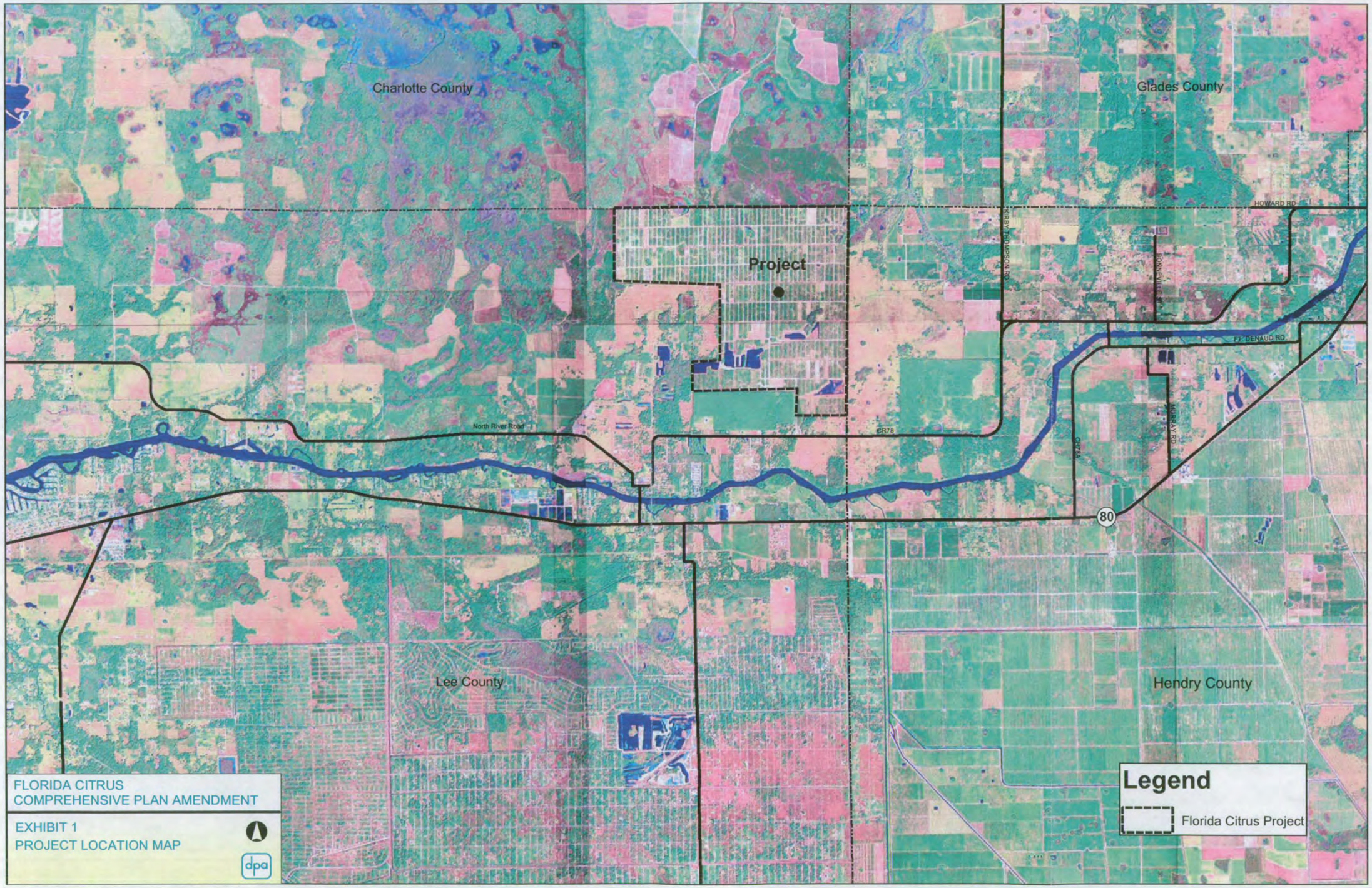

Charlotte County
Glades County
Project
HOWARD RD
NORTH THOMPSON RD
BONNEVILLE
FT. DENAUD RD
MURRAY RD
CR78
North River Road
80
Lee County
Hendry County
Legend
Florida Citrus Project
FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
EXHIBIT 1
PROJECT LOCATION MAP
dpa

EXHIBIT 2

LEE COUNTY
TRAFFIC ANALYSIS ZONES
(Original TAZ 103)

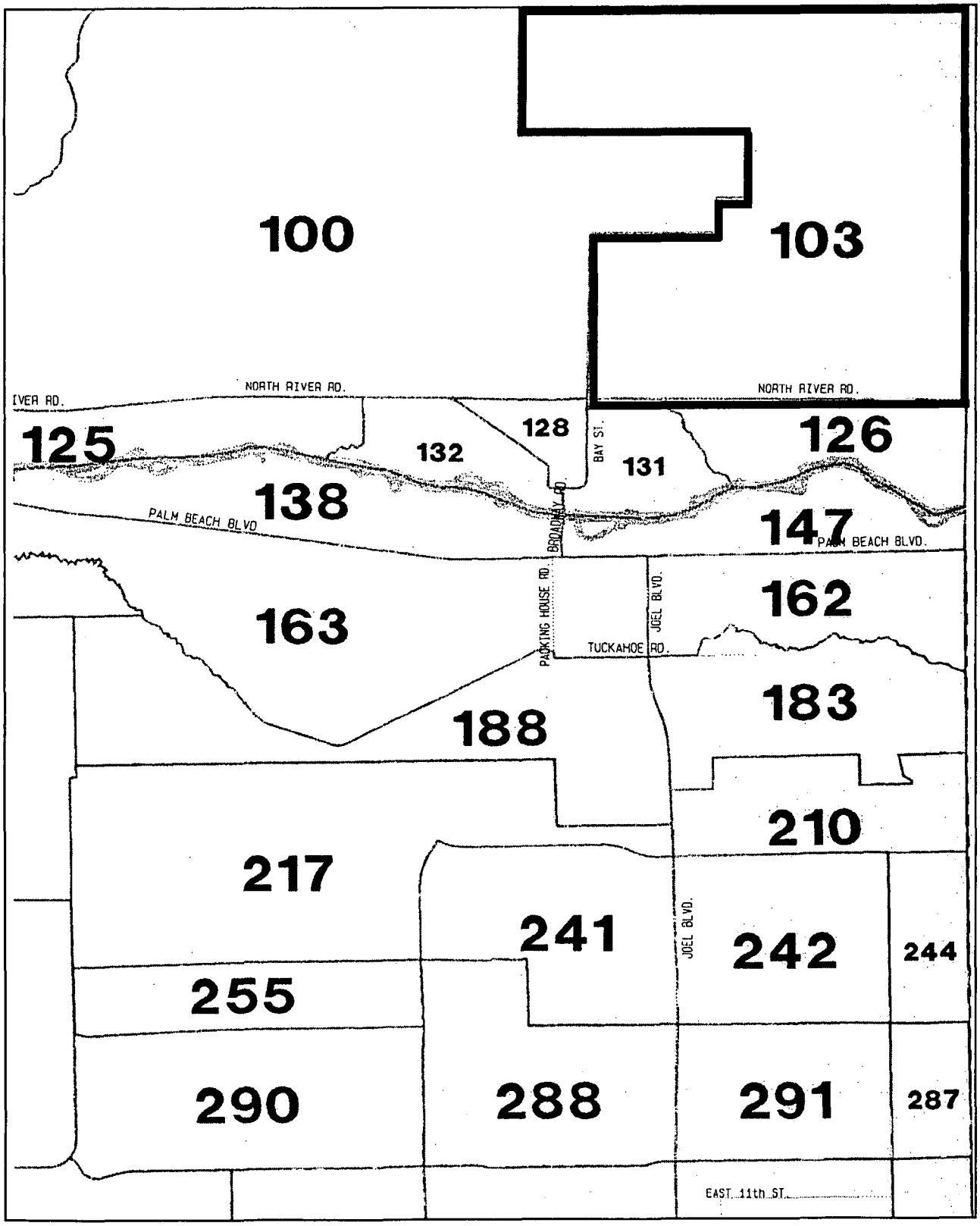


EXHIBIT 3

LEE COUNTY
MODIFIED TRAFFIC ANALYSIS ZONES
(Modified TAZ 103, New Project Zone)

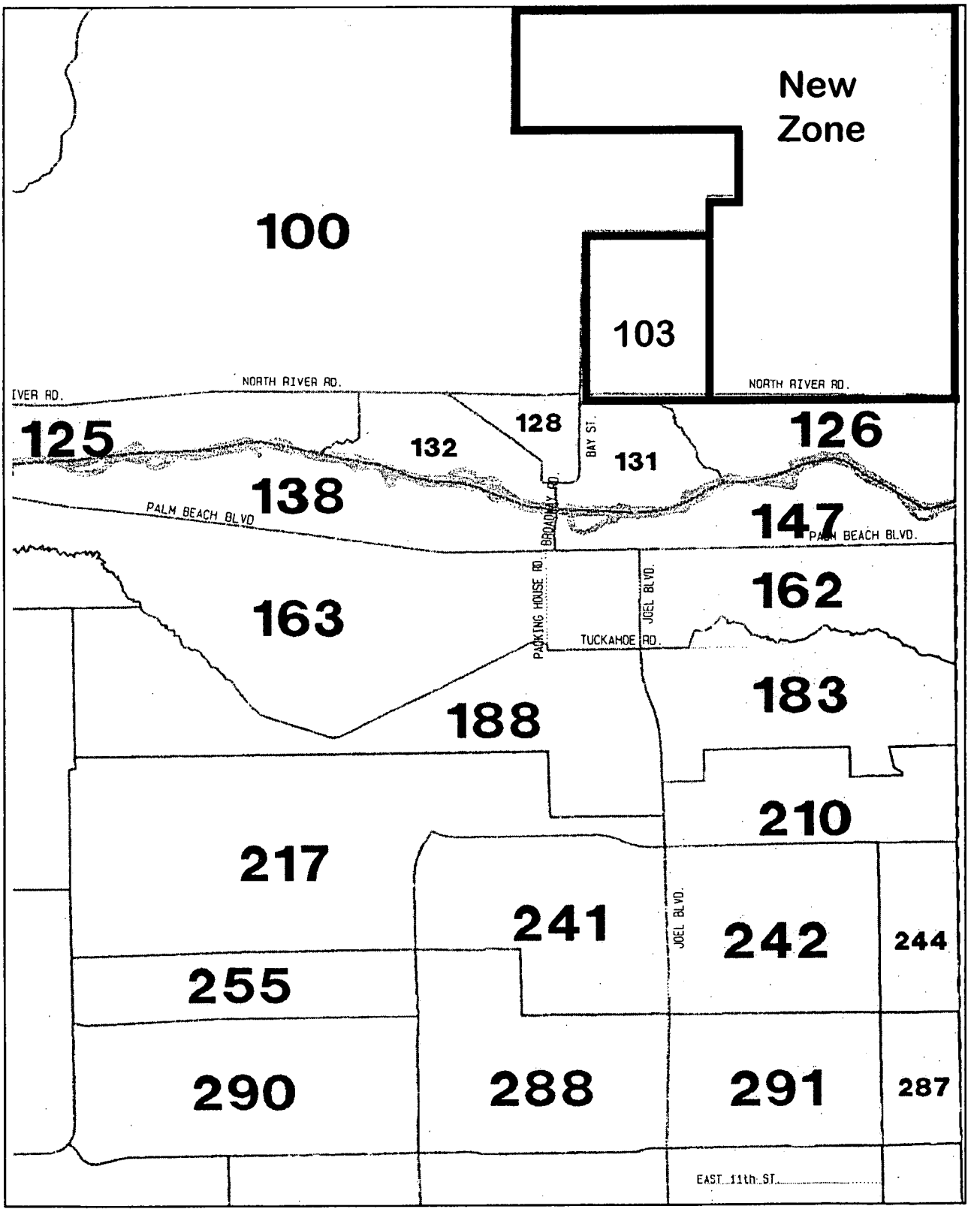


EXHIBIT 4

SOCIO-ECONOMIC DATA
ADJUSTMENTS

	TAZ 103		NEW TAZ	
	(1) Original	(2) Adjusted	(3) Allowed	(4) Proposed
ZDATA1				
SF - d.u.	42	4	900	5,200
SF - pop.	101	10	2,164	12,505
MF - d.u.	13	1	389	2,226
MF - pop.	18	2	539	3,082
TOT. - pop.	119	12	2,703	15,587
ZDATA2				
IND. - emp.	5	1	0	0
COMM. - emp.	0	0	50	190
SER. - emp.	15	2	40	180
TOT. - emp.	20	3	90	370

FOOTNOTES:

(1) Original 2020 parameters from MPO 2020 Financial Feasible Highway Plan FSUTMS dataset.

(2) Adjustment reflecting the shift of Project from TAZ 103 as result of this Plam Amendment.

(3) Anticipated level of development under current Comprehensive Plan designation.

(4) Proposed Florida Citrus.

APPENDIX A

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

IV. AMENDMENT SUPPORT DOCUMENTATION,
B. PUBLIC FACILITIES IMPACTS,
1. TRAFFIC CIRCULATION ANALYSIS

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D _____ REC'D BY: _____

APPLICATION FEE _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:
Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

_____

DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

APPLICANT

ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER FAX NUMBER

AGENT*

ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER FAX NUMBER

OWNER(s) OF RECORD

ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☐ Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended

_____

B. SUMMARY OF REQUEST (Brief explanation):

_____

_____

_____

_____

_____

_____

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: _____
2. STRAP(s): _____

B. Property Information

Total Acreage of Property: _____

Total Acreage included in Request: _____

Area of each Existing Future Land Use Category: _____

Total Uplands: _____

Total Wetlands: _____

Current Zoning: _____

Current Future Land Use Designation: _____

Existing Land Use: _____

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: _____

Airport Noise Zone 2 or 3: _____

Acquisition Area: _____

Joint Planning Agreement Area (adjoining other jurisdictional lands): _____

Community Redevelopment Area: _____

D. Proposed change for the Subject Property:

_____

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

   Residential Units/Density _____

   Commercial intensity _____

   Industrial intensity _____

2. Calculation of maximum allowable development under proposed FLUM:

   Residential Units/Density _____

   Commercial intensity _____

   Industrial intensity _____

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

4. Map and describe existing zoning of the subject property and surrounding properties.

5. The legal description(s) for the property subject to the requested change.

6. A copy of the deed(s) for the property subject to the requested change.

7. An aerial map showing the subject property and surrounding properties.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts
NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis
The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space.

   Analysis should include (but is not limited to) the following:
   - Franchise Area, Basin, or District in which the property is located;

- Current LOS, and LOS standard of facilities serving the site;
- Projected 2020 LOS under existing designation;
- Projected 2020 LOS under proposed designation;
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

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;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

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

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).

2. A map and description of the soils found on the property (identify the source of the information).

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).

4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

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

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

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

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

   a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
   b. Provide data and analysis required by Policy 2.4.4,
   c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

   a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

AFFIDAVIT

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

_____ _____
Signature of owner or owner-authorized agent Date

_____
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this _____ day of _____ 19___, by _____, who is personally known to me or who has produced _____ as identification.

(SEAL) _____
Signature of notary public

_____
Printed name of notary public

IV. AMENDMENT SUPPORT DOCUMENTATION

C. Environmental Impacts

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

1. **A map of the Plant Communities as defined by the Florida Land Use Cover and Forms Classification System (FLUCFS).**

See attached map for community locations. The vegetation communities on site were mapped according to the Florida Land Use, Cover and Forms Classification System (FLUCFS) (Florida Department of Transportation, 1999). The mapping utilized Level III FLUCFCS. The site was inspected and the mapping superimposed on 1999 digital aerial photographs. Acreages were approximated using AutoCAD (Version 2004).

In general, vast majority of the property consisted of active citrus grove, except for scattered patched of wetland communities in various states of quality. The exotic plant Brazilian pepper colonized many of the wetlands. Clearly, the property has undergone considerable land disturbance in order to be put it into citrus production.

The following is a discussion of the existing land uses and vegetative associations found on site.

221 **Citrus Groves (approximately 3380.91 acres)**
This land-use type consists of active citrus grove with attendant roads, drainage features and support buildings.

422 **Brazilian Pepper (approximately 2.64 acres)**
Brazilian pepper dominated this community with the understory being minimal due to the dense shading by the Brazilian pepper.

427 **Live Oak (approximately 3.14 acres)**
This upland community was composed of a live oak hammock. Other vegetation included cabbage palm, wild coffee, and beautyberry.

618 **Willow Wetlands (Approximately 18.03 acres)**
This land-use description describes a wetland community composed mainly of willow shrub, as well as a variety of other shrub species, which include Brazilian pepper, marsh elder, and primrose willow. Scattered cypress and cabbage palm may also be present.

619 **Brazilian Pepper Wetlands (Approximately 43.74 acres)**
Brazilian pepper with scattered cypress dominated this wetland community. Again the mid-story was minimal due to the dense shading by the Brazilian pepper.

621 **Cypress Wetlands (Approximately 24.02 acres)**
This wetland community was dominated by cypress trees with scattered cabbage palm and laurel oak. Swamp fern dominated the understory. This description covers a range of cypress wetlands, which also had varying degrees of Brazilian pepper colonization. Often Brazilian pepper was situated around the perimeter of these communities.

631 **Scrub Wetlands (Approximately 7.61 acres)**
This wetland community was dominated by mostly scrub habitat, with scattered Brazilian pepper, willow, cabbage palm, and cypress. The understory was composed of a variety of shrubs, primarily primrose willow.

742 **Borrow Areas (Approximately 131.72 acres)**
This land-use description describes excavated water bodies that include ponds, lakes or drainage ditches. The larger ditches situated on the property were demarked, while the interior ditches were not and simply included in the Citrus Grove (221) category.

743 **Spoil Areas (Approximately 101.19 acres)**
This land-use description describes areas of spoil. These areas were typically vegetated with a variety of herbaceous plant species.

TABLE. FLUCFCS Breakdown.

FLUCFCS	Description	Wetland Acreage/ OSW Acreage	Upland Acreage	Percent of Total
221	Citrus Groves		3380.91	93
422	Brazilian Pepper		2.64	<1
427	Live Oak		3.14	<1
618	Willow Wetlands	18.03		<1
619	Brazilian Pepper Wetlands	43.74		1
621	Cypress Wetlands	24.02		1
631	Scrub Wetlands	7.61		<1
742	Borrow Areas	131.72		2
743	Spoil Areas		101.19	2
	Total:	**225.12**	**3487.88**	100 %
	Total:	**3713**		

Because the property is overwhelmingly composed of citrus grove, there will be very little relative impact to natural habitats. The majority of the wetlands will be preserved, as well as majority of the upland greenbelts.

2. **A map and description of the soils found on the property (identify the source of the information).**

   See attached map for soil mappings based on NRCS soil survey for Lee County, formerly the Soil Conservation Service (SCS).

3. **A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).**

   See attached map provided by the project engineer.

4. **A map delineating wetlands, aquifer recharge areas, and rare and unique uplands.**

   See attached map for locations of mapped wetlands. The property has 93.40 acres of wetland and 131.72 acres of Other Surface Water. See attached map for locations of Wetlands.

5. **A table of plant communities by FLUCFS 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 FLUCFS and the species status (same as FLUCFS map).**

ANIMALS

The following table identifies the listed species observed on site during the field investigation. This investigation constitutes a reconnaissance level investigation. The American alligator was the only listed species observed on the property. The alligators were seen laying out at the edge of two of the borrow areas. There were no nests or burrows observed on the property.

TABLE. Listed Species Identified on the Property.

Name	Scientific Name	Habitat	Status	
			FWC	FWS
Birds				
American Alligator	*Alligator mississippiensis*	742	SSC	T(S/A)

FWC Florida Fish and Wildlife Conservation Commission
FWS US Fish and Wildlife Service
SSC Species of Special Concern
T Threatened
E Endangered
T(S/A) Threatened Due to Similarity of Appearance

Listed wildlife species that were not observed but which have the potential to occur on the project site are listed in the following table. These potential occurrences were determined by referencing the Field Guide to Rare Animals of Florida (Florida Natural Areas Inventory 2000), Florida Atlas of Breeding Sites for Herons and Their Allies (Runde et. al. 1991), The Florida Endangered Species, Threatened Species and Species of Special Concern; Official Lists, dated August 1997 was used to identify the status of the potentially occurring species.

TABLE. Listed Animal Species Not Observed But Having the Potential to occur on the Property.

Name	Scientific Name	Potential Habitat	Status	
			FWC	FWS
Amphibians				
Gopher frog	*Rana capito*	621	SSC	
Reptiles				
Eastern indigo snake	*Drymarchon corais couperi*	427	T	T
American Alligator	*Alligator mississippiensis*	500, 600, 621, 742, 743	SSC	T(S/A)
Gopher Tortoise	*Gopherus polyphemus*	427, 743,	SSC	--
Birds				
Audubon Crested Caracara	*Polyborus plancus audubonii*	428	T	T
Burrowing owl	*Speotyto cunicularia*	700, 743	SSC	
Limpkin	*Aramus guarauna*	500, 600, 621, 742, 743	SSC	
Little Blue Heron	*Egretta caerulea*	500, 600, 621, 742, 743	SSC	--
Reddish egret	*Egretta rufescens*	500, 600, 742, 743	SSC	
Snowy Egret	*Egretta thula*	500, 600, 621, 742, 743	SSC	--
Tri-colored Heron	*Egretta tricolor*	500, 621, 742, 743	SSC	--
White Ibis	*Eudocimus albus*	500, 742, 743	SSC	--
Wood Stork	*Mycteria Americana*	500, 600, 621, 742, 743	E	E
Mammals				
Everglades mink	*Mustela vison evergladensis*	500, 600, 621	T	
Florida Black Bear	*Ursus americanus floridanus*	427, 600, 621	T	

FWC-Florida Fish and Wildlife Conservation Commission
FWS-U.S. Fish and Wildlife Service
SSC-Species of Special Concern
T-Threatened
E-Endangered
T(S/A)-Threatened due to similarity of appearance

The following is an analysis of the listed species and their potential occurrence on the property vis-vis site specific habitat conditions present.

Gopher frog
The gopher frog would have a low probability of occurring on the property, since there is little native upland habitat. Furthermore, they are often associated with gopher tortoise burrows and since no tortoise burrows were identified on the property during the reconnaissance level investigation, the potential for their presence is low.

Eastern indigo snake
The eastern indigo snake, a far ranging species, could potentially occur in the upland and wetland communities on the property, however, the potential is low due to the lack of connections to other habitat. Wetlands and uplands are essentially isolated and form no contiguous corridors for travel. In addition, this species is commonly considered to be associated with gopher tortoise burrows and since no tortoise burrows were identified on the property, the potential for their occurrence is low.

American Alligator
The American alligator was seen on site laying on the in the perimeter ditch. They could potentially occur in the lakes, cypress and other wetlands as well.

Gopher Tortoise
The gopher tortoise could potentially occur on the disturbed lands and the upland oak communities. Since these lands are limited the potential would be low, or they would occur in extremely low numbers.

Burrowing owl
Burrowing owls normally inhabit open grassy areas consisting of low grasses. These areas limited on the property, consequently the potential for burrowing owls to occur on the property would be low.

Limpkin
The limpkin inhabits a wide variety of wetlands, but prefers mangrove and freshwater swamps. Its preferred food is the apple snail. This listed wading could utilize the property the property.

Reddish egret
This wading bird typically inhabits coastal areas. Because of this it is unlikely that this bird would inhabit the property.

Snowy Egret
The snowy egret inhabits a variety of wetland habitats. It is possible that this bird would utilize the property. No nesting areas of this bird were identified.

Tri-colored Heron
Like the snowy egret this bird could use the wetlands during the rainy season for foraging. The borrow lake could also provide forage opportunity along the lake edges during the dry season.

PLANTS

No listed plants were identified on the property during the reconnaissance level field investigation.

Listed plant species that were not observed but which have the potential to occur on the project site are listed in the following table. These potential occurrences were determined by referencing the Field Guide to Rare Plants of Florida (Florida Natural Areas Inventory 2000). The Florida Endangered Species, Threatened Species and Species of Special Concern; Official Lists, dated August 1997 was used to identify the status of the potentially occurring species.

TABLE. Listed Plant Species Not Observed But Having the Potential to occur on the Property.

Name	Scientific Name	Habitat	Status	
			FDA	FWS
Meadow Jointvetch	*Aeschynomene prantensis*	621		
American Bird's Nest Fern	*Asplenium serratum L.*	621	E	--
Narrow Strap Fern	*Campyloneurum angustifolium* (Sw.)	621	E	--
Leafless Bentspur Orchid	*Campylocantrum pachyrrhizum*	621	E	--
Many-Flowered Catopsis	*Catopsis floribunda*	621	E	--
Cowhorn Orchid	*Cyrtopodium punctatum*	621	E	--
Clamshell Orchid	*Encyclia cochleata*	621	E	--
Night-Scented Orchid	*Epidendrum nocturnum*	621	E	--
Fuch's Bromeliad	*Guzmania monostachia*	621	E	--
Spreading Pinweed	*Lechea divaricata*	631	E	--
Hand Fern	*Ophioglossum palmatum*	621	E	--
Frost-Flower Orchid	*Pleurothallis gelida*	621	E	--
Leafy beaked Ladies'-Tresses	*Sacoila lanceolata* Or *Stenorrhynchos lanceolatus*	621	T	--
Toothed lattice-Vein Fern	*Thelypteris serrata*	621	E	--
Fuzzy-Wuzzy Airplant	*Tillandsia pruinosa*	621	E	--

FWC-Florida Fish and Wildlife Conservation Commission
FWS-U.S. Fish and Wildlife Service
SSC-Species of Special Concern
T-Threatened
E-Endangered

The plants listed above can be found in habitats, which are represented on site, but in those that are without disturbance and managed as a natural system. Listed plants often rely on occasional fires for their growth and propagation. The absence of managed fires and the presence of exotic plants as well as hydrologic alterations would likely serve to preclude their presence on the property.

In summary, because of the disturbed nature of the on-site vegetation communities, and the isolated conditions of them, all natural habitats are in poor quality. There are no pristine vegetation communities on the property. Nearly 94 percent of the property has been converted to citrus grove

D. 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.**

   Based on the correspondence from the Florida Division of Historical Resources, there are no known historic properties on the site. See attached letter.

2. **A map showing the subject property located on the archeological sensitivity map for Lee County.**

   Please see the attached map for archeological sensitivity.

FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES

February 19, 2004

Mr. Barrett Stejskal
Boylan Environmental Consultants, Inc.
11000 Metro Parkway, Suite 4
Fort Myers, FL 33912
Fax: 239-418-0672

Dear Mr. Stejskal,

In response to your inquiry of February 18, 2004, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R27E, Sections 1-3, 10-15
In interpreting the results of our search, please remember the following points:

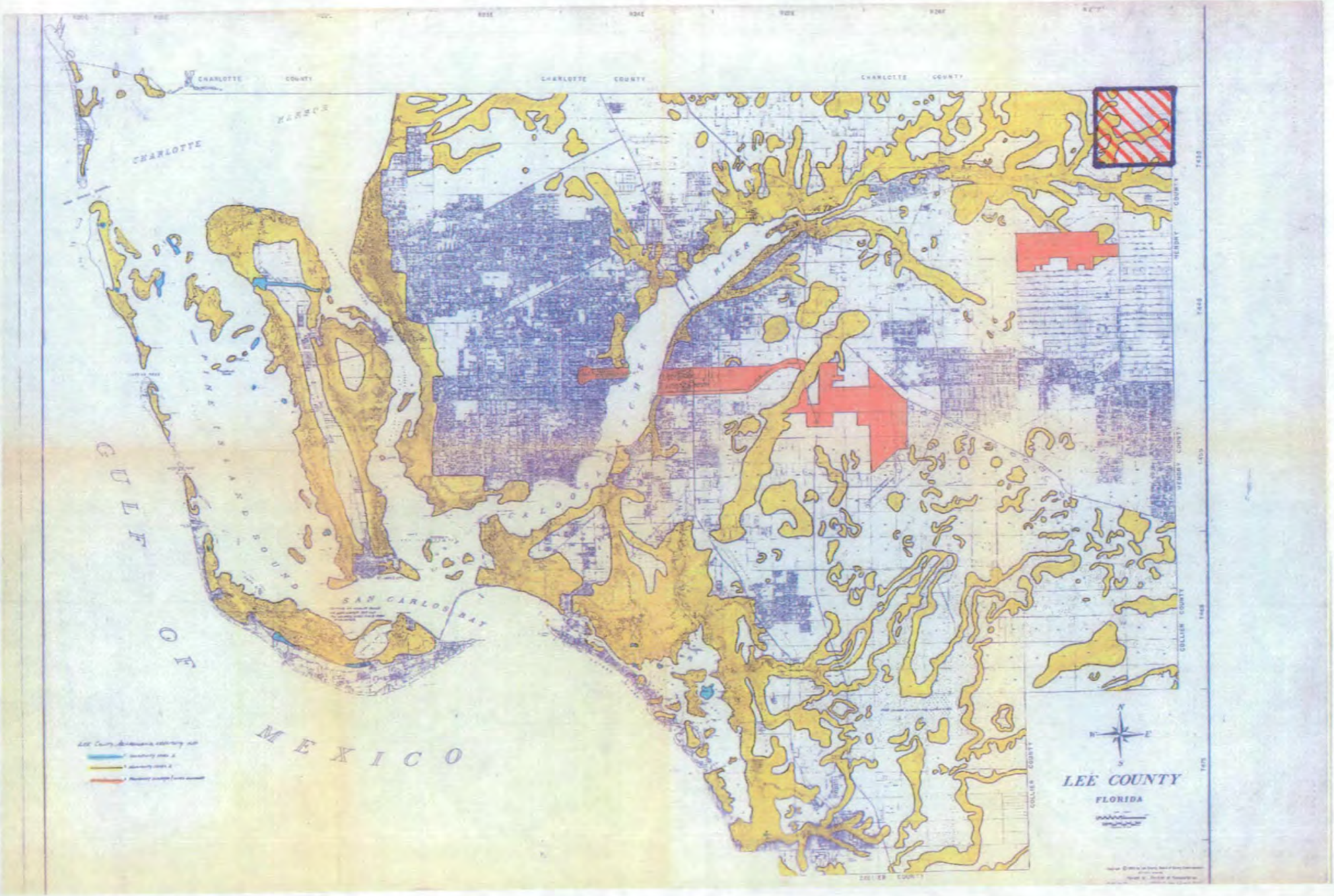
- **Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.**
- **As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.**

Sincerely,

for L. M. Tallum

Sandra Shiver
Data Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440
State SunCom: 205-6440
Fax line: 850-245-6439
Email: *fmsfile@dos.state.fl.us*
Web: *http://www.dos.state.fl.us/dhr/msf/*


CHARLOTTE COUNTY
CHARLOTTE COUNTY
CHARLOTTE COUNTY
CHARLOTTE
PEACE
RIVER
CHARLOTTE HARBOR
PINE ISLAND SOUND
SAN CARLOS BAY
GULF OF MEXICO
COLLIER COUNTY
HENDRY COUNTY
LEE COUNTY
FLORIDA

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

With the increase of development pressure and the need for more population to be in the eastern portion of Lee County, the 2020 Population Accommodation Tables (1b) will also need to be amended. Below is the existing 2020 Overlay Table (Table 5). There will need to be two changes made to this table. The first is to increase the residential acreage allocation. The second is to create the new land use category and add it to the table.

Table 5

Residential Use by Future Land Use Category	Acreage		
	Allocation for Year 2020	Existing	Available
Urban Community (UC)	519	458	61
Outlying Suburban (OS)	0	4	-4
Rural (R)	1,419	1,251	168
Outer Islands (OI)	5	1	4
Open Lands (OL)	175	17	158
Density Reduction/ Groundwater Resources (DRGR)	40	50	-10
Wetlands (RPA)	0	0	0
Openlands (OL)	175	55	120
Total Residential	2,158	1,836	322

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

- **Policy 1.4.1 & 1.4.3: Rural and Open Lands**

  The Rural Land Use Category is designated for areas that are to remain predominately low density residential or agricultural in nature. These areas have a maximum density limited to one unit per acre. The proposed change is to create a new land use category that would retain the rural character of the area while planning for the development occurring in the area.

- **Objective 2.1: Development Location**

  The proposed Land Use change supports the *intent* of Objective 2.1 through providing for a compact method of developing in the Rural Village land use category. The intent of the land use category is to creatively plan for the development that can already happen on the subject property. Creating a compact form of development will promote a more self-sustaining area. Increasing the density provides the critical mass of units necessary to support central water and sewer facilities. In addition,

allowing for the subject property to be comprehensively planned will allow for the creation of a new east-west road corridor.

- **Policy 4.1.1: Requires Developments To Be Well Integrated And Functional**

  Allowing for the subject property to be planned comprehensively will provide the County with the opportunity to ensure topographic and natural features are preserved or restored.

- **Policy 5.1.2: Physical Constraints or Hazards**

  Exposure to physical constraints or hazards will be minimized by clustering residential development through the Planned Development process, around a water management system to provide for water storage capacity, and direct water through the proposed restored natural flow areas and through preserving on-site wetlands. All units will be built to appropriate elevations to minimize the risk of flood.

- **Goals 39, 40 and 41:**

  One significant opportunity that this Comprehensive Plan amendment presents is for the restoration of a historic flowway. Attached, Johnson Engineering, Inc. has outlined how approving this amendment implements that language and intent of Goals 39, 40 and 41.

- **Goal 77: Resource Protection**

  The proposed development has demonstrated compliance with this Goal through the submission of the environmental analysis and protected species survey. The proposed project will incorporate all applicable land development regulations and other permit requirements as the project proceeds through the development order process. Under a common plan of development, the County will be able to comprehensively address environmental issues in the area.

  As proposed, the subject development meets the intent of and is in compliance with the Lee County Comprehensive Plan.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

There are no adjacent local governments that would be affected by this plan amendment.

QUESTION E 4

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

REGIONAL POLICY PLAN

Housing

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

The proposed development implements this Goal through providing an area appropriate for a range of residential development opportunities.

Economic Development

Goal 3: A stable regional economy based on a continuing excellent quality of life.

Strategy: Maintain and improve the natural, historic, cultural, and tourist-related resources as primary regional economic assets.

The proposed comprehensive plan amendment allows for the preservation and restoration of a historic flowway. Preserving and enhancing the natural resources of Southwest Florida implements this Goal. In addition, the preservation of open space through comprehensively planning and clustering development, and the location of commercial uses to service the rural community implement this goal.

Natural Resource Element

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

The proposed comprehensive plan amendment allows for the preservation and restoration of a historic flow way, as well as the preservation of common open space. Preserving and enhancing the natural resources of Southwest Florida implements this Goal.

Transportation

Goal 1, Strategy 2 – Ensure that a network of interconnected roads exist that provide the timely, cost effective movement of people and goods within, through and out of the

The proposed plan amendment will allow for Lee County to comprehensively plan for the area, including an additional east-west road corridor that can relieve State Road 78.

STATE COMPREHENSIVE PLAN

The proposed Northeast Lee Rural Village development is consistent with the State Comprehensive Plan. Below are specific policies as they relate to this proposed development.

(5) Housing

The proposed Comprehensive Plan Amendment will allow for the development of a diversity of housing opportunities in this area.

(10) Natural Systems and Recreational Lands

The proposed comprehensive plan amendment allows for the preservation and restoration of a historic flow way. Preserving and enhancing the natural resources of Southwest Florida implements this Goal.

POLICY 39.1.1: The County will continue to prepare and implement a comprehensive countywide surface water management master plan, with full attention to issues of regional water quality and environmental integrity. The County will complete basin plans for all of the remaining watersheds in Lee County by 2005. As each basin plan is completed, it will be scheduled for adoption by the Board of County Commissioners. (Amended by Ordinance No. 98-09)

Lee County has information for this part of the County from the Interim Master Plan developed in 1990. More recent data has been developed through a study of the area by South Florida Water Management District. The applicant will utilize these and other sources to establish a water management plan for the site that will integrate with the County's Master Plan.

POLICY 39.1.2: From technical data underlying the surface water management plan, criteria will be established and utilized to identify floodways and other areas of special flood risk not already identified by the Federal Flood Hazard Map and Flood Insurance Study. (Amended by Ordinance No. 00-22)

The water management plan for the site will address the flood risk for it by reviewing and analyzing the backwater profile information available on the receiving waters. The receiving waters for the site are Cypress Creek, Spanish Creek and Miller's Gully. County Line Drainage Canal is adjacent to the site along the eastern boundary, but is not connected to the site's surface water system. There is no proposed change in this condition.

POLICY 39.1.4: Continue to develop, update, and improve technical information, with the assistance of the U.S.D.A. Natural Resources Conservation Service, United States Geological Survey, Federal Emergency Management Agency, South Florida Water Management District, and other agencies, in order to better determine the current flooding risks associated with severe rainfall events. (Amended by Ordinance 91-19, 94-30, 99-15, 02-02)

The applicant is agreeable to provide information used to analyze the streams in the vicinity of this site to assist Lee County in developing, updating and improving the technical information used to determine current flooding risks associated with severe rainfall events.

POLICY 39.1.5: The county will, through appropriate land use and engineering regulations, continue to control the introduction of obstructions or impediments within floodways. (Amended by Ordinance No. 94-30, 00-22)

The applicant agrees to follow the land use and engineering regulations to keep any mapped floodways unobstructed and free from further impediments from this project. There are no mapped floodways that would affect this site at this time.

POLICY 39.1.6: The county will, through appropriate regulations, continue to provide standards for construction of artificial drainageways compatible with natural flow ways and otherwise provide for the reduction of the risk of flood damage to new development. (Amended by Ordinance No. 94-30, 00-22)

The applicant will follow the existing regulations if artificial drainageways are added as a part of the project.

POLICY 39.1.7: Priorities in public investment in surface water management facilities will be limited to new or expanded facilities serving the future urban areas, existing development, public facilities, and the maintenance of existing infrastructure; and outside the future urban areas, only to the prevention or reversal of environmental degradation, or the alleviation of bona fide health and safety emergencies. (Amended by Ordinance No. 00-22)

The applicant understands this policy and will work within its constraints to develop this site. The reestablishment of a flowway on the western part of the site will reverse some of the environmental changes made to the onsite flowway that has been completely eliminated both in hydraulic function and environmental function.

OBJECTIVE 40.1: COUNTY-WIDE PROGRAM. Lee County will continue its efforts in developing a surface water management program that is multi-objective in scope and is geographically based on basin boundaries. (Amended by Ordinance No. 94-30, 00-22)

The applicant will work within the existing Lee County Surface Water Master Plan in developing this site.

POLICY 40.1.2: Develop surface water management systems in such a manner as to protect or enhance the groundwater table as a possible source of potable water.

The applicant will work to at least protect and as reasonable enhance the groundwater table even though South Florida Water Management District now discourages the use of this aquifer as a source of potable water.

POLICY 40.1.3: Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats.

The applicant is committed to reestablishing a flowway in the western portion of the site as a part of the comprehensive plan amendment. The flowway would reconnect a wetland locally known as Bushhead with a tributary of Cypress Creek with the help of Lee County for the work in the offsite areas. Until the offsite areas are addressed by Lee County, the site will route the water through its internal system and discharge the water at a location

that would allow it to enter Cypress Creek or Spanish Creek. The restoration of this flowway will be a focal point of the project an return it to usefulness as a hydraulic conveyance and a corridor and home for a variety of animals.

POLICY 40.1.4: The county will examine steps necessary to restore principal flow-way systems, if feasible, to assure the continued environmental function, value, and use of natural surface water flow-ways and associated wetland systems. (Amended by Ordinance No. 00-22)

The applicant will assist Lee County with the steps necessary to restore the principal flowway in the western portion of the project.

POLICY 40.2.2: Taxing/benefit districts or other financing mechanisms established pursuant to Goal 3 of this plan will include an examination of the potential for basin-wide surface water management within the designated area. (Amended by Ordinance No. 00-22)

There is an existing Chapter 298 District over the area of this Comprehensive Plan Amendment although it was established before Goal 3. The applicant believes that the reestablishment of the flowway on the western part of the site will require addressing flows in more than one basin and while not impacting the entirety of each basin will address issues in each basin. The applicant does not intend to open this review up to all areas that are being addressed by other studies since that would unduly burden this one applicant.

POLICY 40.3.1: The following surface water management standards are adopted as minimum acceptable levels of service for unincorporated Lee County (see Policy 70.1.3). A. Existing Infrastructure/Interim Standard. The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding of designated evacuation routes (see Map 15) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

The applicant commits to provide a level of flood protection to the major roads such that they will not flood for more than 24 hours in a 25 year-3 day event.

OBJECTIVE 40.5: INCORPORATION OF GREEN INFRASTRUCTURE INTO THE SURFACE WATER MANAGEMENT SYSTEM. The long-term benefits of incorporating green infrastructure as part of the surface water management system include improved water quality, improved air quality, improved water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief within the urban environment. (Added by Ordinance No. 03-06).

The applicant proposes to reestablish a flowway in the western portion of the project to promote green infrastructure in the surface water management system. The flowway will be a pass through of surface waters from upstream of the project that are currently routed around the project site. The flowway will certainly provide improved water quality, improved air quality, water storage, wildlife habitat, recreational opportunities and visual relief within an urban environment. A flowway will not provide improved water recharge/infiltration due to the fine soils that made the path mostly if not wholly a wetland before its conversion to agriculture about four decades ago.

POLICY 40.5.2: The County encourages new developments to design their surface water management system to incorporate existing wetland systems. (Added by Ordinance No. 03-06)

The applicant will where possible incorporate existing wetlands into the surface water management system. In addition, the applicant will restore some previously converted wetlands within the flowway proposed for restoration in the western portion of the project.

POLICY 40.5.3: The County encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways. (Added by Ordinance No. 03-06)

The applicant will restore the flowway in the western portion of the site.

GOAL 41: PROTECTION OF WATER RESOURCES. To protect the county's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters.

The applicant intends to uphold this goal through sound methods of surface water management including both water quantity and quality.

POLICY 41.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality fresh water compatible with that use, consistent with financial and technical constraints. (Amended by Ordinance No. 00-22)

The applicant supports utilizing water resources wisely and will follow applicable regulations to fulfill this policy.

OBJECTIVE 41.2: MIMICKING THE FUNCTIONS OF NATURAL SYSTEM. Support a surface water management strategy that relies on natural features (flow ways, sloughs, strands, etc.) and natural systems to receive and otherwise manage storm and surface water.

The site is highly altered, but the applicant supports a surface water management strategy that will mimic natural systems.

POLICY 41.2.1: All development proposals outside the future urban areas must recognize areas where soils, vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes. (Amended by Ordinance No. 00-22)

The applicant recognizes that this highly altered site had features including soils, hydrology and topography that conveyed water. To that end, the applicant is proposing the restoration of a flowway in the western portion of the site.

POLICY 41.2.2: Where no natural features of flow or ponding exist on a site outside the future urban areas, the county will require that water management structures be designed and constructed in such a manner as to mimic the functions of natural systems. Special engineering and design standards for such structures will be incorporated into revised development regulations. (Amended by Ordinance No. 00-22)

The surface water management system for the site beyond the restored flowway will incorporate features that will mimic the functions of natural systems.

POLICY 41.2.3: Outside the future urban areas where traditional drainage structures exist (ditches, canals, dikes, etc.), the county may permit their continued existence and maintenance, but will discourage their expansion or extension. (Amended by Ordinance No. 00-22)

The applicant proposes to continue to utilize some of the existing ditches, canals, dikes and other water management features as necessary to continue the site's obligations to offsite interests and onsite features dependent on them.

POLICY 41.2.4: Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.

Where new systems are proposed, the design will incorporate features to have the new mimic natural systems.

POLICY 41.3.1: Provide sufficient performance and design standards to require postdevelopment runoff to approximate the total characteristics of the natural flow prior to development.

The project has a current surface water permit. The post development runoff will not exceed the currently permitted rate.

POLICY 41.3.2: Floodplains must be managed to minimize the potential loss of life and damage to property by flooding. (Amended by Ordinance No. 00-22)

Floodplains are limited in coverage area if existing at all on this site. The design will minimize the adverse impacts to the flood plain.

POLICY 41.3.3: Floodways should be kept as unobstructed as possible.

There are no known floodways on this site.

POLICY 41.3.6: Developments must have and maintain an adequate surface water management system, provision for acceptable programs for operation and maintenance, and post-development runoff conditions which reflect the natural surface water flow in terms of rate, direction, quality, hydroperiod, and drainage basin. Detailed regulations will continue to be integrated with other county development regulations. (Amended by Ordinance No. 00-22)

It is anticipated that the project will use the existing 298 District to maintain the water management system.

POLICY 41.3.7: Channelization of natural streams and rivers is prohibited; channelization of other natural watercourses is discouraged. (Amended by Ordinance No. 00-22)

POLICY 41.3.11: Runoff must be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants. (Amended by Ordinance No. 00-22)

The proposed water management system will convey runoff through a detention system to reduce velocity, allow for percolation and trap and remove solids and pollutants.

Appendix 1
Parcel List

LIVE
FROM 0201C1A TO 0214342

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVE OWNER)

VENDOR	VENDOR NAME	DESSTTP	AECDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE NON-P ACRES	AC
410771	FLORIDA CITRUS COMPA	020101A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020101C	XX	2.50			
410771	FLORIDA CITRUS COMPA	020101D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020102A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020102C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020103T	XXXXXXXX	10.00			1
498922	YOUNG,REID C	020104T	XXXXXXXX	10.00			1
474570	RICHEY,WANDA L	020105A	XXXX	5.00			
455890	MCGEENEY,WILLIAM S	020105E	X	1.25			
410771	FLORIDA CITRUS COMPA	020105F	XXX	3.75			
410771	FLORIDA CITRUS COMPA	020106T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020107A	XXXX	5.00			
415300	CIPULLO,MICHAEL A	020107C	XXXX	5.00			
410672	MORTON & ASSOC,JOE C	020108T	XXXXXXXX	10.00			1
410661	WILSON,C E	020109T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020110T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020111T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020112T	XXXXXXXX	10.00			1
428650	FIYALKO,MARY E	020113T	XXXXXXXX	10.00			1
410634	WALLS,HOSEA E	020114T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020115T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020116T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020117T	XXXXXXXX	10.00			1
410694	BERGMAN,J D	020118T	XXXXXXXX	10.00			1
438670	HERMOSA,MARIANO G	020119T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020120T	XXXXXXXX	10.00		5.00	
410771	FLORIDA CITRUS COMPA	020121T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020122T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020123T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020124A	XXXX	5.00			
448650	KRESH,NORMAN N	020124C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020125T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	020126T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020127A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020127B	XX	2.50			
410771	FLORIDA CITRUS COMPA	020127C	XX	2.50			
403650	BOUDREAU,GERALD A	020127D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020128T	XXXXXXXX	10.00		7.50	
410771	FLORIDA CITRUS COMPA	020129A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020129C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020130T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020131A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020131C	XXXX	5.00			
446115	KAPP,HOWARD A	020132A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020132B	XXXXXX	7.50			
459740	MONTGOMERY,ARTHUR R	020133A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020133C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020134T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	020135T	XXXXXXXX	10.00			
410757	COX MICHAEL T	020136T	XXXXXXXX	10.00			1
410616	LABELLE AUTO PARTS	020137A	XXXX	5.00			

LIVE
FROM C20101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DCSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-P AC
410771	FLORIDA CITRUS COMPA	020137C	XXXX	5.00			5
402230	ANDREWS,MARION	020138A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020138C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020139A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020139B	XX	2.50			2
402285	ANCEL,EUGENE P	020139C	XXXX	5.00			5
410762	HANSEN FARMS INC,C M	02014CT	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020141T	XXXXXXXX	10.00			10
410616	LABELLE AUTO PARTS	020142A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020142C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020143A	XXXX	5.00			5
410745	DENICK W/PAUL& DENNI	020143C	XXXX	5.00			5
~~410424~~	~~LUCAS, CHANDLER~~	~~020144A~~	~~XX~~	~~2.50~~ Fee			
410771	FLORIDA CITRUS COMPA	020144B	XX	2.50		2.50	
450150	ONORATO,UBALDO	020144C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020145A	XX	2.50			2
407350	BLATT,SAUL L	020145B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020145C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020146T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020147T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	020148T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	020149T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020150A	XXXX	5.00			5
437749	HAMM,WALTER O	020150C	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020150D	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020151A	XX	2.50			2
410297	JEWETT,DONALD R	020151B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020151C	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	020152T	XXXXXXXX	10.00		5.00	
410771	FLORIDA CITRUS COMPA	020153T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020154T	XXXXXXXX	10.00		7.50	2
410771	FLORIDA CITRUS COMPA	020155T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020156T	XXXXXXXX	10.00		1.50	
410634	WALLS,HOSEA E	020157T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020158T	XXXXXXXX	10.00			10
455895	MCGOLDRICK,LOIS F	020159T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	02016CT	XXXXXXXX	10.00			10
475410	ROME - TRUSTEE, CARL	020161T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020162T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	020163T	XXXXXXXX	10.00			10
410694	BERGMAN,J D	020164A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020164B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020164C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020165A	XXXX	5.00			5
410714	SCHNEIDER,CAROLYN C	020165C	XXXX	5.00 Florida citrus			5
416980	COTE,MARTHA A	020166A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020166C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020167T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020168T	XXXXXXXX	10.00			10
	*** SECTION TOTAL *			680.00		51.50	603

LIVE
FROM C2C1C1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DDSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-M AC
410771	FLORIDA CITRUS COMPA	020201T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020202T	XXXXXXXX	10.00			10
410616	LABELLE AUTO PARTS	020203A	XXXX	5.00			5
410616	LABELLE AUTO PARTS	020203C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020204A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020204B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020204C	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020204D	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020205A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020205B	XX	2.50			
410771	FLORIDA CITRUS COMPA	020205C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020206A	XXX	3.75			
451390	LISS,SIEGFRIED E	020206D	X	1.25			1
410771	FLORIDA CITRUS COMPA	020206E	XX	2.50			
452800	LAUFFENBURGER,ELMER	020206G	XX	2.50			
410771	FLORIDA CITRUS COMPA	020207A	XXXX	5.00			5
451390	LISS,SIEGFRIED E	020207E	X	1.25			1
410771	FLORIDA CITRUS COMPA	020207F	X	1.25			1
410771	FLORIDA CITRUS COMPA	020207G	X	1.25			1
410771	FLORIDA CITRUS COMPA	020207H	X	1.25			1
446180	KARCHER,MERRILL L	020208A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020208C	XX	2.50			
473500	RHEINWALD,JOHN G	020208D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020209A	XXXX	5.00			
430440	EUGO,RICHARD	020209C	XXXX	5.00	MC		
405900	KIT,CAROL ANN	02021CA	XX	2.50			
410771	FLORIDA CITRUS COMPA	02021CB	XXXXXX	7.50			
410616	LABELLE AUTO PARTS	020211A	X	1.25			
410771	FLORIDA CITRUS COMPA	020211B	XXX	3.75			
410715	SMITH,ELBERT E	020211E	XXXX	5.00			
410755	B&B GROVES	020212A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020212B	XX	2.50	MC		
410771	FLORIDA CITRUS COMPA	020212C	XX	2.50			
410715	SMITH,ELBERT E	020212D	XX	2.50			
410755	B&B GROVES	020213A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020213C	XXXX	5.00			
410757	COX MICHAEL T	020214A	XXXX	5.00	MC		
410771	FLORIDA CITRUS COMPA	020214C	XXXX	5.00		2.50	
410771	FLORIDA CITRUS COMPA	020215T	XXXXXXXX	10.00		2.50	
410577	~~FISHER JR,C W~~	020216T	XXXXXXXX	10.00	Labelle Auto		10
410616	LABELLE AUTO PARTS	020217T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020218A	XXXXXX	7.50			
410771	FLORIDA CITRUS COMPA	020218D	XX	2.50			
435880	GRIFFEN,MICHAEL C	020219T	XXXXXXXX	10.00			10
410771	~~FLORIDA CITRUS COMPA~~	020220A	XXXX	5.00	Labelle		
410616	LABELLE AUTO PARTS	020220C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020221A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020221B	XX	2.50			
410771	FLORIDA CITRUS COMPA	020221C	XX	2.50			
410771	FLORIDA CITRUS COMPA	020221D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020222A	XXXX	5.00			

LIVE
FROM 020101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DESSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-P AC
410771	FLORIDA CITRUS COMPA	020222C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020223T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020224A	XXXX	5.00			5
437779	HANSON,EDWARD L	020224C	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020224D	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020225T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020226T	XXXXXXXX	10.00		4.98	5
410616	LABELLE AUTO PARTS	020227A	XXXX	5.00			5
410616	LABELLE AUTO PARTS	020227C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020228A	XX	2.50			2
410616	LABELLE AUTO PARTS	020228B	XXXX	5.00			5
410616	LABELLE AUTO PARTS	020228D	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020229A	XXXX	5.00		4.25	1
410771	FLORIDA CITRUS COMPA	020229C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020230A	XXXXXX	7.50			7
416645	CODESPOTI,SEBASTIAN	020230D	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020231T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020232T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	020233T	XXXXXXXX	10.00		1.25	8
410616	LABELLE AUTO PARTS	020234A	XXXX	5.00			5
410616	LABELLE AUTO PARTS	020234C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020235T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020236A	XXXX	5.00			5
425650	ELIAN,ROBERT J	020236C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020237A	XXXX	5.00			5
491970	URICH,NICHOLAS J	020237C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020238T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020239T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020240A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020240C	XXXX	5.00			5
~~410227~~	~~EVERLY,ESTATE OF RAL~~	~~020241T~~	~~XXXXXXXX~~	~~10.00~~			~~10~~
410634	WALLS,HOSEA E	020242T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020243T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020244A	XXXXXX	7.50			7
410024	SILVERGLADE,PAUL L	020244D	XX	2.50			2
493040	LESLIE,MARJORIE	020245A	X	1.25			1
410771	FLORIDA CITRUS COMPA	020245B	X	1.25			1
410771	FLORIDA CITRUS COMPA	020245C	X	1.25			1
410771	FLORIDA CITRUS COMPA	020245D	XXX	3.75			3
410771	FLORIDA CITRUS COMPA	020245G	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020246T	XXXXXXXX	10.00			10
447560	KIT,RUDOLPH H	020247A	XX	2.50			2
413151	LIGNELLI,EILEEN C	020247B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020247C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020248A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020248B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020248C	XXXX	5.00			5
410444	HANSEN FARMS INC,C M	020249T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020250T	XXXXXXXX	10.00		5.00	5
494210	WENDEL,JOSEF	020251A	XX	2.50			2
406100	BEWLEY,DANIEL J	020251C	X	1.25			1

LIVE
FROM 020101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DDSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-M AC
443900	JAEGER JR,FREDERICK	020251D	X	1.25			1
410771	FLORIDA CITRUS COMPA	020251E	X	1.25			1
410757	COX MICHAEL T	020251F	X	1.25			1
410771	FLORIDA CITRUS COMPA	020251G	XX	2.50			2
438315	HAVEY JR,C ELMER	020252A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020252B	XX	2.50			2
433265	GIGAX,KENNETH W	020252C	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020252D	XX	2.50			2
410577	RISHER JR,C W	020253T	XXXXXXXX	10.00			10
410577	RISHER JR,C W	020254A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020254C	XXXX	5.00			5
410577	RISHER JR,C W	020255T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020256T	XXXXXXXX	10.00			10
471995	GENERAL FISH MACHINE	020257T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020258A	XX	2.50			2
438330	HAWKEN,CHARLES H	020258B	XX	2.50			2
410771	FLORIDA CITRUS COMPA	020258C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020259T	XXXXXXXX	10.00			10
410634	WALLS,HOSEA E	020260A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020260C	XXXX	5.00			5
410634	WALLS,HOSEA E	020261A	XXXX	5.00			5
468520	MIXON ADMINISTRATRIX	020261C	XXXX	5.00			5
446090	KANDRA,JOSEPH E	020262A	X	1.25			1
415000	CIKRA,RICHARD	020262B	X	1.25			1
410771	FLORIDA CITRUS COMPA	020262C	XX	2.50			2
423700	DUZOGLL,DIOGENES	020262E	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020263T	XXXXXXXX	10.00			10
464700	NOSEK & SONS,JOSEPH	020264T	XXXXXXXX	10.00			10
408500	BOOTH,GEORGE D	020265A	XXXX	5.00			5
492301	VALENTI - TRUST, MAR	020265C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020266A	XX	2.50			2
441160	HSIAO,CHRISTOPHER C	020266B	XX	2.50			2
443870	JACKSON,ALBERT S	020266C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020267T	XXXXXXXX	10.00			10
472000	RANDA,ROBERT J	020268T	XXXXXXXX	10.00			10
	*** SECTION TOTAL *			680.00		30.48	63
410771	FLORIDA CITRUS COMPA	020301T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020302A	XXXX	5.00			5
488400	TADDEI,GIOVANNI	020302C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020303A	XXXX	5.00			5
488400	TADDEI,GIOVANNI	020303C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020304A	XXXX	5.00			5
488400	TADDEI,GIOVANNI	020304C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020305A	XXXX	5.00			5
488400	TADDEI,GIOVANNI	020305C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020306A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020306C	XXXX	5.00			5
410577	RISHER JR,C W	020307T	XXXXXXXX	10.00			10
407320	BLACK,HOWARD E	020308A	XXXX	5.00			5

LIVE
FROM C20101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DDSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON- A
410771	FLORIDA CITRUS COMPA	020308E	X	1.25			
413150	LIONELLI,EILEEN C	020308F	X	1.25			1
410771	FLORIDA CITRUS COMPA	020308G	XX	2.50			
410771	FLORIDA CITRUS COMPA	020309T	XXXXXXXX	10.00			1(
47199C	RAMBOW,F ALBERT K	020310T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020311T	XXXXXXXX	10.00			1(
451201	LIETZ,PAUL B	020312T	XXXXXXXX	10.00			1(
49257C	VERMEER,INA & YOLAND	020313T	XXXXXXXX	10.00			1(
410634	WALLS,HOSEA E	020314T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020315T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020316T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020317A	XX	2.50			
432075	GELBER,HOWARD S	020317B	XX	2.50			
410771	FLORIDA CITRUS COMPA	020317C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020318T	XXXXXXXX	10.00		3.75	
410577	RISHER JR,C W	020319T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020320A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020320C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020321A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020321C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020322T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020323A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020323C	XXXX	5.00		5.00	
44746C	KILKENS,PETER F	020324T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020325T	XXXXXXXX	10.00		7.50	
45336C	LUTKE-SCHIPHOLT,J H	020326T	XXXXXXXX	10.00			1(
43655C	GUTKE,HERBERT A & UR	020327A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020327C	XXXX	5.00		1.25	
410577	RISHER JR,C W	020328T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020329T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020330T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020331T	XXXXXXXX	10.00			1(
410577	RISHER JR,C W	020332A	XX	2.50			
410771	FLORIDA CITRUS COMPA	020332B	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020332D	XX	2.50			
410739	VARNER,JAMES	020333A	XXXX	5.00			
402222	ANDERSON,HARRY W	020333C	XXXX	5.00			
42459C	DZIEDZINA,CHESTER	020334T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020335A	XX XXXX	7.50			
413245	CARR,DANIEL R	020335B	XX	2.50			
410771	FLORIDA CITRUS COMPA	020336T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	020337A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020337C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020338A	XXXXXX	7.50		1.25	1
402550	APPEL,JACK A	020338D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020339T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	020340T	XXXXXXXX	10.00		1.25	8
410771	FLORIDA CITRUS COMPA	020341T	XXXXXXXX	10.00			1(
410771	FLORIDA CITRUS COMPA	020342A	XXXX	5.00		3.75	1
402300	ARSENIJEVITH,MICHAEL	020342C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020343T	XXXXXXXX	10.00		6.25	3

LIVE
FROM C20101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DCSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-P AC
410771	FLORIDA CITRUS COMPA	020344A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020344C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020345A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	020345C	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	020346T	XXXXXXXX	10.00			10
410634	WALLS,HOSEA E	020347T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	020348A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020348C	XXXX	5.00			
466900	PAPAVASSILIOU,BASILE	020349T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020350T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020351T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020352T	XXXXXXXX	10.00		7.50	
410771	FLORIDA CITRUS COMPA	020353T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	020354T	XXXXXXXX	10.00			1
410433	MUNROE,D J	020355A	XX	2.50			
410433	MUNROE,D J	020355B	XXXXXX	7.50			
406391	BICKEL AND COMPANY	020356T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020357T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020358T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	020359T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	020360T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020361A	XXXX	5.00			
402550	APPEL,JACK A	020361C	XX	2.50			
410771	FLORIDA CITRUS COMPA	020361D	XX	2.50			
410771	FLORIDA CITRUS COMPA	020362T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	020363A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	020363C	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	020364T	XXXXXXXX	10.00			1
410725	GREENE R. HARRY	020365T	XXXXXXXX	10.00			1
410725	GREENE R. HARRY	020366T	XXXXXXXX	10.00			1
410725	GREENE R. HARRY	020367T	XXXXXXXX	10.00			1
469610	POKINSKY,BOGDAN	020368T	XXXXXXXX	10.00			1
	*** SECTION TOTAL *			680.00		80.00	56
479700	SHUGG JR,RICHARD L	021101A	XXXX	5.00			
410634	WALLS,HOSEA E	021101C	XXXX	5.00			
410634	WALLS,HOSEA E	021102T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021103A	XX XXXX	7.50			
410756	LEWIS AND,DON J	021103B	XX	2.50			
430492	FULLER,JAMES L	021104T	XXXXXXXX	10.00		1.00	
475415	ROMEYN TRUST,RICH. &	021105A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021105C	XX	2.50		1.50	
475415	ROMEYN TRUST,RICH. &	021105D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021106A	XX	2.50		1.25	
410771	FLORIDA CITRUS COMPA	021106B	XX	2.50			
410616	LAEELLE AUTO PARTS	021106C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021106D	XX	2.50		1.25	
410771	FLORIDA CITRUS COMPA	021107T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021108T	XXXXXXXX	10.00		5.83	
410771	FLORIDA CITRUS COMPA	021109A	XXXX	5.00			

LIVE
FROM C201C1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DISSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE NON-A ACRES	A
410755	B&B GROVES	021109C	XX	2.50			
453255	LUBOMSKI,JOSEPH F	021109D	XX	2.50			
410577	RISHER JR,C W	021110T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021111T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021124T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021125T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021126T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021127T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021128T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021129T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021130T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021131T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021132T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021133T	XXXXXXXX	10.00			1
410577	RISHER JR,C W	021134T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021135T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021136A	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021136B	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021136C	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021136D	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021137A	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	021137C	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021137D	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021138A	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021138B	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021138C	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021138D	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021139A	XXXX	5.00			
46834C	FIELS,JOHAN	021139C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021140A	XXXX	5.00			
410433	MUNROE,D J	021140C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021141T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021142T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021143A	XX	2.50			
410771	FLORIDA CITRUS COMPA	021143C	X	1.25			
410771	FLORIDA CITRUS COMPA	021143D	X	1.25			
410771	FLORIDA CITRUS COMPA	021143E	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021144T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021145T	XXXXXXXX	10.00		2.50	
410771	FLORIDA CITRUS COMPA	021158T	XXXXXXXX	10.00		3.33	
410771	FLORIDA CITRUS COMPA	021159T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021160A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021160C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021161A	XXXX	5.00		1.34	
41305C	CANNATA,JAMES V	021161C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021161D	XX	2.50		2.12	
410771	FLORIDA CITRUS COMPA	021162T	XXXXXXXX	10.00		2.10	
410771	FLORIDA CITRUS COMPA	021163T	XXXXXXXX	10.00		7.00	
410771	FLORIDA CITRUS COMPA	021164A	X	1.25			
410771	FLORIDA CITRUS COMPA	021164B	XXXXXXX	8.75		8.75	
410771	FLORIDA CITRUS COMPA	021165T	XXXXXXXX	10.00			1

LIVE
FROM C201C1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DDSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-P AC
410771	FLORIDA CITRUS COMPA	021166T	XXXXXXXX	10.00		6.62	3
475415	ROMEYN TRUST,RICH. &	021167A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	021167B	XXXXXX	7.50			7
410771	FLORIDA CITRUS COMPA	021168A	XXXX XX	7.50		3.45	4
410771	FLORIDA CITRUS COMPA	021168C	XX	2.50			2
	*** SECTION TOTAL *			440.00		88.09	328
410771	FLORIDA CITRUS COMPA	021201T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021202A	XXXXXX	7.50		2.50	
452820	LOUSHEFF,CHRIS J	021202D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021203A	XX	2.50			
410744	WILSON,WILLIAM BLAKE	021203B	XXXX	5.00			
492380	VAN HOOFF,FRANCISCUS	021203D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021204A	XXXXXX	7.50			
478650	SCOTT,SAULATHIA	021204D	XX	2.50			
410616	LABELLE AUTO PARTS	021205T	XXXXXXXX	10.00			10
410661	WILSON,C E	021206A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021206C	XXXX	5.00			
485260	STICH,CECILIA	021207A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021207C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021208A	XXXXXX	7.50			
410715	SMITH,ELBERT E	021208D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021209T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021210A	XXXX	5.00			
446540	KELLY,EUCHIER A	021210E	X	1.25			
410771	FLORIDA CITRUS COMPA	021210F	XXX	3.75			
410771	FLORIDA CITRUS COMPA	021211A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021211C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021212T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021213T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021214A	X	1.25			
410049	HILFER,MILDRED A	021214B	X	1.25			
410771	FLORIDA CITRUS COMPA	021214C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021214G	XX	2.50			
410771	FLORIDA CITRUS COMPA	021215T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021216T	XXXXXXXX	10.00		1.50	
446270	WRIGHT,LILLIAN K	021217A	X	1.25			
410771	FLORIDA CITRUS COMPA	021217B	XXX	3.75		1.00	
410771	FLORIDA CITRUS COMPA	021217E	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021218T	XXXXXXXX	10.00		5.00	
410771	FLORIDA CITRUS COMPA	021219T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021220T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021221T	XXXXXXXX	10.00		5.00	
423900	DWORAK,CARL M	021222T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021223A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021223C	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	021224T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021225T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021226T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021227A	XXXX	5.00			

LIVE
FROM C2C1C1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DCSSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-A
410771	FLORIDA CITRUS COMPA	021227C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021227D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021228T	XXXXXXXX	10.00			
440860	HOUSER,HORACE M	021229A	XX	2.50			
410771	FLORIDA CITRUS COMPA	021229B	XX	2.50		1.50	
410760	BLACK,JANICE L	021229C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021229D	XX	2.50			
415850	CLASS,CHARLES E	02123CA	XX	2.50			
410771	FLORIDA CITRUS COMPA	021230B	XX	2.50			
410771	FLORIDA CITRUS COMPA	02123CC	XXXX	5.00			
410634	WALLS,HOSEA E	021231T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021232A	XXXX	5.00		4.00	
410715	SMITH,ELBERT E	021232E	XX	2.50			
410771	FLORIDA CITRUS COMPA	021232G	XX	2.50		1.25	
410771	FLORIDA CITRUS COMPA	021233A	XX	2.50			
410771	FLORIDA CITRUS COMPA	021233B	XXXXXX	7.50			
410771	FLORIDA CITRUS COMPA	021234T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021235T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021236A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021236C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021237T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021238T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021239T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	02124CT	XXXXXXXX	10.00		7.50	
419999	BERMONT CANAVERAL CO	021241T	XXXXXXXX	10.00			1
419999	BERMONT CANAVERAL CO	021242T	XXXXXXXX	10.00			1
419999	BERMONT CANAVERAL CO	021243T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021244A	X	1.25			1
410771	FLORIDA CITRUS COMPA	021244B	XXX	3.75			
419999	BERMONT CANAVERAL CO	021244E	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021245A	XX	2.50			
410771	FLORIDA CITRUS COMPA	021245B	XX	2.50			
419999	BERMONT CANAVERAL CO	021245C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021246A	XXXX	5.00			
419999	BERMONT CANAVERAL CO	021246C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021247A	XXXX	5.00			
419999	BERMONT CANAVERAL CO	021247C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021248A	XXXX	5.00		5.00	
419999	BERMONT CANAVERAL CO	021248C	XXXX	5.00			
410433	MUNROE,D J	021249A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021249C	XXXX	5.00		1.25	
410771	FLORIDA CITRUS COMPA	021250T	XXXXXXXX	10.00		1.00	9
410771	FLORIDA CITRUS COMPA	021251T	XXXXXXXX	10.00		1.25	8
410771	FLORIDA CITRUS COMPA	021252T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	021253T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	021254A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021254C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021255T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	021256T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021257T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021258T	XXXXXXXX	10.00		10.00	

LIVE
FROM C20101A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DDSSTTP	AECDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-P AC
410771	FLORIDA CITRUS COMPA	021259T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021260T	XXXXXXXX	10.00		2.50	7
410771	FLORIDA CITRUS COMPA	021261T	XXXXXXXX	10.00		5.00	5
410771	FLORIDA CITRUS COMPA	021262T	XXXXXXXX	10.00		5.00	5
410771	FLORIDA CITRUS COMPA	021263T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021264T	XXXXXXXX	10.00		5.00	5
410771	FLORIDA CITRUS COMPA	021265T	XXXXXXXX	10.00		6.25	3
410771	FLORIDA CITRUS COMPA	021266A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021266C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021267T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021268T	XXXXXXXX	10.00			10
	*** SECTION TOTAL *			680.00		124.00	53
410771	FLORIDA CITRUS COMPA	021301A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021301C	XXXX	5.00		3.32	1
410771	FLORIDA CITRUS COMPA	021302A	XXXX	5.00		2.50	2
410771	FLORIDA CITRUS COMPA	021302C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021303A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021303C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021304T	XXXXXXXX	10.00			10
481635	SMITH,J MILNER	021305T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021306T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021307T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021308T	XXXXXXXX	10.00			10
410771	FLORIDA CITRUS COMPA	021309T	XXXXXXXX	10.00		10.00	
410771	FLORIDA CITRUS COMPA	021310A	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	021310C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021311A	XXXX	5.00		5.00	
410771	FLORIDA CITRUS COMPA	021311C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021312T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021313T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021314T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021315T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021316A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021316C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021317A	XXXX	5.00			
410616	LABELLE AUTO PARTS	021317C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021317D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021318A	XXXXX	6.67		6.67	
410771	FLORIDA CITRUS COMPA	021319A	XXXXX	6.67		6.67	
410771	FLORIDA CITRUS COMPA	021320A	XXXXX	6.67		6.67	
410771	FLORIDA CITRUS COMPA	021321A	XX	2.50			
404660	EALES JR,JAMES T	021321C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021321E	XX	1.67			
410771	FLORIDA CITRUS COMPA	021322A	XXXXX	6.67			
410771	FLORIDA CITRUS COMPA	021323A	XXXXX	6.67			
410771	FLORIDA CITRUS COMPA	021324A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021324C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021325T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021326A	XXXX	5.00		5.00	

LIVE
FROM C201G1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DESSTTP	ABCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-A
472800	REHM,ERIKA L	021326C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021326D	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021327A	XX	2.50		2.50	
438050	HART,RICHARD V	021327B	XX	2.50			
410771	FLORIDA CITRUS COMPA	021327C	XXXX	5.00		3.75	
455510	MAXWELL-DECEASED,LEE	021328A	XX	2.50			
410771	FLORIDA CITRUS COMPA	021328B	XXXXXX	7.50		5.45	
410771	FLORIDA CITRUS COMPA	021329T	XXXXXXXX	10.00		8.70	
410771	FLORIDA CITRUS COMPA	021330T	XXXXXXXX	10.00		7.50	
410771	FLORIDA CITRUS COMPA	021331T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021332T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021333T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021334T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021335T	XXXXXXXX	10.00		4.58	
410771	FLORIDA CITRUS COMPA	021336A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021336C	XX	2.50			
410771	FLORIDA CITRUS COMPA	021336D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021337T	XXXXXXXX	10.00			1
437570	HADJIGEORGIOU,NICOLA	021338T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021339T	XXXXXXXX	10.00		5.81	
410771	FLORIDA CITRUS COMPA	021340T	XXXXXXXX	10.00		6.35	
410771	FLORIDA CITRUS COMPA	021341A	XXXX	5.00			
458300	MILONE,ANTHONY L	021341C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021342T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021343T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021344T	XXXXXXXX	10.00			1
493950	WAFFNER,DAVID M	021345A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021345C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021357A	XXX	3.35			
410771	FLORIDA CITRUS COMPA	021358A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021358C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021359T	XXXXXXXX	10.00			
	*** SECTION TOTAL *			453.37		107.97	26
410771	FLORIDA CITRUS COMPA	021401T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021402T	XXXXXXXX	10.00			1
410771	FLORIDA CITRUS COMPA	021403A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021403C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021404T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021405T	XXXXXXXX	10.00		4.25	
410771	FLORIDA CITRUS COMPA	021406A	XXXXXX	7.50			
410433	MUNROE,D J	021406D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021407T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021408T	XXXXXXXX	10.00			
410771	FLORIDA CITRUS COMPA	021409A	XXXX	5.00			
410443	HANSEN FARMS INC,C M	021409C	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021410A	XXXX	5.00			
410771	FLORIDA CITRUS COMPA	021410C	XX	2.50			
~~410715~~	~~SMITH,ELBERT E~~	021410D	XX	2.50			
410771	FLORIDA CITRUS COMPA	021411A	XXXX	5.00			

LIVE
FROM C201C1A TO 021434Z

ORANGE CO OF FLORIDA
DST REPORT BY DST (ONLY GROVEOWNER)

VENDOR	VENDOR NAME	DISSTTP	4BCDEFGH	TOTAL DST ACRES	GROVE ACRES	PLANTABLE ACRES	NON-M AC
410771	FLORIDA CITRUS COMPA	021411C	XXXX	5.00			5.
410771	FLORIDA CITRUS COMPA	021412A	XXXX	5.00			
444356	JEWELL,ELWOOD L	021412C	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021413T	XXXXXXXX	10.00		2.54	5
410771	FLORIDA CITRUS COMPA	021414A	XXX	3.75		1.84	1
410771	FLORIDA CITRUS COMPA	021414D	X	1.25			1
410771	FLORIDA CITRUS COMPA	021414E	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021415T	XXXXXXXX	10.00			3
410771	FLORIDA CITRUS COMPA	021416T	XXXXXXXX	10.00			3
410771	FLORIDA CITRUS COMPA	021417T	XXXXXXXX	10.00			2
410771	FLORIDA CITRUS COMPA	021418A	XXX	3.75			1
410771	FLORIDA CITRUS COMPA	021418D	XX	2.50		2.50	
410771	FLORIDA CITRUS COMPA	021419A	XXXX	5.00			4
410771	FLORIDA CITRUS COMPA	021419C	X	1.25		.69	
410771	FLORIDA CITRUS COMPA	021420A	XXXXX	6.25		1.25	5
410771	FLORIDA CITRUS COMPA	021421A	XXXXX	6.25		.69	5
410771	FLORIDA CITRUS COMPA	021422A	XXXXX	6.25		1.25	5
410771	FLORIDA CITRUS COMPA	021423A	XXXXX	6.25		.69	5
410771	FLORIDA CITRUS COMPA	021424A	XXXXX	6.25		.69	5
410771	FLORIDA CITRUS COMPA	021425A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021425C	X	1.25		.69	
42185C	DOLDER-MARENDAZ,MARI	021426A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021426C	X	1.25		.69	
410771	FLORIDA CITRUS COMPA	021427A	XXXXX	6.25		1.37	4
45015C	ONORATO,UBALDO	021428A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021428C	X	1.25		.64	
410771	FLORIDA CITRUS COMPA	021429A	XXXXX	6.25			6
410715	~~SMITH,ALBERT E~~ FCC	021430A	XX	2.50			2
410771	FLORIDA CITRUS COMPA	021430B	XXX	3.75			3
410771	FLORIDA CITRUS COMPA	021431A	XXXXX	6.25			6
410771	FLORIDA CITRUS COMPA	021432A	XXXX	5.00			5
410771	FLORIDA CITRUS COMPA	021432C	X	1.25		.75	
410771	FLORIDA CITRUS COMPA	021433A	XXXXX	6.25		3.75	2
410771	FLORIDA CITRUS COMPA	021434A	XXXXX	6.25		3.75	2
	*** SECTION TOTAL *			276.25		28.03	169
	*** DIVISION TOTAL *			3889.62		510.07	3099
	*** REPORT TOTAL ***			3889.62		510.07	3099

Appendix 2
Parcels in Open Lands Category

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

	STRAP	Acre
1	0243270000001051E	1.0
2	0243270000001051F	1.0
3	0243270000001051D	1.0
4	0243270000001051C	1.1
5	0243270000001007E	1.1
6	0243270000001062B	1.2
7	0243270000001062A	1.2
8	0343270000001008F	1.2
9	0243270000001045A	1.2
10	0243270000001006D	1.3
11	0343270000001008E	1.3
12	0143270000001005E	1.4
13	0243270000001052B	1.8
14	0243270000001052C	1.9
15	0343270000001061C	1.9
16	0243270000001052A	2.0
17	0243270000001051G	2.0
18	0243270000001051A	2.1
19	0343270000001038D	2.2
20	0143270000001064A	2.2
21	0243270000001062C	2.2
22	0243270000001028A	2.2
23	0143270000001050D	2.2
24	1143270000001067A	2.3
25	1143270000001061C	2.3
26	0243270000001030D	2.3
27	0243270000001058B	2.3
28	0343270000001032A	2.3
29	0243270000001010A	2.3
30	0343270000001061D	2.3
31	0243270000001066B	2.3
32	0143270000001045A	2.3
33	0243270000001066A	2.3
34	0143270000001032A	2.4
35	0243270000001058A	2.4
36	0143270000001051B	2.4
37	0143270000001045B	2.4
38	0143270000001050C	2.4
39	0243270000001008C	2.4
40	1143270000001005D	2.4
41	0143270000001051A	2.4
42	0243270000001024D	2.4
43	0243270000001047B	2.4
44	0243270000001044D	2.4
45	0343270000001008G	2.4
46	0243270000001006E	2.4
47	0243270000001024C	2.5
48	1143270000001009D	2.5
49	1143270000001005C	2.6

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

50	0243270000001008D	2.6
51	0243270000001047A	2.6
52	0243270000001052D	2.6
53	0143270000001027D	2.6
54	0243270000001006G	2.6
55	0343270000001035B	2.7
56	0343270000001035A	2.7
57	1143270000001061D	2.7
58	0243270000001007F	3.5
59	0243270000001006A	3.6
60	0143270000001005F	3.6
61	0343270000001061A	4.1
62	0143270000001066A	4.4
63	0343270000001004A	4.4
64	0243270000001061A	4.5
65	1143270000001005A	4.5
66	0243270000001065C	4.5
67	0243270000001065A	4.5
68	0243270000001054A	4.5
69	0143270000001037A	4.5
70	0343270000001042C	4.6
71	0143270000001033A	4.6
72	0243270000001013C	4.6
73	0343270000001004C	4.6
74	0143270000001051C	4.6
75	0243270000001037C	4.6
76	0143270000001038A	4.7
77	0143270000001033C	4.7
78	0343270000001005A	4.7
79	0143270000001039A	4.7
80	0243270000001007A	4.7
81	1143270000001061A	4.7
82	0143270000001043A	4.7
83	0243270000001009A	4.7
84	0243270000001066C	4.7
85	0243270000001008A	4.7
86	0143270000001042A	4.7
87	0243270000001060A	4.7
88	0143270000001050A	4.7
89	0243270000001024A	4.7
90	0243270000001047C	4.7
91	0343270000001003A	4.8
92	1243270000001006A	4.8
93	0243270000001036C	4.8
94	0343270000001003C	4.8
95	0243270000001009C	4.8
96	0243270000001062E	4.8
97	0343270000001008A	4.8
98	0243270000001014C	4.8
99	1143270000001001A	4.8

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

100	0143270000001045C	4.8
101	0243270000001037A	4.8
102	0243270000001061C	4.8
103	0143270000001066C	4.8
104	0143270000001043C	4.9
105	0243270000001036A	4.9
106	0143270000001037C	4.9
107	0143270000001042C	4.9
108	0143270000001039C	4.9
109	0343270000001005C	4.9
110	0143270000001038C	4.9
111	0243270000001014A	4.9
112	0143270000001005A	5.0
113	0343270000001027C	5.0
114	0343270000001027A	5.0
115	0243270000001058C	5.0
116	0343270000001033C	5.0
117	0243270000001060C	5.1
118	0343270000001002A	5.1
119	0343270000001042A	5.1
120	0243270000001029A	5.1
121	0243270000001029C	5.1
122	0343270000001035C	5.1
123	0343270000001002C	5.2
124	0243270000001054C	5.2
125	0343270000001033A	5.2
126	1143270000001001C	5.5
127	0343270000001038A	6.8
128	0243270000001010B	6.9
129	1143270000001067B	7.0
130	0243270000001044A	7.1
131	0243270000001030A	7.2
132	03432700000010520	7.2
133	0143270000001032B	7.2
134	0143270000001027A	7.2
135	1143270000001009A	7.3
136	0143270000001064B	7.3
137	0343270000001032B	7.3
138	0243270000001028B	7.4
139	03432700000010540	7.5
140	03432700000010530	7.7
141	03432700000010550	7.8
142	03432700000010560	7.9
143	01432700000010010	8.0
144	03432700000010590	8.0
145	01432700000010340	8.1
146	03432700000010570	8.2
147	0243270000001045B	8.2
148	03432700000010580	8.3
149	03432700000010510	8.5

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

150	03432700000010620	8.5
151	01432700000010170	8.7
152	01432700000010350	8.7
153	02432700000010170	8.7
154	02432700000010180	8.7
155	03432700000010170	8.7
156	03432700000010600	8.8
157	03432700000010660	8.8
158	11432700000010380	8.9
159	11432700000010650	9.0
160	03432700000010650	9.0
161	11432700000010620	9.1
162	01432700000010040	9.1
163	01432700000010180	9.1
164	02432700000010460	9.1
165	01432700000010670	9.1
166	11432700000010310	9.1
167	03432700000010630	9.1
168	02432700000010640	9.1
169	03432700000010640	9.1
170	01432700000010360	9.1
171	01432700000010090	9.2
172	11432700000010410	9.2
173	02432700000010570	9.2
174	01432700000010260	9.2
175	03432700000010470	9.2
176	02432700000010050	9.2
177	01432700000010060	9.2
178	03432700000010180	9.2
179	03432700000010490	9.2
180	01432700000010150	9.2
181	03432700000010310	9.2
182	02432700000010380	9.2
183	01432700000010020	9.2
184	11432700000010360	9.3
185	11432700000010580	9.3
186	01432700000010680	9.3
187	11432700000010280	9.3
188	02432700000010500	9.3
189	02432700000010020	9.3
190	11432700000010450	9.3
191	02432700000010390	9.3
192	03432700000010070	9.3
193	03432700000010130	9.3
194	02432700000010030	9.3
195	02432700000010550	9.3
196	01432700000010650	9.4
197	03432700000010670	9.4
198	01432700000010530	9.4
199	01432700000010250	9.4

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

200	01432700000010130	9.4
201	02432700000010420	9.4
202	01432700000010520	9.4
203	11432700000010630	9.4
204	11432700000010400	9.4
205	03432700000010500	9.4
206	11432700000010370	9.4
207	11432700000010040	9.4
208	11432700000010390	9.4
209	03432700000010440	9.4
210	02432700000010040	9.4
211	01432700000010540	9.4
212	11432700000010300	9.4
213	03432700000010450	9.4
214	01432700000010140	9.4
215	03432700000010150	9.4
216	02432700000010230	9.4
217	02432700000010410	9.4
218	01432700000010550	9.5
219	0143270000001044A	9.5
220	11432700000010070	9.5
221	01432700000010220	9.5
222	01432700000010230	9.5
223	12432700000010050	9.5
224	01432700000010120	9.5
225	01432700000010490	9.5
226	03432700000010370	9.5
227	01432700000010470	9.5
228	11432700000010660	9.5
229	03432700000010480	9.5
230	02432700000010560	9.5
231	01432700000010110	9.5
232	02432700000010310	9.5
233	02432700000010480	9.5
234	01432700000010480	9.5
235	11432700000010080	9.5
236	01432700000010160	9.5
237	11432700000010240	9.6
238	01432700000010630	9.6
239	02432700000010160	9.6
240	01432700000010100	9.6
241	02432700000010530	9.6
242	02432700000010250	9.6
243	11432700000010110	9.6
244	03432700000010100	9.6
245	01432700000010310	9.6
246	01432700000010210	9.6
247	03432700000010090	9.6
248	11432700000010320	9.6
249	11432700000010270	9.6

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

250	01432700000010200	9.6
251	03432700000010110	9.6
252	03432700000010410	9.6
253	3432700000010410	9.6
254	01432700000010590	9.6
255	02432700000010320	9.6
256	03432700000010460	9.6
257	01432700000010410	9.6
258	01432700000010620	9.6
259	01432700000010300	9.6
260	01432700000010570	9.6
261	02432700000010670	9.7
262	01432700000010600	9.7
263	01432700000010290	9.7
264	01432700000010610	9.7
265	11432700000010330	9.7
266	11432700000010290	9.7
267	01432700000010070	9.7
268	11432700000010590	9.7
269	11432700000010420	9.7
270	01432700000010240	9.7
271	01432700000010400	9.7
272	01432700000010580	9.7
273	03432700000010140	9.7
274	01432700000010280	9.7
275	03432700000010160	9.7
276	01432700000010460	9.7
277	02432700000010330	9.7
278	03432700000010120	9.7
279	11432700000010640	9.7
280	01432700000010080	9.7
281	01432700000010560	9.8
282	02432700000010630	9.8
283	02432700000010430	9.8
284	11432700000010260	9.8
285	01432700000010030	9.8
286	03432700000010680	9.8
287	11432700000010440	9.8
288	03432700000010220	9.8
289	02432700000010190	9.8
290	03432700000010280	9.8
291	11432700000010030	9.8
292	11432700000010250	9.9
293	11432700000010600	9.9
294	02432700000010210	9.9
295	02432700000010260	9.9
296	03432700000010390	9.9
297	03432700000010250	9.9
298	02432700000010400	9.9
299	03432700000010430	9.9

Appendix 2

Northeast Lee Rural Village
Parcels in the Open Lands Category

300	02432700000010490	9.9
301	11432700000010060	9.9
302	11432700000010100	9.9
303	01432700000010190	9.9
304	11432700000010430	9.9
305	02432700000010680	10.0
306	03432700000010200	10.0
307	02432700000010270	10.0
308	03432700000010300	10.0
309	03432700000010060	10.0
310	11432700000010020	10.0
311	02432700000010220	10.1
312	03432700000010360	10.1
313	02432700000010350	10.1
314	03432700000010240	10.1
315	02432700000010200	10.1
316	03432700000010230	10.2
317	02432700000010590	10.2
318	02432700000010010	10.2
319	03432700000010400	10.2
320	03432700000010190	10.3
321	03432700000010260	10.3
322	11432700000010350	10.3
323	03432700000010210	10.3
324	03432700000010340	10.4
325	11432700000010340	10.4
326	02432700000010150	10.4
327	03432700000010010	10.5
328	03432700000010290	10.5
329	02432700000010340	10.6
330	11432700000010680	10.6
331	02432700000010120	23.3
332	12432700000010000	630.2

Appendix 3
BEBR Population Projections
Year 2003
Year 2000

Florida BEBR
Population Studies

Projections of Florida Population by County, 2002-2030

Stanley K. Smith, Director
June M. Nogle, Associate in Research

Florida is a rapidly growing but highly diverse state. Although its population has grown by around three million residents in each of the last three decades, this growth has not been distributed evenly throughout the state. Some areas have grown very rapidly while others have grown very slowly or even declined. Will these growth patterns continue? If not, how will they change?

This is an important question because many decisions—affecting schools, roads, houses, shopping centers, hospitals, amusement parks, and countless other projects—require some assessment of future population trends. In fact, the success or failure of those plans may depend in large part on the degree to which projected growth is realized over time. Yet the future is essentially unknowable. No matter how accurate our data, how powerful our computers, and how sophisticated our techniques, we still cannot "see" into the future.

We are not completely lost, of course. We can observe population trends that have occurred in the past. We can collect data and build models showing what would happen if past trends continued or varied in some particular way. Since the future is intimately tied to the past, these projections will often provide reasonably accurate forecasts of future population change. If constructed and interpreted properly, population projections—although incapable of providing perfect predictions of the future—can be extremely useful tools for planning and analysis.

State projections

State-level projections were made using a cohort-component methodology in which births, deaths, and migration were projected separately for each age-sex cohort in the population. The starting point was the population of Florida on April 1, 2000, as counted by the U.S. Census Bureau. Several small adjustments to the age-sex composition of the population were made, based on previously reported information on the misreporting of age data in decennial census counts.

Survival rates were applied to each age-sex cohort to project future deaths in the population. These rates were based on Florida Life Tables for 1990, published by the Public Health Statistics Section of the Florida Department of Health and Rehabilitative Services (now called the Florida Department of Health). The survival rates were adjusted upward in 2000, 2010, and 2020 to account for projected increases in life expectancy (U.S. Census Bureau, *Current Population Reports*, Series P-25, No. 1130, 1996).

Domestic migration rates were based on census data showing migration patterns for 1975-1980 and 1985-1990, respectively (1995-2000 migration data from the 2000 census are not yet available). For each period, domestic in-migration rates were calculated for each age-sex cohort by dividing the number of migrants from other states moving into Florida by the mid-decade population of the United States (minus Florida).

Domestic out-migration rates for each cohort were calculated by dividing the number of migrants leaving Florida by Florida's mid-decade population. The domestic migration rates used in these projections were based on the average of these two sets of rates.

Projections of domestic migration were made by applying in-migration rates to the population of the United States (minus Florida) and projections of out-migration were made by applying out-migration rates to the Florida population. The projections of the United States population were taken from the U.S. Census Bureau, *Current Population Reports*, Series P-25, No. 1130, 1996. Three different domestic migration assumptions were used, providing three sets of projections. The medium set used a weight of 1.1 to the domestic in-migration rates for each age-sex cohort, the low set used a weight of 0.9, and the high set used a weight of 1.3.

Projections of foreign immigration were also based on 1990 census data. The distribution of foreign immigrants by age and sex was projected to remain the same as it was from 1985-1990, but the level (389,868 for 1985-1990) was projected to increase by 25,000 for each five-year period from 1990 to 2030 (except for the low projection, in which it was projected to remain constant after 2000). Foreign emigration was assumed to equal 20 percent of foreign immigration in each time period.

Net migration is the difference between the number of in-migrants and the number of out-migrants during a particular time period. The medium projections produce net migration levels of 260,000-280,000 per year between 2000 and 2030 (including both domestic and foreign migration). The low and high projections produce net migration levels that average around 180,000 and 350,000 per year, respectively. To put these figures into perspective, net migration averaged about 270,000 per year during the 1980s and 260,000 per year during the 1990s. Annual net migration levels during the 1990s ranged from a low of 181,000 in 1992-1993 to a high of 365,000 in 1999-2000.

Projections were made in five-year intervals, with each projected population serving as the base for the following projection. Projected in-migration for each five-year interval was added to the survived Florida population at the end of the interval and projected out-migration was subtracted, giving a projection of the population age five and older. Births were projected by applying age-specific birth rates (adjusted for child mortality) to the projected female population. These birth rates were based on Florida birth data for 1999-2001 and imply a total fertility rate of approximately 2.1 births per woman.

The medium projection of total population for 2005 was adjusted to be consistent with the state population forecast produced by the State of Florida's Consensus Estimating Conference. None of the projections after 2005 had any additional adjustments. We believe the medium projection is the most likely to provide an accurate forecast of Florida's future population growth. Although there is no guarantee that the future population will fall within the range provided by the low and high projections, we believe there is a high probability that it will.

County projections

Although the cohort-component method is a good way to make population projections at the state level, it is not necessarily the best way to make long-range projections at the county level. Many counties in Florida are so small that the number of persons in each age-sex category is inadequate for making reliable cohort-component projections. Even more important, county growth patterns are so volatile that a single technique based on migration data from only one or two time periods may provide misleading results. We believe more useful projections of total population can be made if several different techniques and historical base periods are used.

For counties, we made eight projections using four simple extrapolation techniques and three different historical base periods. The four techniques were:

1. Linear – the population will change by the same number of persons in each future year as the average annual change during the base period.

2. Exponential – the population will change at the same percentage rate in each future year as the average annual rate during the base period.

3. Share of growth – each county's share of state population growth in the future will be the same as its share during the base period.

4. Shift share – each county's share of the state population will change by the same annual amount in the future as the average annual change during the base period.

For the linear and share-of-growth techniques we used base periods of five, ten, and fifteen years, yielding three sets of projections for each technique. For the exponential and shift-share techniques we used a single base period of ten years, yielding one set of projections for each technique.

The starting point for each county's projection was the population estimate produced by the Bureau of Economic and Business Research for April 1, 2002. These estimates were based on 2000 census counts and a variety of data and techniques showing population changes since 2000 (Bureau of Economic and Business Research, *Florida Estimates of Population: April 1, 2002*. Gainesville: University of Florida). The techniques described above provided eight projections for each county for each projection year (2005, 2010, ... 2030). In order to moderate the effects of extreme projections, the

highest and lowest projections for each county were excluded. The medium projection was then calculated by taking an average of the remaining six projections and adjusting the sum of the county projections to be consistent with the total population change implied by the state projections for each projection interval.

We made adjustments to the underlying population data in a number of counties before applying the techniques described above. This was done to account for special populations such as university students and prison inmates. Adjustments were made for counties in which these special populations account for a large proportion of total population or where changes in the special populations have been substantially different from changes in the rest of the population. In the present set of projections, adjustments were made for Alachua, Baker, Bay, Bradford, Calhoun, Charlotte, Columbia, De Soto, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Martin, Okeechobee, Santa Rosa, Sumter, Taylor, Union, Wakulla, Walton, and Washington counties.

Range of projections

The techniques described above were used to make the medium set of county projections. This is the set we believe is most likely to provide an accurate forecast of future county populations. We have also made low and high sets of projections to provide an indication of uncertainty surrounding the medium projections. These alternative projections were based on analyses of past population forecast errors for counties in Florida and the United States. Based on recent analyses of forecast errors in Florida, the range between the low and high projections is smaller in this set of projections than in previous sets.

The low and high projections indicate the range into which two-thirds of actual future county populations will fall, if the future distribution of forecast errors is similar to the past distribution. That is, if future errors are similar to past errors, the populations of about two-thirds of Florida's 67 counties will fall somewhere between the low and high projections. The high and low projections themselves, however, do not have equal probabilities of occurring. Given Florida's population growth history, the probability that a county's future population will be above the high projection is greater than the probability that it will be below the low projection.

The range varies according to county population size in 2002 (less than 25,000; 25,000-249,999; and 250,000+) and the length of the projection horizon (mean absolute percentage forecast errors grow approximately linearly with the length of the projection horizon). Our studies have found that the distribution of absolute percent errors tends to remain fairly stable over time, leading us to believe that the low and high projections provide a realistic indication of the potential degree of uncertainty surrounding the medium projections.

For the medium set of projections, the sum of the county projections equals the state projection for each year (except for slight differences due to rounding). For the high and low sets, however, the sum of the county projections does not equal the state projections. This occurs because potential variation around the medium projection is much greater for counties (especially small counties) than for the state as a whole. Thus, the sum of the low projections for counties will be lower than the state's low projection and the sum of the high projections for counties will be higher than the state's high projection.

Note: The projections published in this bulletin refer solely to permanent residents of Florida; they do not include tourists or seasonal residents.

Florida State and County Population Estimates, April 1, 2002, and Projections for 2005-2030

	Estimate	Projections, April 1					
	April 1, 2002	2005	2010	2015	2020	2025	2030
ALACHUA	228,607						
Low		226,900	230,600	232,000	230,300	226,900	221,700
Medium		238,000	254,200	269,600	283,100	296,000	307,800
High		250,800	281,800	313,900	345,400	378,200	411,600
BAKER	22,992						
Low		22,600	22,800	22,700	22,400	21,900	21,100
Medium		23,900	25,600	27,200	28,900	30,500	31,900
High		25,500	29,000	32,600	36,500	40,600	44,800
BAY	152,186						
Low		150,000	151,000	150,800	149,700	147,500	144,000
Medium		157,300	166,500	175,200	183,900	192,400	200,000
High		165,800	184,500	204,000	224,500	245,800	267,500
BRADFORD	26,517						
Low		26,200	26,100	25,800	25,400	24,800	24,100
Medium		27,500	28,800	30,000	31,300	32,500	33,600
High		29,000	31,900	34,900	38,100	41,300	44,700
BREVARD	494,102						
Low		496,200	511,900	523,700	532,500	537,700	538,700
Medium		514,500	551,300	586,200	621,400	655,200	685,800
High		537,500	600,900	666,500	735,400	806,600	878,900
BROWARD	1,669,153						
Low		1,694,400	1,777,100	1,843,800	1,898,600	1,938,600	1,961,000
Medium		1,755,000	1,910,100	2,057,700	2,207,000	2,350,900	2,482,000
High		1,835,600	2,086,200	2,346,600	2,621,900	2,907,900	3,199,600
CALHOUN	13,231						
Low		12,900	12,600	12,300	11,900	11,400	10,800
Medium		13,700	14,300	14,800	15,400	16,000	16,500
High		14,500	16,100	17,700	19,400	21,100	22,900
CHARLOTTE	148,521						
Low		149,800	156,000	160,600	163,600	164,800	164,100
Medium		156,700	171,300	185,400	199,400	212,900	225,200
High		165,500	190,600	217,300	245,300	274,600	304,700
CITRUS	123,008						
Low		123,600	128,100	131,200	133,100	133,700	132,800
Medium		129,300	140,800	151,600	162,500	173,000	182,600
High		136,600	156,600	177,500	199,700	222,900	246,600
CLAY	149,901						
Low		153,100	162,600	170,000	175,600	179,300	180,500
Medium		160,000	178,100	195,500	213,200	230,400	246,100
High		169,200	198,700	230,000	263,500	298,800	335,300
COLLIER	277,457						
Low		296,800	335,200	369,200	399,700	425,900	446,700
Medium		305,800	357,200	406,900	457,700	507,400	553,300
High		321,500	393,500	469,900	552,000	638,800	728,900
COLUMBIA	58,372						
Low		60,200	62,000	63,200	63,800	63,800	63,200
Medium		63,100	68,200	73,100	78,000	82,700	87,100
High		66,600	75,800	85,400	95,700	106,400	117,400
DE SOTO	32,798						
Low		33,400	35,900	36,900	37,500	37,800	37,700
Medium		34,900	39,400	42,600	45,800	48,900	51,700
High		36,900	43,900	49,900	56,300	63,000	69,900
DIXIE	14,459						
Low		14,700	15,200	15,500	15,600	15,500	15,100
Medium		15,600	17,100	18,500	20,000	21,400	22,700
High		16,600	19,400	22,300	25,400	28,700	32,100

Florida State and County Population Estimates, April 1, 2002, and Projections for 2005-2030 (continued)

	Estimate	Projections, April 1					
	April 1, 2002	2005	2010	2015	2020	2025	2030
DUVAL	809,394						
Low		808,000	826,500	839,800	843,400	851,900	849,300
Medium		838,300	891,000	941,500	992,000	1,040,500	1,084,500
High		875,400	970,200	1,068,800	1,171,600	1,277,900	1,385,700
ESCAMBIA	299,485						
Low		295,200	295,800	294,900	293,100	289,900	285,300
Medium		306,700	319,700	332,000	344,500	356,400	367,200
High		319,800	347,200	375,400	404,700	434,900	465,500
FLAGLER	56,785						
Low		61,100	69,800	77,100	83,400	88,400	91,800
Medium		63,600	75,800	87,700	99,900	111,800	122,900
High		67,600	85,300	104,400	125,100	147,300	170,500
FRANKLIN	10,161						
Low		9,800	11,000	10,600	10,200	9,700	9,200
Medium		10,400	12,400	12,800	13,300	13,700	14,100
High		11,100	13,900	15,300	16,600	18,100	19,500
GADSDEN	45,911						
Low		44,500	43,300	42,000	40,500	38,900	37,100
Medium		46,800	48,000	49,100	50,200	51,300	52,300
High		49,200	53,000	56,800	60,700	64,800	68,900
GILCHRIST	15,023						
Low		15,500	16,500	17,200	17,700	17,900	17,800
Medium		16,300	18,400	20,500	22,500	24,600	26,400
High		17,400	21,000	24,700	28,900	33,200	37,800
GLADES	10,664						
Low		10,600	10,800	10,800	10,700	10,400	10,100
Medium		11,200	12,200	13,000	13,800	14,500	15,200
High		12,000	13,800	15,500	17,400	19,400	21,400
GULF	15,202						
Low		14,600	14,200	13,600	13,000	12,400	11,600
Medium		15,500	16,000	16,500	17,000	17,400	17,800
High		16,500	18,000	19,600	21,200	22,900	24,700
HAMILTON	13,925						
Low		13,300	12,900	12,400	11,900	11,300	10,600
Medium		14,200	14,600	15,100	15,500	15,900	16,300
High		15,000	16,400	17,900	19,400	21,000	22,600
HARDEE	27,437						
Low		27,100	27,600	27,800	27,800	27,500	27,100
Medium		28,400	30,400	32,200	34,100	35,800	37,400
High		30,000	33,700	37,600	41,700	45,900	50,200
HENDRY	36,154						
Low		37,400	39,200	40,600	41,600	42,200	42,300
Medium		39,100	43,100	46,800	50,700	54,400	57,800
High		41,300	48,000	55,000	62,500	70,300	78,500
HERNANDO	136,484						
Low		137,700	143,800	148,300	151,400	152,800	152,400
Medium		144,000	157,900	171,200	184,500	197,300	209,000
High		152,200	175,800	200,700	227,100	254,700	283,000
HIGHLANDS	89,038						
Low		89,000	91,600	93,200	94,000	94,000	92,900
Medium		93,200	100,700	107,800	115,000	121,800	128,000
High		98,400	111,900	126,100	141,000	156,600	172,500
HILLSBOROUGH	1,055,617						
Low		1,067,300	1,114,000	1,152,500	1,182,500	1,202,900	1,212,700
Medium		1,105,900	1,198,100	1,287,100	1,375,900	1,460,900	1,537,900
High		1,156,300	1,307,700	1,466,800	1,632,900	1,804,400	1,978,600

Florida State and County Population Estimates, April 1, 2002, and Projections for 2005-2030 (continued)

	Estimate	Projections, April 1					
	April 1, 2002	2005	2010	2015	2020	2025	2030
HOLMES	18,708						
Low		18,100	17,700	17,100	16,500	15,700	14,900
Medium		19,200	20,000	20,700	21,400	22,100	22,800
High		20,400	22,500	24,700	26,900	29,200	31,600
INDIAN RIVER	118,149						
Low		118,900	123,600	126,900	129,100	129,900	129,300
Medium		124,400	135,800	146,600	157,500	168,000	177,500
High		131,400	151,100	171,700	193,700	216,600	240,100
JACKSON	47,707						
Low		47,000	46,100	45,000	43,700	42,300	40,600
Medium		49,300	51,000	52,500	54,100	55,600	57,000
High		51,900	56,300	60,900	65,600	70,500	75,400
JEFFERSON	13,261						
Low		13,000	12,500	12,000	11,400	10,800	10,100
Medium		13,800	14,200	14,500	14,900	15,300	15,600
High		14,700	16,000	17,300	18,700	20,100	21,500
LAFAYETTE	7,205						
Low		7,300	7,200	7,100	6,900	6,700	6,400
Medium		7,700	8,100	8,500	9,000	9,400	9,700
High		8,200	9,200	10,200	11,300	12,400	13,600
LAKE	231,072						
Low		239,100	258,800	274,800	287,600	296,800	301,700
Medium		249,500	283,000	315,100	347,800	379,700	409,000
High		264,300	316,400	371,800	431,400	494,600	560,300
LEE	475,073						
Low		490,700	527,900	559,500	586,800	608,900	624,500
Medium		507,300	565,700	621,600	678,400	733,400	783,900
High		531,600	619,700	712,100	810,400	913,300	1,019,000
LEON	248,039						
Low		247,600	252,900	255,800	255,200	252,600	247,600
Medium		259,500	278,600	296,800	313,200	328,900	343,100
High		273,600	309,100	346,100	382,800	420,900	459,900
LEVY	36,013						
Low		36,500	38,300	39,700	40,700	41,300	41,300
Medium		38,100	42,000	45,700	49,500	53,200	56,500
High		40,300	46,800	53,700	61,000	68,800	76,700
LIBERTY	7,157						
Low		7,000	6,900	6,700	6,500	6,200	5,900
Medium		7,400	7,800	8,100	8,400	8,700	9,000
High		7,900	8,800	9,600	10,600	11,600	12,600
MADISON	18,932						
Low		18,200	17,600	17,000	16,300	15,500	14,600
Medium		19,300	20,000	20,600	21,200	21,800	22,400
High		20,500	22,500	24,500	26,600	28,800	31,000
MANATEE	277,362						
Low		281,900	296,200	307,800	317,300	324,300	328,300
Medium		292,000	318,300	343,400	368,700	393,100	415,300
High		305,400	347,800	391,700	438,200	486,500	535,700
MARION	271,096						
Low		278,100	296,300	311,500	324,500	334,700	341,600
Medium		287,800	317,900	346,700	375,900	404,200	430,100
High		301,300	347,800	396,500	448,100	502,100	557,300
MARTIN	131,051						
Low		132,000	136,900	140,300	142,500	143,200	142,300
Medium		138,100	150,400	162,100	173,900	185,200	195,500
High		145,800	167,300	189,800	213,700	238,600	264,200

Florida State and County Population Estimates, April 1, 2002, and Projections for 2005-2030 (continued)

	Estimate	Projections, April 1					
	April 1, 2002	2005	2010	2015	2020	2025	2030
MIAMI-DADE	2,312,478						
Low		2,310,200	2,363,600	2,401,000	2,426,300	2,436,600	2,429,600
Medium		2,396,600	2,548,200	2,691,800	2,836,700	2,975,800	3,102,200
High		2,502,700	2,774,700	3,055,800	3,350,500	3,655,000	3,964,100
MONROE	81,140						
Low		77,700	74,600	71,400	68,100	64,700	61,100
Medium		81,700	82,800	83,800	84,800	85,700	86,600
High		85,900	91,200	96,600	102,100	107,800	113,400
NASSAU	61,094						
Low		62,300	66,200	69,100	71,400	72,800	73,300
Medium		65,200	72,500	79,500	86,700	93,600	100,000
High		68,900	80,900	93,500	107,100	121,400	136,200
OKALOOSA	176,971						
Low		176,000	179,700	181,600	182,100	181,000	178,100
Medium		184,400	197,800	210,400	223,100	235,200	246,200
High		194,500	219,600	245,700	273,200	301,700	330,800
OKEECHOBEE	36,551						
Low		36,000	36,000	35,800	35,400	34,700	33,800
Medium		37,800	39,700	41,600	43,600	45,400	47,100
High		39,800	44,000	48,400	53,100	57,900	62,800
ORANGE	955,865						
Low		986,700	1,060,800	1,123,600	1,177,800	1,221,400	1,252,300
Medium		1,020,300	1,136,900	1,248,400	1,361,700	1,471,500	1,572,300
High		1,069,000	1,245,300	1,430,000	1,626,500	1,832,100	2,043,200
OSCEOLA	193,355						
Low		204,600	228,300	248,100	264,700	277,400	285,600
Medium		213,000	248,700	283,100	318,300	352,600	384,300
High		226,100	279,000	335,700	397,000	462,300	530,400
PALM BEACH	1,183,197						
Low		1,210,400	1,284,100	1,345,300	1,397,200	1,437,400	1,463,700
Medium		1,252,700	1,378,300	1,498,300	1,619,900	1,737,600	1,845,300
High		1,311,200	1,507,400	1,712,200	1,929,500	2,156,200	2,388,200
PASCO	361,468						
Low		366,500	383,700	397,400	408,500	416,400	420,600
Medium		379,700	412,500	443,700	475,100	505,300	532,800
High		397,100	450,400	505,800	564,100	624,600	686,200
PINELLAS	933,994						
Low		915,100	907,600	896,800	883,500	867,200	847,300
Medium		951,200	982,200	1,011,600	1,041,200	1,069,700	1,095,500
High		991,300	1,065,400	1,141,300	1,220,100	1,300,800	1,382,400
POLK	502,385						
Low		505,400	522,700	535,800	545,900	552,200	554,000
Medium		523,900	562,800	599,600	636,600	672,300	704,700
High		547,500	613,600	682,000	753,900	828,300	903,800
PUTNAM	71,329						
Low		69,100	67,800	66,100	64,300	62,100	59,700
Medium		72,600	75,000	77,200	79,500	81,700	83,800
High		76,400	82,900	89,500	96,400	103,600	110,800
ST. JOHNS	133,953						
Low		139,800	153,200	164,300	173,400	180,100	184,200
Medium		145,800	167,300	188,000	209,200	229,800	248,900
High		154,500	187,300	222,300	260,100	300,200	342,100
ST. LUCIE	203,360						
Low		205,600	215,200	222,200	227,200	229,700	229,400
Medium		215,100	236,200	256,300	276,700	296,300	314,300
High		227,300	263,000	300,600	340,700	382,800	426,000

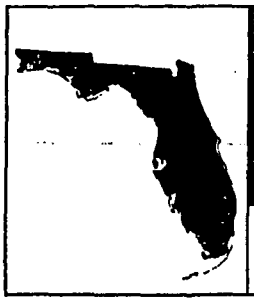
Florida State and County Population Estimates, April 1, 2002, and Projections for 2005-2030 (continued)

	Estimate	Projections, April 1					
	April 1, 2002	2005	2010	2015	2020	2025	2030
SANTA ROSA	124,956						
Low		128,200	137,200	144,300	149,900	153,700	155,400
Medium		133,900	150,200	165,800	181,700	197,100	211,300
High		141,700	167,700	195,200	224,800	256,100	288,600
SARASOTA	339,684						
Low		341,000	351,900	360,200	366,300	369,900	370,700
Medium		353,600	378,900	403,100	427,400	450,700	471,900
High		369,400	413,000	458,400	505,800	554,900	604,800
SEMINOLE	387,626						
Low		395,900	419,400	438,600	454,600	466,800	474,400
Medium		409,800	450,300	488,600	527,400	564,700	598,700
High		428,900	492,300	558,200	627,800	700,200	774,000
SUMTER	61,348						
Low		65,000	73,500	79,800	85,200	89,300	92,000
Medium		67,700	80,100	91,100	102,400	113,500	123,700
High		71,800	89,800	108,000	127,800	148,800	170,900
SUWANNEE	35,727						
Low		35,900	37,100	38,000	38,500	38,700	38,400
Medium		37,500	40,800	43,900	47,100	50,100	52,800
High		39,600	45,400	51,400	57,800	64,500	71,400
TAYLOR	19,800						
Low		19,700	19,000	18,200	17,300	16,400	15,300
Medium		21,000	21,500	22,100	22,600	23,100	23,600
High		22,300	24,200	26,200	28,300	30,400	32,600
UNION	13,794						
Low		14,000	13,900	13,600	13,300	12,800	12,200
Medium		14,800	15,600	16,400	17,200	17,900	18,600
High		15,800	17,600	19,600	21,600	23,800	26,000
VOLUSIA	459,737						
Low		462,400	478,400	490,500	499,800	505,600	507,300
Medium		479,400	515,100	548,900	582,900	615,600	645,200
High		501,000	561,600	624,300	690,200	758,400	827,700
WAKULLA	24,217						
Low		25,100	26,900	28,200	29,100	29,500	29,500
Medium		26,500	30,000	33,500	37,000	40,500	43,700
High		28,300	34,200	40,600	47,500	54,900	62,600
WALTON	45,521						
Low		47,700	52,400	56,300	59,500	61,900	63,400
Medium		49,700	57,200	64,400	71,800	79,000	85,600
High		52,700	64,000	76,200	89,300	103,200	117,800
WASHINGTON	21,649						
Low		21,200	21,100	20,900	20,400	19,800	18,900
Medium		22,500	23,800	25,100	26,400	27,600	28,700
High		23,900	26,900	30,000	33,300	36,700	40,200
FLORIDA	16,674,608						
Low		16,855,000	17,718,800	18,606,600	19,515,100	20,391,800	21,174,700
Medium		17,498,800	18,978,400	20,386,900	21,807,100	23,177,700	24,428,300
High		17,893,000	19,762,700	21,626,700	23,474,800	25,238,700	26,841,600

UNIVERSITY OF FLORIDA

Bureau of Economic and Business Research
Warrington College of Business Administration
221 Matherly Hall, Post Office Box 117145
Gainesville, Florida 32611-7145

phone (352) 392-0171
fax (352) 392-4739
email: info@bebr.ufl.edu
http://www.bebr.ufl.edu



Florida Population Studies

Volume 33 Number 2 Bulletin 126 February 2000

UNIVERSITY OF FLORIDA

Population Program
Bureau of Economic and Business Research

Projections of Florida population by county, 1999-2030

Stanley K. Smith, Director
and
June Nogle, Associate in Research

People are fascinated by the future. Palm readers, astrologers and crystal ball gazers down through the centuries have found eager buyers for their predictions. Modern-day researchers and forecasters, using computers and large-scale models, continue to find willing audiences. There is particularly great interest in population projections, and for good reason: many types of public and private planning—for schools, hospitals, stores, houses, service stations, roads and countless other projects—require some assessment of future population trends. Yet the future is essentially unknowable. No matter how scientific and sophisticated our projection techniques, we cannot perfectly predict future population trends. In spite of years of developing high-quality data, statistical techniques and computer programs, we still cannot "see" into the future.

We are not completely lost, of course. We can observe population trends that have occurred in the past. We can collect data and build models based on historical trends and relationships. We can then make projections from these models showing what would happen if past trends continued or varied in some particular way. Since the future is intimately tied to the past, these projections will often provide reasonably accurate forecasts of future population change. If constructed and interpreted properly, population projections—although certainly not perfect predictions of the future—can be extremely useful tools for planning and analysis.

The projections published in this bulletin are for the permanent resident population of Florida; they do not include tourists or seasonal residents. Since the future cannot be predicted with absolute certainty, we have produced three sets of projections: low, medium and high. We believe the medium projection is more likely to provide an accurate forecast of future population than either the low or high projections. The low and high projections, however, provide an indication of the range in which future populations might reasonably be expected to lie.

Although these projections provide useful benchmarks for planning and analysis, they should not be interpreted as the only possible scenarios for future population change. Other sources of information at the local level should also be considered when using the projections for planning purposes (particularly for small counties). These projections are designed to assist in the process of planning for future growth and change in Florida, **not** to form the sole basis for such planning.

State projections

State-level projections were made using a cohort-component methodology in which births, deaths and migration were projected separately for each age-sex cohort in the population. The starting point was the April 1, 1990 population of Florida by age and sex, as enumerated in the decennial census. The total

population number (12,937,926) is the same as was originally published, but the age-sex distribution has been modified by the U.S. Bureau of the Census. This modification had the greatest impact on the number of persons in the 0-4 age group.

Survival rates were applied to each age-sex cohort to project future mortality. These rates were based on Florida Life Tables for 1990, prepared by the Public Health Statistics Section of the Florida Department of Health and Rehabilitative Services. The survival rates were adjusted upward in 2000 and 2010 to account for projected increases in life expectancy (U.S. Census Bureau, *Current Population Reports*, Series P-25, No. 1130, February 1996).

Migration rates were based on 1980 and 1990 census data showing migration patterns for 1975-1980 and 1985-1990, respectively. For each period, domestic inmigration rates were calculated for each age-sex cohort by dividing the number of migrants from other states moving into Florida by the mid-decade population of the United States (minus Florida). Domestic outmigration rates for each cohort were calculated by dividing the number of migrants leaving Florida by Florida's mid-decade population. The domestic migration rates used in the projections were based on the average of these two sets of rates. Projections of inmigration were then made by applying inmigration rates to the population of the United States (minus Florida) and projections of outmigration were made by applying outmigration rates to the Florida population. The projections of the United States population were taken from *Current Population Reports*, Series P-25, No. 1130, February 1996.

Projections of foreign immigration were also based on 1990 decennial census data. The distribution of foreign immigrants by age and sex was projected to remain the same as between 1985 and 1990, but the level (389,868 for 1985-1990) was projected to increase by 25,000 for each five-year period from 2000 to 2020. Foreign emigration was assumed to be 20 percent of foreign immigration in each time period.

Projections were made in five-year intervals, with each projection serving as the base for the following projection. Projected inmigration for each five-year interval was added to the survived Florida population at the end of the interval and projected outmigration was subtracted, giving a projection of the population age five and older. Children less than age five were projected by applying age-specific birth rates (adjusted for child mortality) to the projected female population. These birth rates were based on recent Florida birth data and imply a total fertility rate of 2.05 births per woman. We have projected that this rate will gradually increase to 2.10 by 2020.

Three different migration assumptions were used, providing three sets of projections. The low set applied a weight of 0.9 to the inmigration rates for each age-sex cohort for years prior to 2000 and 0.8 thereafter. This set implies net inmigration (i.e., the excess of inmigrants over outmigrants) of 117,000 to 177,000 per year, about the same as during the low-growth years of the 1970s. The high set applied a weight of 1.25 to the adjusted inmigration rates, yielding net migration numbers of 335,000 to 347,000 per year. These numbers are similar to those occurring during the high-growth years of the 1970s and 1980s. The medium set used rates with no weights attached and produced net migration levels of 210,000 to 242,000 per year. To put these figures into perspective, net migration averaged around 270,000 per year during the 1970s and 1980s.

The medium projection for 1995 was controlled to the 1995 population estimate produced by the Bureau of Economic and Business Research (14,149,317). The medium projections for 2000 and 2005 were controlled to the state population forecasts produced by the State of Florida's Consensus Estimating Conference (15,594,326 and 16,882,836, respectively). We believe the medium projection is the most likely to provide an accurate forecast of Florida's future population growth.

County projections

Although the cohort-component technique is a good way to make projections at the state level, it is not necessarily the best way to make long-range projections of total population at the county level. Many counties in Florida are so small that the number of persons in each age-sex category is inadequate for reliable cohort-component projections. Even more important, county growth patterns are so volatile that a single technique based on migration data from one or two time periods may provide misleading results. We believe more useful projections can be made using several different projection techniques and historical base periods.

For counties we made eight projections using four techniques and three different historical base periods. The four techniques were:

1. Linear: population will change by the same number of persons in each future year as the average annual change during the base period.

2. Exponential: population will change at the same percentage rate in each future year as the average annual rate during the base period.

3. Share of growth: each county's share of state population growth in the future will be the same as its share during the base period.

4. Shift share: each county's share of the total state population will change by the same annual amount in the future as the average annual change during the base period.

For the linear and share-of-growth techniques we used base periods of five, ten and fifteen years, yielding three sets of projections for each technique. For the exponential and shift-share techniques we used a single base period of ten years, yielding one set of projections for each technique.

The starting point for each county's projection was the April 1, 1999, population estimate published by the Bureau of Economic and Business Research. The techniques described above provided eight projections for each county for each projection year (2000, 2005, 2010, 2015, 2020, 2025, 2030). In order to moderate the effects of extreme projections, the highest and lowest projections for each county were excluded. The medium projection was then calculated by taking an average of the remaining six projections and adjusting the sum of the county projections to be consistent with the total population change implied by the state projections.

In a number of counties we made special adjustments to the population before applying the techniques described above. This was done to account for special populations such as university students, military personnel and prison inmates. Adjustments were made for counties in which these special populations account for a large proportion of total population or where the special populations have moved counter to trends for the rest of the population. In the present set of projections adjustments were made for Alachua, Baker, Bradford, Calhoun, Charlotte, Columbia, De Soto, Dixie, Escambia, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Martin, Okeechobee, Orange, Santa Rosa, Sumter, Taylor, Union, Wakulla, Walton and Washington counties.

We also made special adjustments in Dade County to account for the effects of Hurricane Andrew, which ripped through the southern tip of Florida in August 1992. This hurricane damaged or destroyed thousands of housing units and forced hundreds of thousands of people to move at least temporarily to other locations. We estimate that the hurricane permanently lowered Dade County's population by 40,000. The projections were adjusted accordingly.

Range of projections

The techniques described above were used to make the medium set of county projections. This is the set we believe is most likely to provide an accurate forecast of future county populations. We have also made low and high sets of projections to provide an indication of the potential variation around the medium projections. These projections were based on an analysis of the errors observed when the projection techniques were applied to a large data base covering three decades and almost 3,000 counties in the United States.

The low and high projections indicate the range in which two-thirds of actual future county populations will fall, if the future distribution of forecast errors is similar to the past distribution. The range varies according to county population size in 1999 (less than 25,000; 25,000 or more), growth rate between 1989 and 1999 (less than 25 percent; 25-50 percent; 50 percent or more), and the length of the projection horizon (forecast errors in each size-growth category are assumed to grow linearly with the length of the projection horizon). Our studies have found that the distribution of absolute percent errors tends to remain fairly stable over time, leading us to believe that the low and high projections provide a realistic indication of the potential degree of uncertainty surrounding the medium projections.

Note: For the medium set of projections, the sum of the county projections equals the state projection for each year (except for slight differences due to rounding). For the high and low sets, however, the sum of the county projections does not equal the state projection. This occurs because potential variation around the medium projection is much greater for counties (especially small and/or rapidly growing counties) than for the state as a whole. Thus the sum of the low projections for counties is lower than the state low projection and the sum of the high projections is higher than the state high projection.

Florida state and county population estimates for April 1, 1999, and projections for 2000-2030

COUNTY	ESTIMATE APRIL 1 1999	PROJECTIONS, APRIL 1 2000	2005	2010	2015	2020	2025	2030
ALACHUA	216,249							
LOW		213,600	216,700	217,600	214,900	209,800	202,600	193,200
MEDIUM		220,100	237,100	253,600	268,500	282,800	296,700	309,400
HIGH		226,800	259,600	294,500	329,200	364,900	402,200	440,300
BAKER	21,879							
LOW		21,400	21,400	20,900	20,300	19,300	18,000	16,300
MEDIUM		22,300	24,100	25,900	27,700	29,600	31,400	33,000
HIGH		23,200	27,200	31,400	36,000	41,000	46,200	51,700
BAY	150,119							
LOW		148,100	150,300	150,900	150,100	148,000	144,300	138,700
MEDIUM		152,600	164,300	175,500	187,100	199,000	210,600	221,200
HIGH		157,200	180,100	204,100	229,900	257,500	286,400	316,100
BRADFORD	25,500							
LOW		25,200	24,700	24,100	23,400	22,600	21,600	20,400
MEDIUM		25,900	27,100	28,200	29,400	30,600	31,800	32,800
HIGH		26,700	29,600	32,700	35,900	39,300	42,900	46,500
BREVARD	474,803							
LOW		469,200	480,200	485,600	486,200	482,200	472,400	456,200
MEDIUM		483,300	524,500	564,200	605,000	647,300	688,300	725,900
HIGH		498,200	575,200	656,900	744,700	838,900	937,700	1,039,600
BROWARD	1,490,289							
LOW		1,471,500	1,501,100	1,512,700	1,510,400	1,493,900	1,460,100	1,407,200
MEDIUM		1,516,000	1,640,000	1,758,500	1,880,700	2,007,000	2,129,500	2,241,400
HIGH		1,562,500	1,798,100	2,046,600	2,313,400	2,599,100	2,898,500	3,206,500
CALHOUN	14,117							
LOW		13,800	13,600	13,100	12,400	11,400	10,100	8,400
MEDIUM		14,500	15,900	17,300	18,700	20,200	21,800	23,100
HIGH		15,300	18,400	21,900	25,700	30,000	34,700	39,500
CHARLOTTE	136,773							
LOW		134,600	137,900	138,400	136,600	132,400	125,500	115,500
MEDIUM		140,100	155,500	170,400	185,800	201,900	217,700	232,200
HIGH		145,800	175,500	207,600	242,900	281,500	322,700	365,800
CITRUS	114,898							
LOW		112,800	114,800	114,700	112,700	108,800	102,700	94,200
MEDIUM		117,400	129,500	141,300	153,500	166,100	178,400	189,700
HIGH		122,200	146,100	172,100	200,400	231,200	264,100	298,400
CLAY	139,631							
LOW		137,800	143,600	146,100	145,900	142,800	136,400	126,500
MEDIUM		143,400	161,700	179,500	197,900	217,100	235,900	253,400
HIGH		149,300	182,700	219,200	259,300	303,400	350,800	400,600
COLLIER	219,685							
LOW		216,000	225,800	228,000	223,400	211,400	191,400	163,000
MEDIUM		227,100	262,900	297,800	334,300	372,500	410,100	445,200
HIGH		238,800	305,500	380,100	463,900	557,400	659,400	768,400
COLUMBIA	56,514							
LOW		56,600	57,600	57,600	56,700	54,800	51,800	47,600
MEDIUM		58,900	65,000	71,000	77,100	83,600	89,900	95,700
HIGH		61,300	73,400	86,400	100,800	116,400	133,100	150,600
DE SOTO	28,438							
LOW		28,200	29,000	29,000	28,700	28,300	27,500	26,400
MEDIUM		29,100	31,700	33,700	35,800	38,000	40,200	42,100
HIGH		29,900	34,700	39,200	44,000	49,200	54,600	60,100
DIXIE	13,478							
LOW		13,100	13,200	12,800	12,100	11,100	9,800	8,200
MEDIUM		13,800	15,400	16,800	18,300	19,800	21,300	22,700
HIGH		14,500	17,800	21,300	25,200	29,400	33,900	38,700

Florida state and county population estimates for April 1, 1999, and projections for 2000-2030 (continued)

COUNTY	ESTIMATE APRIL 1 1999	PROJECTIONS, APRIL 1 2000	2005	2010	2015	2020	2025	2030
DUVAL	762,846							
LOW		749,700	748,400	740,400	727,200	708,700	683,700	651,600
MEDIUM		772,500	818,900	863,100	908,800	956,100	1,001,900	1,043,700
HIGH		796,100	896,400	1,001,700	1,113,800	1,233,000	1,357,300	1,484,900
ESCAMBIA	301,613							
LOW		296,000	294,100	289,800	283,600	275,500	265,000	251,800
MEDIUM		305,100	321,900	338,100	354,700	372,000	388,700	403,900
HIGH		314,400	352,200	392,100	434,400	479,200	526,000	573,900
FLAGLER	45,818							
LOW		45,500	49,400	51,300	51,400	49,600	45,600	39,300
MEDIUM		47,800	57,400	66,800	76,600	86,900	97,100	106,600
HIGH		50,300	66,900	85,600	106,800	130,700	156,900	185,100
FRANKLIN	10,872							
LOW		10,600	10,600	10,300	10,000	9,500	8,800	8,000
MEDIUM		11,100	11,900	12,800	13,600	14,500	15,400	16,200
HIGH		11,500	13,400	15,500	17,700	20,100	22,700	25,300
GADSDEN	51,478							
LOW		50,400	50,300	49,500	48,100	45,900	42,900	39,000
MEDIUM		52,400	56,800	61,100	65,600	70,200	74,700	78,800
HIGH		54,600	64,000	74,300	85,500	97,500	110,200	123,400
GILCHRIST	13,406							
LOW		13,200	13,600	13,500	13,100	12,200	11,000	9,300
MEDIUM		13,900	15,800	17,700	19,600	21,600	23,600	25,500
HIGH		14,600	18,400	22,500	27,100	32,300	37,800	43,800
GLADES	9,867							
LOW		9,700	9,400	9,000	8,300	7,500	6,600	5,400
MEDIUM		10,200	11,000	11,800	12,600	13,400	14,300	15,000
HIGH		10,700	12,700	14,900	17,300	19,900	22,600	25,500
GULF	14,403							
LOW		13,900	14,200	13,200	12,100	10,700	9,200	7,500
MEDIUM		14,600	16,700	17,500	18,400	19,300	20,100	20,900
HIGH		15,300	19,200	22,100	25,100	28,300	31,700	35,200
HAMILTON	14,376							
LOW		14,500	14,200	13,600	12,700	11,600	10,200	8,400
MEDIUM		15,300	16,600	17,900	19,200	20,600	22,000	23,300
HIGH		16,000	19,200	22,700	26,500	30,600	35,000	39,600
HARDEE	22,594							
LOW		21,900	20,500	19,000	17,300	15,700	13,900	12,100
MEDIUM		22,800	23,200	23,600	24,000	24,400	24,700	25,000
HIGH		23,700	26,100	28,400	30,800	33,300	35,700	38,300
HENDRY	30,552							
LOW		30,200	30,600	30,600	30,300	29,800	29,000	27,800
MEDIUM		31,200	33,400	35,600	37,800	40,100	42,400	44,400
HIGH		32,100	36,600	41,400	46,500	51,900	57,600	63,400
HERNANDO	127,392							
LOW		125,500	129,800	131,600	130,800	127,600	121,500	112,400
MEDIUM		130,600	146,300	161,700	177,600	194,200	210,400	225,300
HIGH		136,000	165,200	197,400	232,600	271,100	312,400	355,800
HIGHLANDS	81,143							
LOW		80,100	81,700	82,400	82,300	81,400	79,600	76,800
MEDIUM		82,500	89,300	95,800	102,500	109,400	116,100	122,300
HIGH		85,100	97,900	111,500	126,000	141,700	158,100	174,900
HILLSBOROUGH	967,511							
LOW		953,500	964,500	966,000	959,900	944,700	919,300	882,700
MEDIUM		982,400	1,054,300	1,124,000	1,196,500	1,270,800	1,342,800	1,408,500
HIGH		1,012,500	1,155,200	1,306,900	1,470,200	1,643,500	1,824,800	2,011,300

Florida state and county population estimates for April 1, 1999, and projections for 2000-2030 (continued)

COUNTY	ESTIMATE APRIL 1 1999	PROJECTIONS, APRIL 1 2000	2005	2010	2015	2020	2025	2030
HOLMES	18,899							
LOW		18,500	18,000	17,400	16,500	15,500	14,300	12,800
MEDIUM		19,200	20,400	21,500	22,700	23,900	25,000	26,100
HIGH		20,000	22,900	26,000	29,400	33,000	36,700	40,500
INDIAN RIVER	109,579							
LOW		107,500	108,700	108,000	105,600	101,600	95,500	87,400
MEDIUM		111,800	122,700	133,100	144,000	155,200	166,200	176,200
HIGH		116,400	138,400	162,000	187,800	215,800	245,700	276,800
JACKSON	49,469							
LOW		48,700	49,400	49,000	48,200	47,000	45,400	43,200
MEDIUM		50,200	54,000	57,100	60,200	63,400	66,400	69,200
HIGH		51,700	59,200	66,200	73,700	81,700	90,000	98,500
JEFFERSON	14,424							
LOW		13,900	13,400	12,600	11,600	10,400	9,000	7,300
MEDIUM		14,600	15,600	16,600	17,600	18,600	19,600	20,400
HIGH		15,400	18,100	20,900	24,000	27,400	30,900	34,600
LAFAYETTE	6,961							
LOW		6,900	7,000	6,800	6,500	5,900	5,200	4,400
MEDIUM		7,300	8,200	9,000	9,700	10,500	11,300	12,000
HIGH		7,700	9,500	11,400	13,400	15,700	18,000	20,600
LAKE	203,863							
LOW		201,500	210,800	215,300	215,700	211,800	202,800	188,500
MEDIUM		209,600	237,400	264,400	292,500	321,700	350,500	377,200
HIGH		218,300	268,300	323,000	383,500	450,000	521,600	597,000
LEE	417,114							
LOW		409,800	417,800	417,800	411,000	397,100	375,100	344,600
MEDIUM		426,500	471,300	514,500	559,400	605,900	651,400	693,300
HIGH		443,900	531,700	626,700	730,600	843,900	964,700	1,091,100
LEON	237,637							
LOW		231,900	232,000	228,500	220,200	208,400	193,300	174,700
MEDIUM		241,400	262,300	282,500	301,300	319,800	337,800	354,300
HIGH		251,200	295,300	342,700	391,500	442,800	497,000	553,200
LEVY	33,408							
LOW		32,900	33,600	33,700	33,300	32,200	30,500	28,100
MEDIUM		34,200	37,900	41,500	45,300	49,200	53,000	56,500
HIGH		35,600	42,800	50,600	59,200	68,500	78,500	89,000
LIBERTY	8,048							
LOW		7,800	7,700	7,300	6,600	5,800	4,600	3,200
MEDIUM		8,300	9,300	10,200	11,200	12,200	13,200	14,200
HIGH		8,800	11,000	13,500	16,300	19,300	22,700	26,200
MADISON	19,632							
LOW		19,200	18,700	18,100	17,200	16,200	14,900	13,300
MEDIUM		19,900	21,200	22,400	23,600	24,900	26,100	27,200
HIGH		20,800	23,800	27,100	30,600	34,300	38,200	42,300
MANATEE	253,207							
LOW		250,400	257,000	260,400	261,200	259,500	254,700	246,300
MEDIUM		258,000	280,700	302,400	324,900	348,200	370,900	391,700
HIGH		265,900	307,800	352,300	400,100	451,500	505,600	561,300
MARION	249,433							
LOW		245,600	252,800	254,800	252,400	245,300	233,000	215,100
MEDIUM		255,500	285,000	313,400	343,000	373,700	403,900	431,700
HIGH		266,000	321,700	382,200	448,600	521,400	599,200	681,000
MARTIN	121,514							
LOW		119,200	120,400	119,500	116,700	112,100	105,400	96,400
MEDIUM		124,100	135,900	147,300	159,100	171,400	183,300	194,400
HIGH		129,100	153,200	179,200	207,500	238,300	271,000	305,200

Florida state and county population estimates for April 1, 1999, and projections for 2000-2030 (continued)

COUNTY	ESTIMATE APRIL 1 1999	PROJECTIONS, APRIL 1 2000	2005	2010	2015	2020	2025	2030
MIAMI-DADE	2,126,702							
LOW		2,088,100	2,074,800	2,044,400	2,000,600	1,943,200	1,869,200	1,776,700
MEDIUM		2,151,700	2,270,800	2,384,800	2,502,400	2,623,900	2,741,800	2,849,500
HIGH		2,217,200	2,485,200	2,765,900	3,064,300	3,380,700	3,710,400	4,048,500
MONROE	87,030							
LOW		85,400	84,700	83,400	81,600	79,200	76,200	72,400
MEDIUM		88,000	92,700	97,300	102,100	107,000	111,800	116,100
HIGH		90,700	101,500	112,900	125,000	137,900	151,200	164,900
NASSAU	57,381							
LOW		56,500	58,500	59,400	59,400	58,000	55,300	51,200
MEDIUM		58,800	66,000	73,000	80,600	88,200	95,700	102,600
HIGH		61,300	74,500	89,100	105,600	123,300	142,200	162,100
OKALOOSA	179,589							
LOW		176,200	178,400	177,500	173,700	167,200	157,400	144,100
MEDIUM		183,300	201,400	218,700	236,700	255,400	273,600	290,400
HIGH		190,800	227,100	266,200	308,900	355,300	404,700	456,300
OKEECHOBEE	35,510							
LOW		35,200	35,400	35,200	34,800	34,200	33,200	31,800
MEDIUM		36,200	38,700	41,000	43,500	46,100	48,500	50,800
HIGH		37,300	42,400	47,700	53,400	59,500	65,900	72,400
ORANGE	846,328							
LOW		833,000	856,700	862,900	854,200	829,900	787,900	726,700
MEDIUM		866,900	965,900	1,061,600	1,161,000	1,264,400	1,365,700	1,459,300
HIGH		902,400	1,090,400	1,294,400	1,518,500	1,763,600	2,026,000	2,301,400
OSCEOLA	157,376							
LOW		154,900	162,700	164,800	161,900	153,600	139,400	118,800
MEDIUM		162,800	189,400	215,200	242,200	270,500	298,300	324,300
HIGH		171,200	220,100	274,700	336,300	405,000	480,000	560,300
PALM BEACH	1,042,196							
LOW		1,031,300	1,062,200	1,079,200	1,085,600	1,081,000	1,062,900	1,029,900
MEDIUM		1,062,400	1,159,700	1,253,000	1,349,500	1,449,500	1,546,800	1,636,100
HIGH		1,095,100	1,272,300	1,460,100	1,662,800	1,880,600	2,110,000	2,346,800
PASCO	326,494							
LOW		322,000	326,800	328,400	327,300	322,900	314,900	302,900
MEDIUM		331,800	357,200	381,900	407,700	434,000	459,600	482,900
HIGH		341,900	391,500	444,300	501,300	561,700	625,000	690,100
PINELLAS	898,784							
LOW		877,400	848,700	816,400	781,200	743,100	701,400	655,600
MEDIUM		904,300	930,600	955,900	982,100	1,009,400	1,036,000	1,060,400
HIGH		931,600	1,016,600	1,104,500	1,196,500	1,292,800	1,392,300	1,493,800
POLK	474,704							
LOW		467,800	472,800	472,500	468,400	460,200	447,100	428,600
MEDIUM		482,000	516,800	550,000	584,200	619,400	653,400	684,400
HIGH		496,800	566,300	639,300	717,400	800,600	887,500	976,600
PUTNAM	72,883							
LOW		71,600	71,100	70,100	68,700	66,900	64,400	61,300
MEDIUM		73,700	77,900	81,800	85,900	90,200	94,400	98,200
HIGH		76,000	85,200	94,900	105,200	116,300	127,800	139,600
ST. JOHNS	113,941							
LOW		112,700	118,300	121,200	121,600	119,600	114,700	106,700
MEDIUM		117,200	133,200	148,700	164,800	181,600	198,100	213,400
HIGH		122,100	150,600	181,700	216,200	254,100	294,900	337,900
ST. LUCIE	186,905							
LOW		183,700	188,000	188,500	185,900	180,000	170,400	156,800
MEDIUM		191,200	212,000	232,000	252,900	274,500	295,600	315,100
HIGH		199,000	239,200	282,700	330,500	382,500	438,100	496,400

Florida state and county population estimates for April 1, 1999, and projections for 2000-2030 (continued)

COUNTY	ESTIMATE APRIL 1 1999	PROJECTIONS, APRIL 1 2000	2005	2010	2015	2020	2025	2030
SANTA ROSA	112,631							
LOW		111,400	116,700	119,200	119,500	117,400	112,500	104,600
MEDIUM		115,900	131,400	146,400	162,000	178,300	194,400	209,300
HIGH		120,700	148,500	178,900	212,500	249,500	289,300	331,300
SARASOTA	321,044							
LOW		316,300	319,600	319,300	316,400	310,900	302,200	289,800
MEDIUM		325,900	349,400	371,700	394,700	418,500	441,600	462,700
HIGH		335,900	382,800	432,000	484,700	541,000	599,800	660,400
SEMINOLE	354,148							
LOW		347,700	354,400	354,100	348,100	336,200	317,400	291,400
MEDIUM		361,900	399,800	436,100	473,900	513,000	551,300	586,500
HIGH		376,700	451,000	531,200	618,900	714,400	816,200	922,800
SUMTER	50,823							
LOW		50,100	52,300	53,000	51,900	49,100	44,500	37,800
MEDIUM		52,600	60,900	69,200	77,700	86,500	95,300	103,400
HIGH		55,300	70,800	88,300	107,800	129,500	153,200	178,400
SUWANNEE	34,386							
LOW		33,800	34,700	34,900	34,500	33,500	31,700	29,200
MEDIUM		35,200	39,100	43,000	46,900	51,000	55,100	58,800
HIGH		36,600	44,200	52,400	61,300	71,200	81,600	92,600
TAYLOR	19,836							
LOW		20,200	19,200	18,000	16,800	15,400	13,900	12,300
MEDIUM		21,000	21,700	22,400	23,100	23,900	24,600	25,200
HIGH		21,900	24,400	27,000	29,800	32,800	35,800	38,900
UNION	13,833							
LOW		13,800	13,400	12,700	11,800	10,700	9,300	7,700
MEDIUM		14,500	15,700	16,800	17,900	19,100	20,300	21,400
HIGH		15,300	18,100	21,200	24,600	28,300	32,200	36,300
VOLUSIA	426,815							
LOW		420,700	425,600	426,300	423,800	417,900	406,700	390,400
MEDIUM		433,400	465,300	496,100	528,300	562,000	594,000	623,000
HIGH		446,700	509,800	576,800	649,200	727,100	807,300	889,500
WAKULLA	20,648							
LOW		20,500	21,100	21,000	20,200	18,900	16,900	14,300
MEDIUM		21,600	24,600	27,400	30,400	33,400	36,400	39,200
HIGH		22,700	28,600	34,900	42,000	49,900	58,400	67,400
WALTON	40,466							
LOW		40,100	42,400	43,800	44,200	43,700	42,100	39,300
MEDIUM		41,700	47,800	53,700	59,800	66,200	72,600	78,400
HIGH		43,400	54,000	65,700	78,600	92,800	108,200	124,400
WASHINGTON	22,155							
LOW		21,500	21,100	20,300	19,100	17,500	15,300	12,700
MEDIUM		22,600	24,700	26,700	28,900	31,100	33,200	35,200
HIGH		23,800	28,600	33,800	39,700	46,100	52,800	59,900
FLORIDA	15,322,040							
LOW		15,080,400	15,708,700	16,373,400	17,102,800	17,901,200	18,697,400	19,429,200
MEDIUM		15,594,300	16,882,800	18,121,300	19,400,900	20,725,000	22,014,100	23,198,000
HIGH		16,052,800	17,892,900	19,716,500	21,555,100	23,411,200	25,197,400	26,835,800

UNIVERSITY OF FLORIDA

Bureau of Economic and Business Research
Warrington College of Business Administration
221 Matherly Hall, Post Office Box 117145
Gainesville, Florida 32611-7145

phone (352) 392-0171
fax (352) 392-4739
email: info@bebr.ufl.edu
http://www.bebr.ufl.edu

Appendix 4
Census Data

population estimates

Florida County Population Estimates and Population Change: July 1, 2001 to July 1, 2002									
County	State	July 1, 2002 Population	July 1, 2002 Population State Rank	July 1, 2001 Population	July 1, 2001 Population State Rank	Numerical Population Change	Numerical Population Change State Rank	Percent Population Change	Percent Population Change State Rank
	Florida	16,713,149	(X)	16,373,330	(X)	339,819	(X)	2.1	(X)
Alachua	Florida	222,254	21	220,344	21	1,910	33	0.9	46
Baker	Florida	22,793	52	22,609	52	184	50	0.8	47
Bay	Florida	151,901	26	149,683	25	2,218	31	1.5	41
Bradford	Florida	26,297	50	25,982	50	315	46	1.2	43
Brevard	Florida	495,576	9	486,405	9	9,171	11	1.9	30
Broward	Florida	1,709,118	2	1,673,176	2	35,942	2	2.1	25
Calhoun	Florida	12,567	63	12,745	63	-178	66	-1.4	64
Charlotte	Florida	148,678	27	145,463	27	3,215	26	2.2	22
Citrus	Florida	123,685	32	121,289	32	2,396	30	2.0	29
Clay	Florida	152,093	25	146,113	26	5,980	20	4.1	8
Collier	Florida	276,691	17	265,101	18	11,590	9	4.4	7
Columbia	Florida	58,028	38	57,465	38	563	42	1.0	44
DeSoto	Florida	32,819	48	32,886	48	-67	63	-0.2	61
Dixie	Florida	14,063	59	13,841	60	222	48	1.6	37
Duval	Florida	806,120	7	792,719	7	13,401	7	1.7	33
Escambia	Florida	297,272	15	296,667	15	605	40	0.2	54
Flagler	Florida	57,377	40	53,658	40	3,719	24	6.9	1
Franklin	Florida	10,069	65	9,908	65	161	51	1.6	36
Gadsden	Florida	45,279	42	45,262	42	17	58	-	58
Gilchrist	Florida	14,720	58	14,615	58	105	54	0.7	50
Glades	Florida	10,786	64	10,724	64	62	56	0.6	51
Gulf	Florida	14,789	57	14,658	57	131	53	0.9	45
Hamilton	Florida	13,710	61	13,742	61	-32	61	-0.2	62
Hardee	Florida	27,333	49	26,886	49	447	45	1.7	35
Hendry	Florida	36,891	45	36,699	44	192	49	0.5	52
Hernando	Florida	138,470	28	134,546	28	3,924	23	2.9	14
Highlands	Florida	89,952	34	88,616	34	1,336	36	1.5	39
Hillsborough	Florida	1,053,864	4	1,027,369	4	26,495	4	2.6	18
Holmes	Florida	18,628	55	18,635	56	-7	60	-	60
Indian River	Florida	118,007	33	115,414	33	2,593	29	2.2	21
Jackson	Florida	46,408	41	46,260	41	148	52	0.3	53
Jefferson	Florida	13,695	62	13,403	62	292	47	2.2	24
Lafayette	Florida	7,009	66	7,177	66	-168	65	-2.3	67
Lake	Florida	233,835	20	223,610	20	10,225	10	4.6	4

Lee	Florida	475,639	10	459,157	10	16,482	6	3.6	9
Leon	Florida	243,995	19	242,050	19	1,945	32	0.8	48
Levy	Florida	35,953	47	35,136	47	817	38	2.3	20
Liberty	Florida	6,902	67	7,039	67	-137	64	-1.9	65
Madison	Florida	18,309	56	18,715	55	-406	67	-2.2	66
Manatee	Florida	280,511	16	272,500	16	8,011	14	2.9	13
Marion	Florida	272,553	18	265,236	17	7,317	16	2.8	15
Martin	Florida	132,218	30	129,461	30	2,757	28	2.1	26
Miami-Dade	Florida	2,332,599	1	2,296,625	1	35,974	1	1.6	38
Monroe	Florida	79,330	35	79,240	35	90	55	0.1	57
Nassau	Florida	60,558	37	59,035	37	1,523	35	2.6	17
Okaloosa	Florida	175,708	24	172,294	24	3,414	25	2.0	28
Okeechobee	Florida	36,906	44	36,358	45	548	43	1.5	40
Orange	Florida	946,484	5	927,322	5	19,162	5	2.1	27
Osceola	Florida	190,187	23	181,502	23	8,685	12	4.8	3
Palm Beach	Florida	1,190,390	3	1,161,608	3	28,782	3	2.5	19
Pasco	Florida	371,245	13	358,590	13	12,655	8	3.5	11
Pinellas	Florida	926,716	6	924,909	6	1,807	34	0.2	55
Polk	Florida	498,721	8	491,851	8	6,870	18	1.4	42
Putnam	Florida	71,016	36	70,501	36	515	44	0.7	49
St. Johns	Florida	136,038	29	130,108	29	5,930	21	4.6	5
St. Lucie	Florida	205,420	22	198,394	22	7,026	17	3.5	10
Santa Rosa	Florida	127,212	31	121,764	31	5,448	22	4.5	6
Sarasota	Florida	339,625	14	333,363	14	6,262	19	1.9	31
Seminole	Florida	381,686	12	373,461	12	8,225	13	2.2	23
Sumter	Florida	57,517	39	54,737	39	2,780	27	5.1	2
Suwannee	Florida	36,121	46	35,528	46	593	41	1.7	34
Taylor	Florida	19,339	54	19,345	54	-6	59	-	59
Union	Florida	13,877	60	13,858	59	19	57	0.1	56
Volusia	Florida	459,435	11	451,641	11	7,794	15	1.7	32
Wakulla	Florida	24,900	51	24,126	51	774	39	3.2	12
Walton	Florida	43,843	43	42,736	43	1,107	37	2.6	16
Washington	Florida	21,419	53	21,470	53	-51	62	-0.2	63

Note: Population Change represents the July 1, 2001 to the July 1, 2002 time period. (X) Not Applicable. Dash (-) represents zero or rounds to zero.

terms & definitions
methodology

printer-friendly version (*.pdf)
download excel spreadsheet
download file with comma separated values (*.csv)
(right-click to download)

Suggested Citation:
Table CO-EST2002-02-12 - Florida County Population Estimates and Population Change: July 1, 2001 to July 1, 2002
Source: Population Division, U.S. Census Bureau
Release Date: April 17, 2003

Direct content questions to:
Population Division
Statistical Information Staff
pop@census.gov

source: U.S. Census Bureau, Population Division
maintained by: Laura K. Yax
last revised: April 10, 2003 07:45:43.

telephone: (301) 763-2422

USCENSUSBUREAU

Helping You Make Informed Decisions

U.S. Census Bureau

State and County *QuickFacts*

QuickFacts Main | FAQs | What's New

Lee County, Florida

Florida counties - view map

Select a county Go

Locate a county by place name

Select a state
USA QuickFacts

Follow the ⓘ link for definition and source information.

Browse more data sets for Lee County, Florida

	People QuickFacts	Lee County	Florida
ⓘ	Population, 2001 estimate	462,455	16,396,515
ⓘ	Population percent change, April 1, 2000-July 1, 2001	4.9%	2.6%
ⓘ	Population, 2000	440,888	15,982,378
ⓘ	Population, percent change, 1990 to 2000	31.6%	23.5%
ⓘ	Persons under 5 years old, percent, 2000	5.2%	5.9%
ⓘ	Persons under 18 years old, percent, 2000	19.6%	22.8%
ⓘ	Persons 65 years old and over, percent, 2000	25.4%	17.6%
ⓘ	Female persons, percent, 2000	51.1%	51.2%
ⓘ	White persons, percent, 2000 (a)	87.7%	78.0%
ⓘ	Black or African American persons, percent, 2000 (a)	6.6%	14.6%
ⓘ	American Indian and Alaska Native persons, percent, 2000 (a)	0.3%	0.3%
ⓘ	Asian persons, percent, 2000 (a)	0.8%	1.7%
ⓘ	Native Hawaiian and Other Pacific Islander, percent, 2000 (a)	Z	0.1%
ⓘ	Persons reporting some other race, percent, 2000 (a)	3.1%	3.0%
ⓘ	Persons reporting two or more races, percent, 2000	1.6%	2.4%
ⓘ	Persons of Hispanic or Latino origin, percent, 2000 (b)	9.5%	16.8%
ⓘ	White persons, not of Hispanic/Latino origin, percent, 2000	82.0%	65.4%
ⓘ	Living in same house in 1995 and 2000, pct age 5+, 2000	47.7%	48.9%
ⓘ	Foreign born persons, percent, 2000	9.2%	16.7%
ⓘ	Language other than English spoken at home, pct age 5+, 2000	13.5%	23.1%
ⓘ	High school graduates, percent of persons age 25+, 2000	82.3%	79.9%
ⓘ	Bachelor's degree or higher, pct of persons age 25+, 2000	21.1%	22.3%
ⓘ	Persons with a disability, age 5+, 2000	90,925	3,274,566
ⓘ	Mean travel time to work, workers age 16+ (minutes), 2000	25.0	26.2
ⓘ	Housing units, 2000	245,405	7,302,947
ⓘ	Homeownership rate, 2000	76.5%	70.1%
ⓘ	Housing units in multi-unit structures, percent, 2000	28.9%	29.9%
ⓘ	Median value of owner-occupied housing units, 2000	$112,900	$105,500

	Households, 2000	188,599	6,337,92
	Persons per household, 2000	2.31	2.4
	Median household money income, 1999	$40,319	$38,81
	Per capita money income, 1999	$24,542	$21,55
	Persons below poverty, percent, 1999	9.7%	12.5%

	Business QuickFacts	Lee County	Florida
	Private nonfarm establishments, 1999	12,099	424,08
	Private nonfarm employment, 1999	140,147	5,954,98
	Private nonfarm employment, percent change 1990-1999	29.7%	29.3%
	Nonemployer establishments, 1999	30,152	1,031,05
	Manufacturers shipments, 1997 ($1000)	741,763	77,477,51
	Retail sales, 1997 ($1000)	4,367,000	151,191,24
	Retail sales per capita, 1997	$11,320	$10,29
	Minority-owned firms, percent of total, 1997	8.2%	22.0%
	Women-owned firms, percent of total, 1997	27.4%	25.9%
	Housing units authorized by building permits, 2000	9,120	155,26
	Federal funds and grants, 2001 ($1000)	2,334,138	99,998,37
	Local government employment - full-time equivalent, 1997	16,564	543,52

	Geography QuickFacts	Lee County	Florida
	Land area, 2000 (square miles)	804	53,92
	Persons per square mile, 2000	548.6	296.
	Metropolitan Area	Fort Myers-Cape Coral, FL MSA	

Download delimited tables | Download Excel tables

(a) Includes persons reporting only one race.
(b) Hispanics may be of any race, so also are included in applicable race categories.

FN: Footnote on this item for this area in place of data
NA: Not available
D: Suppressed to avoid disclosure of confidential information
X: Not applicable
S: Suppressed; does not meet publication standards
Z: Value greater than zero but less than half unit of measure shown
F: Fewer than 100 firms

Data Quality Statement

What do you think of QuickFacts?

Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, 2000 Census of Population and Housing, 1990 Census of Population and Housing, Small Area Income and Poverty Estimates, County Business Patterns, 1997 Economic Census, Minority- and Women-Owned Business, Building Permits, Consolidated Federal Funds Report, 1997 Census of Governments

Last Revised:

Browse more data sets for Lee County, Florida

Appendix 5
Water Management Narrative
Prepared by
Johnson Engineering, Inc.

FLORIDA CITRUS COMPANY

REPORT

February 25, 2004

Prepared by

JOHNSON
ENGINEERING

413 West Hickpochee Avenue
LaBelle, FL 33935-4763
863.612.0594

20023330

Florida Citrus Company

OBJECTIVE

The objective is to show what the water management conditions are within this property and the surrounding properties and how changes may affect the subject site.

LOCATION

The subject property is located within all or part of sections 1, 2, 3, 11, 12, 13, and 14 of Township 43 South, Range 27 East. This is in the most northeastern corner of Lee County with the northern boundary abutting Charlotte County and the eastern boundary abutting Hendry County.

PHYSICAL CONDITIONS

The subject site has been developed into a working orange/citrus grove with mining in the central portion of the site. For a citrus grove development plan, the land was cleared of native vegetation, planted with citrus in rows with roads and drainage channels that convey water to the south towards the Caloosahatchee. Along the exterior on the northern side, there is a large dike which blocks sheet flow from the north with the exception of five 48-inch CMP that allow small amounts of water through the dike and into the internal system to be passed on through the system out the south. Along the eastern side of the property, there is a man made channel known as County Line Canal. This is partially on the property but mostly across the property line on the adjacent property in Hendry County. This canal conveys water directly south to the Caloosahatchee. There is no surface water connection to this channel from the internal drainage system. Along the western side, there's a dike and canal system that conveys water south towards the Caloosahatchee. An internal ditch and dike system conveys water to the south side where it is released through control structures.

PROPOSED MODIFICATION

The use of a planned unit development (PUD) is required to make restoration of flowways and water management systems that mimic natural settings practical. The present configuration of parcels does not integrate with the concept of flowway restoration. The PUD option will allow enough density and economic return to pay for the restoration. The ability to increase density, cluster dwelling units and provide a more modern water management system must be available for economic viability. Parcels that might be completely used as part of a restored flowway must be aggregated with other parcels to make it work. The use of a PUD will provide the necessary mechanism.

This site, based on its design in the early '60s, has several potential places for improvement to bring it into line with more current design standards and do some restoration of surface water management features that have been altered through the earlier development. The first of these is to increase the amount of water that would come into the property from the north. The original design of this project had no entry point along the three-mile dike. The topographic features in that area basically have water flowing from north to south. Water hits the dike and then it must run around the eastern end or the western end of the dike. Around the eastern of the dike the water is conveyed into County Line Canal. On the western end of the dike the water sheet flows to the west and south and enters South Lightered Canal and ultimately into Cypress Creek. At the urging of a property owner to the west and south of the property, the Water Management District has on at least two occasions required County Line Drainage District to alter their plan of reclamation to accept flows into the project from the offsite area to the north. The first of these required 18-inch diameter culverts at five locations. The second request was for 48-inch diameter culverts at five locations. These five culverts are the current condition. There is a riser on the upstream end of these that is basically at ground level and keeps erosion from occurring onto the upstream property. It also keeps the culverts from lowering the water level upstream below the ground surface.

These five openings are relatively small in capacity compared to the upstream drainage area. To take advantage of these culverts the water needs to be almost a foot deep on the land immediately upstream from the dike. Achievement of a flow regime closer to historic patterns could be accomplished with a flowway. It would allow water to flow in a broad area at ground level southward and enter into one of the tributaries to Cypress or Spanish Creek. The flowway would be variable in width probably ranging between five hundred and fifteen hundred feet wide as they pass through the site. It would generally be to the east of Bushhead and flow in a south-southwesterly direction and enter into Cypress Creek. The proposed area for reestablishment of a flowway is shown on the graphic titled Flowway Restoration.

The flowway would be constructed in such a manner as to convey water at ground level and not through deepened ditch sections as the agricultural operation presently uses for conveyance of water through the project site. A broad crested weir that would be near ground level would control the flow in from the north. This would be in an effort to more closely mimic historical conditions prior to the construction of dike. The dike would remain in place over major portions of the northern boundary line to maintain the water management facilities in those areas to the south outside of the flow ways. These areas would still remain viable for use for other purposes besides conveyances of surface water flows.

There will need to be connections between these developed areas across the flowway. Most logically these would be at narrower locations along the flowway. They would require either a series of culverts or some bridged portions of a flowway to minimize energy loss. The energy loss across the roadway should be less than a tenth of a foot inclusive of entrance and exit losses.

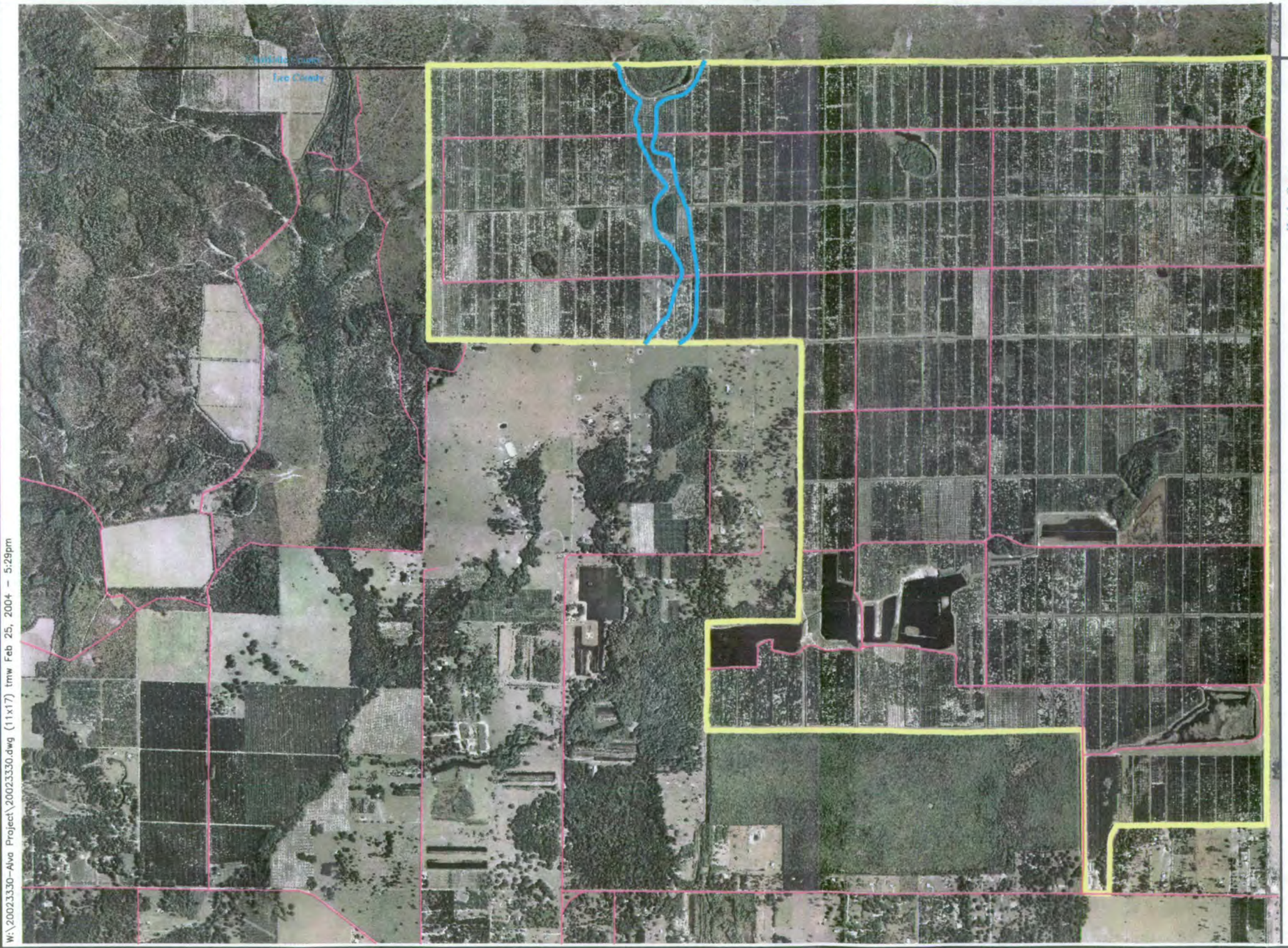
The flowway would require a reconfiguration of the surface water management systems within the remaining development areas. The work would include filling a portion of the north ditch with material from the adjacent berm. Areas outside the flowway would be developed using modern water management practices to limit allowable discharges and

flooding and to improve water quality prior to discharge from the site. If the offsite areas were not ready to receive water from this flowway, an interim routing of the water through the downstream portion of this site would be possible. Culvert(s) under the flowway in the old ditch(es) may be required to maintain the surface water system outside the flowway on both the east and the west sides.

The establishment of this flowway would fit very well into the Lee County Comprehensive Plan as it now it encourages the use of natural or historic flow ways. The restoration of a flowway is a benefit to the overall system of surface water management within Lee County and a full restoration as described above would provide a lot of environmental benefits not only for surface water facilities but also for animals that would normally live in these types of areas or travel through these types of areas. Now the canals along the north and south sides of the site have interrupted the travel.

CONCLUSIONS

The present configuration of parcels makes good economic sense without having a flowway and would be the least costly to the developer from a cost perspective. It is only through a planned development that the flowway concept makes economical sense. The economical sense is based on the ability to increase density, cluster units, provide utilities beyond individual systems and provide unified water management. The flowway will most likely be between 500 feet and 1,500 feet wide. Some of the properties are only five acres and are therefore about 330 feet wide. This means that the flowway will utilize two to five parcels wide. Owners of individual parcels would not favor the flowway if their entire parcel were consumed by it. There is not much economic value to converting a citrus grove into a flowway for the person owning just one parcel. The single parcel owner would say that the existing road and drainage pattern is working and does not need to be converted into a flowway. A planned unit development with two or three units to the acre starts to make the economic picture good enough to consider this type of restoration.



W:\20023330-Alva Project\20023330.dwg (11x17) tmw Feb 25, 2004 - 5:29pm

Lee County, Florida

JOHNSON ENGINEERING
413 HICKPOCHEE AVENUE
LABELLE, FLORIDA 33935
PHONE (863) 612-0594
FAX (863) 612-0341
E.B. #642 & L.B. #642

Flowway Restoration

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
01/08/04	20023330	01-43-27	1" = 2000'	1 OF 1

Appendix 6
FTAA Article

PBTC 02-3

International Agricultural Trade and Policy Center

THE IMPACT OF ELIMINATION OF THE U.S. ORANGE JUICE TARIFF ON THE MARKET FOR PROCESSED ORANGE PRODUCTS

By

Thomas H. Spreen, Charlene Brewster And Mark A. Brown

PBTC 02-3 May 2002

POLICY BRIEF SERIES

UNIVERSITY OF FLORIDA

Institute of Food and Agricultural Sciences

INTERNATIONAL AGRICULTURAL TRADE AND POLICY CENTER

MISSION AND SCOPE:

The International Agricultural Trade and Policy Center (IATPC) was established in 1990 in the Food and Resource Economics Department (FRED) of the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida. Its mission is to provide information, education, and research directed to immediate and long-term enhancement and sustainability of international trade and natural resource use. Its scope includes not only trade and related policy issues, but also agricultural, rural, resource, environmental, food, state, national and international policies, regulations, and issues that influence trade and development.

OBJECTIVES:

The Center's objectives are to:

- Serve as a university-wide focal point and resource base for research on international agricultural trade and trade policy issues
- Facilitate dissemination of agricultural trade related research results and publications
- Encourage interaction between researchers, business and industry groups, state and federal agencies, and policymakers in the examination and discussion of agricultural trade policy questions
- Provide support to initiatives that enable a better understanding of trade and policy issues that impact the competitiveness of Florida and southeastern agriculture specialty crops and livestock in the U.S. and international markets

THE IMPACT OF ELIMINATION OF THE U.S. ORANGE JUICE TARIFF ON THE MARKET FOR PROCESSED ORANGE PRODUCTS

Thomas H. Spreen, Charlene Brewster, and Mark A. Brown[1]

The Free Trade Area of the Americas (FTAA) is a proposal that would create a free trade zone encompassing nearly all of the countries of the Western Hemisphere. This region encompasses a population of 825 million with an aggregate GDP of US$10 trillion[2]. It would be the largest free trade zone in the world. The countries included in the FTAA account for most of the world's production of orange juice. The states of Sao Paulo, Brazil and Florida in the United States together produce approximately 85 percent of the world's orange juice. Mexico and Cuba in the Western Hemisphere and Italy, Spain, and Greece in Europe also produce orange juice for export. World production of orange juice by country is shown in Table 1.

The United States is the largest processed orange consuming country in the world. Canada is also a large market despite its relatively small population; Canada's per capita consumption rivals that found in the United States[3]. The other countries of the Western Hemisphere, however, do not have significant consumption of orange juice. Consumers in these countries still buy oranges in fresh form and produce orange juice at home.

---

[1] Thomas H. Spreen is Professor of the Food and Resource Economics Department at the University of Florida. Charlene Brewster is Visiting Assistant Professor, Department of Agricultural Economics, Virginia Polytechnic Institute, Blacksburg, VA. Mark Brown is Research Economist, Florida Department of Citrus, Gainesville, FL. This report was supported by funding provided by NAPIAP, USDA and the Commodity Analysis Division, Food and Agricultural Organization, Rome, Italy. The authors thank Arture Bocardo for his assistance. Constructive comments were provided by Robert Barber, Robert Behr, and the FAO staff. The authors are solely responsible for any errors in the manuscript.

[2] As reported by WEFA, the GDP of the NAFTA countries in 1999 was US$8.7 trillion in 1990 US$, and the GDP of the other Western Hemisphere countries in 1999 was US$1.4 trillion in 1990 US$.

[3] Canada imports frozen concentrated orange juice at no tariff. All of its imports from NAFTA partners are tariff free; it does, however, levy a two per cent ad valorem on single strength orange juice imports from non-NAFTA countries such as Brazil.

Thus, nearly all of Brazil's orange juice production is exported. Outside of the Western Hemisphere, the European Union is the other major orange juice-consuming region. Consumption of orange juice in the major consuming regions of the world is shown in Table 2.

The purpose of this paper is to project the possible impact of the FTAA on world orange juice trade. The analysis is conducted using a mathematical model of the world orange juice market developed at the University of Florida (McClain; Brewster and Spreen). This paper is condensation of another paper recently completed by Spreen, et al.

The Impact of Not-From-Concentrate Orange Juice

The introduction of not-from-concentrate orange juice, also known as NFC, into the orange juice markets of the United States and Canada has been one of the most important phenomena of the 1990's. Consumption of NFC in the United States has increased from less than 200 million SSE gallons in 1988-89 to over 500 million single strength equivalent (SSE) gallons in the 2000-01 season (Table 3). Much of this growth has occurred despite the fact the retail prices of NFC have remained relatively stable over that period. The widespread acceptance of NFC by North American consumers has been unexpected and requires a change in the understanding of the world orange juice market.

The growth of NFC consumption in the United States and Canada affects world trade in orange juice in that nearly all of the NFC consumed in North America is produced in Florida. Mexico has exported small quantities of NFC to the United States (less than four million SSE gallons), but to date, very little NFC has been shipped from Brazil to the United States. As such, an increasing share of Florida's orange crop has

been allocated to NFC. In the last three seasons, over 40 percent of Florida's orange crop has been sent to the NFC market (Florida Citrus Processors Association).

Nearly all of the frozen concentrated orange juice (FCOJ) traded in the world is first concentrated to 65° or 66° Brix. At this level of concentration, six parts water must be added to reconstitute the juice to single strength equivalent. NFC, on the other hand, is never concentrated. Thus to ship an equivalent volume of NFC compared to FCOJ, six times the volume must be shipped. As a result, transportation costs become an increasingly important component of the cost of NFC delivered to its final destination.

An important implication of the establishment of a large scale NFC market in the United States is that, for the present, the Florida processed orange industry has been able to differentiate its product from that produced elsewhere and thereby partially insulate itself from import competition. In the analysis of the proposed FTAA, the markets for NFC and reconstituted FCOJ in the United States must be separated as the latter market is more vulnerable to reduction or elimination of the U.S. orange juice tariff.

Consumption of NFC has begun in both Canada and the European Union. Given Canada's proximity to the United States, it is not surprising that Canadian consumers have begun drinking NFC. Canadian import data can be used to infer the composition of consumption. While data is available on imports of orange juice into the EU, the composition of imports is not known. U.S. export data indicate that approximately 70 million SSE gallons of NFC were exported from the United States in both the 1998-99 and 1999-00 seasons. Of this total, over 90 percent of U.S. exports were sent to Canada and the EU[4].

[4] Data was recently published in a USDA publication regarding imports of NFC into Europe. That report, however, contained no information on domestic production of NFC in the EU. Both Spain and Italy have

Tariffs and the World Orange Juice Market

Three of the largest orange consuming regions levy tariffs on imported orange juice. In this section, those tariffs are reviewed. Recently, these tariffs have been reduced as negotiated in the Uruguay Round of GATT. The most favored nation (MFN) FCOJ tariff schedules for the United States, the European Union, and Japan are shown in Table 4. Prior to the GATT agreement of 1994, Canada imposed an ad valorem tariff of three percent on imports of FCOJ. Import tariffs imposed on orange juice from the United States and Mexico have been phased out under the North American Free Trade Agreement (NAFTA).

The United States allows the importation of orange juice duty-free to those countries identified under the Caribbean Basin Economic Recovery Agreement (CBERA) also known as the Caribbean Basin Initiative (CBI). CBERA countries that currently export orange juice to the United States include Costa Rica, Belize, Honduras, and the Dominican Republic. In 2000, imports from CBERA countries totaled 65.7 million SSE gallons, which was 20.6 percent of total U.S. imports and approximately four percent of total U.S. orange juice consumption.

Under NAFTA, both the United States and Mexico agreed to phase out their tariffs on orange juice imports over a 15-year period, beginning in 1994. At the time the agreement was signed, Mexico levied a 20 percent ad valorem duty on imports of orange juice, even though very little was imported. Before NAFTA, Mexico's exports to the United States were subject to the MFN tariff, which at the time the agreement was implemented was US$.35 per SSE gallon for FCOJ and $.175 per SSE gallon for NFC.

---

become significant producers of NFC, but their exact production figures are not known. For further discussion, see Goodrich and Brown.

Imports of orange juice from Mexico had been increasing before NAFTA was implemented which raised fears in Florida that reductions in the U.S. orange juice tariff would result in massive increases in Mexican juice exports. To allay these fears, a rather complicated arrangement was negotiated under which Mexican exporters were granted a tariff rate quota of 40 million SSE gallons at one-half the prevailing MFN tariff or US$.175 per SSE gallon. Exports above 40 million SSE gallons are charged a higher tariff that declines over a 15-year period, reaching zero in 2008. A snapback provision was built into the agreement that was intended to protect against "surges" of orange juice imports from Mexico. In the snapback provision, if both price and quantity triggers were crossed, then over quota imports would be charged the MFN tariff rate.

Analytical Model

A model of the world orange juice market has been developed at the University of Florida. This model was originally developed in 1989 (McClain) and has been updated and modified since then (Brewster and Spreen). In the model, there are four production areas for orange juice: Sao Paulo, Florida, Mexico, and California, United States. Production in Sao Paulo and Florida is modeled explicitly, while production from Mexico and California is assumed to be fixed over the forecast horizon. The existing tree inventory in Sao Paulo and Florida is used to forecast orange production in each region. Historical processed utilization rates and juice yields are combined with the orange production forecast to predict orange juice production in each region. After a spatial price equilibrium is established, lagged grower (on-tree) prices are used to predict future tree plantings. Historical tree loss rates are used to adjust the tree inventory. The

updated inventory is then used to predict next year's crop. The model is solved in a forward recursive fashion over a specified time horizon.

The four consumption regions included in the model are the United States, Canada, the EU, and Japan. The tariffs imposed by these countries are included in the pricing structure of the model. Demand equations have been estimated for each of these countries, which also account for growth in demand over time. For the purposes of this analysis, the annual demand growth rates are assumed to be 1 percent in the United States, .5 percent in Canada, 2 percent in the EU and 2.5 percent for Japan[5].

The model allocates the available supply of orange juice across the four consumption regions so as to establish a spatial price equilibrium. It is assumed that in each year, production equals consumption, i.e. changes in inventory are not taken into account. In the most recent version of the model, the orange juice markets in the both the United States and Canada are disaggregated into consumption of NFC and FCOJ. Since most of the FCOJ produced is ultimately consumed as reconstituted chilled orange juice, this level of disaggregation was deemed appropriate. Separate demand equations have been estimated for NFC and FCOJ at the processor level, i.e. the prices in the model reflect the prices charged by processors for NFC and bulk FCOJ. Each demand equation also includes a cross price effect. This term accounts for the fact that NFC and bulk FCOJ are close substitutes. The quantity of FCOJ in the market affects the price of NFC and vice versa.

[5] A demand growth rate of 1 percent means that a 1 percent increase in the quantity consumed can be accomplished with no increase in price. Demand growth in the United States and Canada is mainly driven by population growth. Demand growth in Europe and Asia is primarily the result of increased per capita consumption. These estimates are based upon work by the Florida Department of Citrus.

For a discussion of the mathematical model used to conduct the empirical analysis as well as specification and validation of the baseline model, see Spreen, et al.

Empirical Results-Baseline Model

Projected orange and orange juice production in Sao Paulo and Florida are shown in Table 6. Orange production in Sao Paulo is projected to decline from the 395 million 90 pound box crop produced in 1999-00 to 332.7 million boxes in the 2004-5 season. Production is projected to recover to nearly 360 million boxes by the 2009-10 season and continue to expand to 484 million boxes by 2020. The near term decline in Sao Paulo orange production is a result of CVC, a viral disease which has killed millions of young trees in Sao Paulo over the past five years. The latest data on tree numbers in Sao Paulo indicate that there are currently 12 million nonbearing orange trees in the state. The normal annual death loss in Sao Paulo is about six percent. In the 1999-00 season, there were an estimated 162 million bearing trees in Sao Paulo (FAS, USDA) so that nearly 10 million trees were needed to enter the bearing tree population each year. With a total of 12 million nonbearing trees (ages less than one year, 1-2 years, and 2-3 years), bearing tree numbers began to decline in that season and should continue to decline over the next few seasons.

Orange production in Florida is estimated to increase modestly to 255 million 90-pound boxes (the current level is 232 million boxes) by the 2004-5 season. Orange production is projected to grow slowly over the next 15 years reaching 278 million boxes by the 2019-20 season (Table 9). This forecast is based upon the reality that Florida orange producers face constraints to significantly expand citrus production. These constraints include competition from urban growth for land and water, and the problem of

finding harvest labor. Research is underway in Florida on mechanical harvesting of citrus, but it is not yet widely adopted.

Orange juice production in Sao Paulo is projected to decline to 1.48 billion pound solids (1.05 million MT @ 65° Brix) in the 2004-5 season. Production will then recover to 1.60 billion pound solids in 2009-10 and continue to grow to 2.15 billion pound solids by 2020. Orange juice production in Florida is projected to range from 1.5 billion to 1.7 billion pound solids over the next 20 years (Table 6).

Even though total orange production in Sao Paulo is considerably larger compared to Florida, in recent years, Florida's production of orange juice rivals that in Sao Paulo. This occurs because processed utilization is much higher in Florida (94 percent versus 74 percent) and juice yields are higher in Florida, although Sao Paulo has been closing the gap in recent years.

With this production forecast, consumption levels in the four major consuming regions are expected to expand modestly over the next 20 years as shown in Table 7. With per capita consumption in the EU continuing to expand, EU consumption is expected to exceed 1.21 million MT @ 65° Brix by 2020. With underlying demand growth in all four markets, increased production can be accommodated with stable prices (Tables 8 and 9). Processor prices in Florida for FCOJ are projected to be nearly flat averaging approximately US$1575 per MT @ 65° Brix for FCOJ. NFC prices are also expected to show a similar pattern over the forecast period. Prices in the other consumption markets are expected to decline modestly.

Prices at these levels mean that grower prices should remain in a profitable range over the forecast period. Grower prices in Sao Paulo should range from US$1.88 to

$US2.20 per box, while prices in Florida will range from US$4.39 to US$4.82 per box. These on-tree prices are above the cost of production in both Sao Paulo and Florida as recently reported by Muraro, et al. and could be sufficiently high to encourage expansion of the world's citrus industry in countries other than the United States and Brazil.

On-tree prices that exceed cost of production in Sao Paulo have proven, in the past, to stimulate new tree plantings. The main competitor to orange production for land and labor in Sao Paulo is sugarcane. Brazil has recently modified its ethanol program so as to divert more cane to sugar production. Combined with a worldwide oversupply of sugar and other sweeteners, this decision has resulted in depressed cane prices in Brazil for the past two years. The recent increase in the world price of oil has caused the government of Brazil to reconsider its recent policy changes towards ethanol. This change will likely stimulate the domestic sugarcane industry and provide a viable alternative to citrus in Sao Paulo.

The Projected Impact of FTAA on the World Orange Juice Market

The Free Trade Area of the Americas (FTAA) proposal is intended to create a free trade zone extending from Canada to Chile and Argentina. If it is similar in scope to other free trade agreements, it is likely that tariffs and quotas will be eliminated on nearly all products traded within the region. Clearly, the U.S. tariff on orange juice imports is one of those import tariffs that could be affected by the passage of FTAA.

In this analysis, the impact of elimination of the U.S. tariff on orange juice imports is conducted using two scenarios. Scenario 1 assumes that the tariff on both FCOJ and NFC will be phased out over a 15-year period beginning in 2002. A 15-year phase out is considered because this is the same timetable used in the North American

Free Trade Agreement. Scenario 2 is based upon the assumption that the tariff would be reduced to zero beginning with the 2002-3 season. The results of this analysis are summarized in Tables 8-17.

The impact of phased and immediate elimination of the U.S. orange juice tariff on Sao Paulo is shown in Table 8. The results indicate that tariff elimination would have little effect on orange production in Sao Paulo. At the end of the forecast horizon, orange production in Sao Paulo is projected to be 494 million boxes under immediate elimination, a level 10 million boxes greater than that forecast if the tariff remains in place. Phased elimination of the tariff is projected to gradually increase on-tree prices in Sao Paulo with the advantage reaching US$.12 per box by 2015-16. Immediate tariff elimination results in an immediate gain of US$.32 per box in 2002-03 expanding to US$.55 per box in 2019-20.

The impact of tariff elimination on Florida orange producers is shown in Table 9. As is the case with Sao Paulo, the impact of the tariff removal on Florida orange production is not large over the 19 year forecast horizon. At the end of the forecast horizon, Florida orange production under phased elimination is projected to be 272 million boxes compared to 278 million boxes in the baseline. Under immediate elimination, the impact is greater with projected production being 251 million boxes in 2019-20, a decline of nearly 10 percent. The impact on on-tree prices, however, is greater. Phased elimination of the tariff is projected to reduce on-tree prices in Florida by US$.30 per box in 2014-15, a decline of 6 percent. Immediate elimination would cause grower prices in Florida to decline by more than US$ 1.14 per box early in the forecast period. By the end of the forecast period, grower prices are projected at US$ 3.91 per

box, still well below the $4.51 per box forecasted under phased elimination. Thus, if the tariff is removed, Florida growers would fare much better under a phased reduction compared to immediate elimination.

One way to measure the impact of immediate elimination of the tariff on Florida orange producers is to examine its impact on producer revenue. If the tariff were eliminated immediately, producer revenue in Florida would decline by US$291 million in the 2004-5 season, and US$343 million in the both 2009-10 and 2019-20 seasons. These declines represent a 25 percent decline in 2004-05 and 26 percent in 2019-20. Another impact is illustrated in that future orange production is expected to rise modestly with the tariff intact, but follows a more cyclical pattern under immediate elimination with projected production in 2019-20 nearly equal to that projected for 2002-03.

The impact of tariff removal on orange juice consumption and prices in the United States is shown in Table 10. Under immediate tariff elimination, U.S. orange juice consumption is projected to increase by 84,000 MT @ 65° Brix in 2002-03 (equivalent to about 117 million SSE gallons). Almost all of the consumption increase would be FCOJ. By 2015-16, the projected increase in U.S. consumption is 100,000 MT, or eight percent. To support higher consumption, FCOJ processor prices in the United States would decline by approximately US$299 per MT @ 65° Brix (equivalent to approximately US$.21 per pound solid) in the 2002-03 season or 20 percent. NFC prices in the United States would also decline, although the percentage decline is smaller than that projected for FCOJ. NFC prices changes are due to the cross price effect between NFC and FCOJ and that the model chooses to increase NFC production in Florida.

The impact of phased reduction and immediate elimination of the U.S. orange juice tariff on orange juice prices and consumption in Canada is not shown. Immediate elimination would cause virtually no change in Canadian orange juice consumption and a small increase in price. Phased reduction would also result in virtually no change in orange juice consumption over the forecast horizon.

Elimination of the U.S. orange juice tariff on Brazilian imports would cause prices in the EU to increase and consumption to decrease. This result occurs because the U.S. market has become more attractive to Brazilian exporters vis-à-vis the EU market. The impact of phased reduction and immediate elimination of the U.S. tariff on orange juice prices and consumption in the EU is shown in Table 11. Under immediate U.S. tariff elimination, the impact in the EU would be modest, as EU consumption is projected to decline approximately 76,000 MT @ 65° Brix in 2002-03, a decline of nearly 9 percent. By the 2019-20 season, projected consumption in the EU is expected to decrease by nearly 173,000 MT. Prices are projected to increase by US$92 per MT @ 65° Brix in 2002-03 and by US$161 per MT in 2019-20, the latter figure representing a price increase of 12 percent. Phased elimination of the U.S tariff has a smaller impact on EU orange juice consumption and prices, although consumption declines by 42,000 MT and prices are projected to increase by US$ 39 per MT in 2019-20. Although not shown here, the impact of U.S. tariff elimination on Japan is similar to the EU. Japanese consumption declines modestly with a commiserate increase in price.

The impact of U.S. tariff reductions on world trade in orange juice is shown in Tables 12-17. In Table 12, projected exports under the present tariff regime by country of destination from Sao Paulo are shown. While the figures shown here underestimate

recent levels of exports to the United States, they do confirm that the EU has become the most important market for Brazilian orange juice[6]. In Table 13, projected exports from Sao Paulo under phased elimination of the U.S. tariff are shown, while Table 14 presents results for Sao Paulo if the tariff were eliminated immediately in the 2001-02 season.

The clear conclusion drawn from the figures presented in Tables 12-14 is that U.S. imports of FCOJ from Brazil will increase substantially if the U.S. orange juice tariff is eliminated. Under immediate elimination, U.S. imports would increase by 89,000 MT @ 65° Brix in the 2002-03 season. Under phased elimination, there is a gradual increase in U.S. FCOJ imports, which reach 142,000 MT in the 2019-20 season compared to 86,000 MT in the baseline model

Increased imports by the United States would come at the expense of exports to the EU and Japan. Canada would be only marginally affected. Since both the EU and Japan are assumed to maintain their FCOJ tariff in the scenario presented here, it is not surprising that consumption in these two regions would be adversely affected by phased reduction or immediate elimination of the U.S. tariff.

The figures presented in Table 14 also help explain why the supply response in Sao Paulo is relatively small if the U.S. orange juice tariff is removed. Under immediate tariff elimination, the United States is projected to account for less than 10 percent of Sao Paulo's market. Therefore the price impact on Brazilian growers and processors is diluted by the fact that the majority of its exports will still be sent to other markets.

Another factor that limits supply response in Sao Paulo is that the industry is already undergoing a major recovery from the trees lost to CVC. There are physical

[6] For example, U.S. imports of Brazilian orange juice were nearly 200 million SSE gallons in 2000-01 season and the model indicates that approximately 74 million SSE gallons will be exported in 2001-02. It is difficult to completely validate of model of this type and trade flows are particularly difficult to track.

limits on how quickly orange groves can be developed. The main lesson learned in Sao Paulo from its last major expansion is that use of non-certified planting material can lead to serious disease problems.

Utilization of orange juice production in the United States under the three scenarios is shown in Tables 15-17[7]. Under the current tariff regime, United States consumption of NFC is expected to grow modestly from current levels reaching nearly 652 million SSE gallons by the 2019-20 season[8]. U.S. consumption of FCOJ (including reconstituted chilled orange juice and retail pack FCOJ) is expected to grow modestly, with Florida production of FCOJ reaching 751,000 MT @ 65° Brix by 2019-20. The model suggests that all of the FCOJ supplied to Canada will come from Brazil. Currently, a large proportion of FCOJ consumption in Canada originates from Florida[9].

Under phased tariff elimination (Table 16), allocation of orange production to FCOJ by U.S. producers remains relatively flat, while NFC production increases compared to the with tariff scenario. The result is consistent with the notion that Florida has a comparative advantage in the supply of NFC to the North American market and thus with declining tariff protection, it would choose to allocate an ever increasing share of its production to NFC.

In Table 17, utilization of U.S. orange juice under immediate tariff elimination is shown. The trend discerned from these figures is similar to that observed in Table 16 except that the impact occurs much sooner. Utilization of U.S. orange production in the

[7] The figures presented in Tables 15-17 include orange juice production from California, Arizona, and Texas.
[8] Some would argue that this forecast is conservative. In the model, growth of NFC consumption is expected to moderate from the high levels that occurred over the past decade.
[9] Given the duty drawback option available to Florida processors, it is possible that the model accurately reflects the present situation in Canada even though the model does not choose to "pass through" Brazilian concentrate which is ultimately destined for Canada.

U.S. FCOJ market decreases and increased utilization occurs in NFC produced for both the U.S. and Canadian market for all years of the forecast horizon.

Although not explicitly included in the quantitative model of the world orange juice market, phased reduction or complete elimination of the U.S. orange juice tariff would have adverse effects on those countries which currently enjoy preferential access to the U.S. orange juice market. These countries include Belize, Costa Rica, Honduras, and Mexico. Given that all of these countries currently export most of their orange juice production to the United States, reduced tariffs for Brazilian exporters would result in lower prices received for exports from third countries along with a possible loss of market share. These countries might choose to send more of their production to the EU. Given Mexico's proximity to the United States, orange juice processors in that country could possibly insulate itself from competition from Brazil by focusing on NFC production.

Concluding Remarks

World orange juice consumption and trade has shown remarkable growth over the past two decades. After major freezes destroyed many orange trees in Florida in the 1980's, the high prices that followed have spurred a major expansion in orange production in both Florida and Sao Paulo, Brazil. These two regions continue to dominate the world market for orange juice, collectively accounting for approximately 85 percent of world production.

Using a mathematical model of the world orange juice market, production and price projections are made through the 2019-20. These projections indicate that in the near term, world orange juice production will decline somewhat as Brazil recovers from

the effects of CVC, a viral disease that has killed millions of young trees. Production should recover by 2010, and continue to expand to 2020 with Brazilian orange juice output projected to reach 1.6 million MT @ 65° Brix. Orange juice production in Florida is expected to remain relatively flat at 1.1 million MT @ 65° Brix. It is anticipated that other citrus producing regions will not significantly expand their production of orange juice over the next 20 years. The possible exception to this observation is Mexico, which will gain tariff free access to the United States in 2008.

The main impact of FTAA would be duty free access for Brazil to the United States. In recent years, Brazil's orange juice exports to the United States have stabilized at approximately 175,000 MT @ 65° Brix. As nearly all of Brazil's exports are FCOJ, the potential impact of elimination of the U.S. tariff has been muted somewhat with the increase in NFC consumption in the United States.

The quantitative effects of complete elimination of the U.S. orange juice tariff on Brazilian imports suggest that the benefit to Brazilian orange producers would not be large. Production would increase slightly, and on-tree prices would also increase. The impact on Florida producers is somewhat larger. Production in Florida would contract, and on-tree prices are expected to decline substantially. Expanded consumption in the United States would come at the expense of reduced consumption in the EU, Canada, and Japan. Smaller orange juice producing countries such as Mexico, Belize, and Costa Rica would also be adversely affected as these countries currently enjoy preferential access to the U.S. market.

If negotiations begin in earnest on FTAA, the U.S. orange juice tariff will be one of the most debated topics. It is hoped that the results presented herein are helpful to those discussions.

References

Barten, A.P., and L.J. Bettendorf, 1989, "Price Formation of Fish: An Application of an Inverse Demand System," *European Economic Review* 33: 1509-1525.

Brewster, Charlene, and Thomas H. Spreen. "Price Equilibrium in Spatially Separated Multi-Product Markets: An Application to the World Processed Orange Juice Market." Selected paper presented at the American Agricultural Economics Association meetings, Salt Lake City, UT, August, 1998. (Abstract: *Amer. J. Agr. Econ.* 80(1998): 1175)

Brown. M., J. Lee, and J. Seal, 1995, "A Family of Inverse Demand Systems and Choice of Functional Form," *Empirical Economics* 20: 519-530

Florida Citrus Processors Association. "Annual Report." Various issues, Winter Haven, FL, 1994-2000.

Florida Department of Citrus. "Citrus Reference Book." Economic Research Department, Food and Resource Economics Department, University of Florida, Gainesville, FL, 2000.

Goodrich, Rene, and Mark A. Brown. "European Markets for NFC: Supply and Demand Issues." International Working Paper IW 01-2, Food and Resource Economics Department, University of Florida, Gainesville, FL., February, 2001.

Kalaitzandonakes, Nicholas G., and J. Scott Shonkwiler. " A State-Space Approach to Perennial Crop Supply Analysis. *Amer. J. Agr. Econ.* 74(1992):343-52.

Laitinen, K. and H.. Theil, 1979, "The Antonelli Matrix and the Reciprocal Slutsky Matrix," *Economic Letters* 3: 153-157.

McCarl, Bruce A., and Thomas H. Spreen. "Price Endogenous Mathematical Programming Models as a Tool for Sector Analysis." *Amer. J. Agr. Econ.* 62(1980):87-102.

McClain, Emily A., "A Monte Carlo Simulation Model of the World Orange Juice Market." Unpublished Ph.D. dissertation, University of Florida, 1989.

Muraro, Ronald P., Thomas H. Spreen, and Fritz M. Roka. "Focus on Brazil." *Citrus Industry* 81:1(January 2000):20-2.

Spreen, Thomas H. "The Free Trade Area of the Americas and the Market for Processed Orange Products." *Proceedings of the InternationalCitrus Symposium 2001.* Organized by the Ministry of Agriculture, People's Republic of China and the Food and Agricultural Organization, United Nations, Beijing, 2001, pp 265-91.

Spreen, Thomas H., Charlene Brewster, and Mark G. Brown. "The Free Trade Area of the Americas and the World Market for Orange Juice." Submitted to the *Journal of Agricultural and Applied Economics*, March, 2002.

Spreen, Thomas H., and Juan Pablo Mondragon. "The Tariff Schedule for Imported FCOJ." *Citrus Industry.* 77:10(October, 1996):10-12.

Takayama, T., and G.G. Judge. *Spatial and Temporal Price and Allocation Models.* Amsterdam: North-Holland Publishing, 1971.

United States Department of Agriculture, Foreign Agricultural Service (FAS, USDA). "Citrus Annual Report." Sao Paulo, Brazil, U.S. Consulate, 1999.

Table 1. Processed Orange Production by Country, 1998[a]

Country	Production (1000 MT)
Brazil	13,464
United States	10,213
Italy	940
Mexico	700
Spain	664
Cuba	345
Greece	310
South Africa	228
Argentina	196
Australia	192
Israel	142
Others	495
Total	27,889

Source: FAO

[a]Figures presented are in fresh fruit equivalent

Table 2. Processed Orange Consumption by Country, 1998[a]

Country	Consumption (1000 MT)	Per Capita (kg)
United States	11,773	42.96
European Union	13,745	36.70
Canada	1,241	40.60
Australia	276	14.91
Mexico	273	2.85
Brazil	243	1.47
Japan	208	1.65
Others	1,302	N/A
Total	29,061	4.92

Source: FAO

[a] Figures presented are fresh fruit equivalent

Table 3. U.S. Consumption of Orange Juice by Category, 1988-89 through 2000-01

Season	FCOJ[a]	NFC[b]	Total[c]
	million SSE gallons		
1988-89	1078	190	1268
1989-90	890	213	1103
1990-91	871	229	1100
1991-92	893	233	1126
1992-93	1006	280	1286
1993-94	1080	301	1381
1994-95	1065	317	1382
1995-96	1028	347	1374
1996-97	1064	371	1435
1997-98	1142	455	1597
1998-99	1077	472	1548
1999-00	1119	481	1600
2000-01[d]	966	535	1501

[a]Estimated as a residual. Includes FCOJ, reconstituted OJ, and shelf stable OJ.

[b]Estimated as Florida NFC production + estimated other U.S. NFC production + NFC imports - NFC exports + Florida NFC inventory adjustment.

[c]Based upon estimates from the Florida Department of Citrus

[d]Forecasted values.

Table 4. FCOJ Tariff Schedule for Major Orange Juice Importing Countries under GATT

Year	U.S.	Europe	Japan
	cents/SSE gal	---------ad valorem---------	
1994	35.01	19	30
1995	34.13	18.37	29.25
1996	33.24	17.74	28.50
1997	32.36	17.10	27.75
1998	31.48	16.47	27.00
1999	30.59	15.84	26.25
2000 and beyond	29.71	15.20	25.50

Source: Spreen and Mondragon

Table 6. Projected Production of Oranges and Orange Juice in Sao Paulo and Florida, 2005, 2010, and 2020

	Projected Orange Production		Projected Orange Juice Production	
	Sao Paulo	Florida	Sao Paulo	Florida
Season	Million Boxes		Million Pound Solids	
2004-05	332.7	254.7	1477	1581
2009-10	359.8	264.7	1597	1645
2019-20	484.3	278.3	2150	1733

Table 7. Projected Orange Juice Consumption in Major Consuming Regions in 2005, 2010, and 2020

	Consumption Region			
	United States[a]	Canada	European Union[b]	Japan
Season	1000 MT @ 65° Brix			
2004-5	1160	94	872	92
2009-10	1213	96	936	101
2019-20	1341	103	1213	136

[a] Includes both NFC and FCOJ consumption.

[b] Does not include production from other areas

Table 8. Projected Orange Production and On-Tree Prices in Sao Paulo With, Phased Reduction of, and Immediate Elimination of the U.S. Orange Juice Tariff

	With U.S. Tariff		Phased Reduction		Immediate Elimination	
Season	Production (Mil. Boxes)	On-Tree Price (US$/box)	Production (Mil. Boxes)	On-Tree Price (US $/box)	Production (Mil. Boxes)	On-Tree Price (US $/box)
2001-02	330.0	2.07	330.0	2.07	330.0	2.07
2002-03	337.4	1.88	337.4	1.91	337.4	2.20
2003-04	333.9	1.99	333.9	2.03	333.9	2.31
2004-05	332.7	2.07	332.7	2.14	332.7	2.39
2005-06	333.6	2.14	333.6	2.23	333.7	2.46
2006-07	337.2	2.18	337.6	2.27	337.8	2.49
2007-08	342.6	2.20	342.7	2.27	343.3	2.52
2008-09	349.9	2.20	350.0	2.27	351.1	2.53
2009-10	359.8	2.17	360.1	2.24	361.6	2.52
2010-11	372.1	2.11	372.6	2.21	374.6	2.50
2011-12	386.9	2.06	387.5	2.16	390.1	2.46
2012-13	402.0	2.00	402.8	2.10	405.9	2.42
2013-14	415.8	1.96	416.8	2.07	420.5	2.40
2014-15	429.6	1.92	430.8	2.03	435.1	2.39
2015-16	442.5	1.90	443.9	2.01	448.8	2.38
2016-17	455.0	1.88	456.7	2.00	462.2	2.39
2017-18	466.6	1.87	468.5	2.00	474.6	2.40
2018-19	476.1	1.89	478.3	2.02	485.0	2.43
2019-20	484.3	1.92	486.7	2.06	494.0	2.48

Table 9. Projected Orange Production and On-Tree Price in Florida With, Phased Reduction of, and Immediate Elimination of U.S. Orange Juice Tariff

	With U.S. Tariff		Phased Reduction		Immediate Elimination	
Season	Production (mil. Boxes)	On-Tree Price (US $/box)	Production (mil. Boxes)	On-Tree Price (US $/box)	Production (mil. Boxes)	On-Tree Price (US $/box)
2001-02	232.7	4.76	232.7	4.76	232.7	4.76
2002-03	251.2	4.39	251.2	4.35	251.2	3.25
2003-04	253.2	4.52	253.2	4.38	253.2	3.37
2004-05	254.7	4.62	254.7	4.39	254.7	3.47
2005-06	256.0	4.71	256.0	4.39	256.0	3.56
2006-07	257.7	4.76	257.7	4.44	257.7	3.61
2007-08	259.9	4.80	259.8	4.54	259.1	3.66
2008-09	262.1	4.82	262.0	4.59	260.2	3.69
2009-10	264.6	4.80	264.2	4.54	261.0	3.69
2010-11	266.4	4.87	265.6	4.54	260.8	3.69
2011-12	268.1	4.82	266.9	4.50	260.3	3.67

2012-13	269.8	4.77	268.0	4.45	259.6	3.66
2013-14	271.4	4.73	269.1	4.43	258.6	3.66
2014-15	272.8	4.71	269.9	4.41	257.5	3.67
2015-16	274.1	4.69	270.5	4.40	256.3	3.70
2016-17	275.2	4.68	271.0	4.40	255.0	3.73
2017-18	276.3	4.69	271.4	4.42	253.6	3.77
2018-19	277.3	4.72	271.8	4.46	252.4	3.83
2019-20	278.3	4.76	272.1	4.51	251.2	3.91

Table 10. Orange Juice Consumption and Price in the United States with, Phased Reduction of, and Immediate Elimination of the U.S. Orange Juice Tariff

	Consumption			Prices					
	With Tariff	Phased Reduction	Immediate Elimination	With Tariff		Phased Reduction		Immediate Elimination	
Season	1000 MT @ 65° Brix			NFC[a]	FCOJ[b]	NFC[a]	FCOJ[b]	NFC[a]	FCOJ[b]
2001-02	1115	1115	1115	1.60	1570	1.60	1570	1.60	1570
2002-03	1147	1153	1231	1.55	1497	1.53	1476	1.34	1198
2003-04	1154	1166	1239	1.57	1523	1.54	1480	1.35	1224
2004-05	1160	1178	1247	1.58	1545	1.54	1480	1.37	1245
2005-06	1167	1192	1256	1.59	1562	1.53	1476	1.38	1262
2006-07	1177	1202	1268	1.60	1572	1.54	1484	1.39	1271
2007-08	1188	1209	1280	1.61	1578	1.55	1507	1.39	1278
2008-09	1200	1220	1293	1.61	1578	1.56	1519	1.39	1281

2009-10	1213	1233	1306	1.60	1570	1.56	1512	1.39	1277
2010-11	1221	1247	1320	1.59	1589	1.55	1503	1.38	1272
2011-12	1236	1262	1336	1.58	1575	1.54	1489	1.38	1262
2012-13	1252	1278	1351	1.58	1560	1.53	1476	1.37	1254
2013-14	1266	1292	1366	1.57	1549	1.52	1466	1.37	1248
2014-15	1280	1307	1380	1.57	1540	1.52	1459	1.37	1244
2015-16	1294	1321	1394	1.57	1535	1.51	1453	1.37	1244
2016-17	1307	1334	1407	1.57	1530	1.51	1450	1.37	1244
2017-18	1320	1346	1420	1.57	1529	1.51	1450	1.37	1247
2018-19	1331	1358	1431	1.57	1533	1.52	1456	1.38	1255
2019-20	1341	1368	1442	1.58	1540	1.52	1464	1.38	1267

[a] US $ per SSE gallon, processor price.
[b] US $ per MT @ 65° Brix, processor price.

Table 11. Orange Juice Consumption and Prices in the European Union With, Phased Reduction of, and Immediate Elimination of the U.S. Orange Juice Tariff

	Consumption			Prices		
	With Tariff	Phased Reduction	Immediate Elimination	With Tariff	Phased Reduction	Immediate Elimination
Season	1000 MT @ 65° Brix			U.S. $ per MT @ 65° Brix		
2001-02	821	821	821	1358	1358	1358
2002-03	883	877	806	1304	1311	1396
2003-04	875	864	796	1334	1348	1427
2004-05	872	855	791	1358	1378	1452
2005-06	873	850	791	1378	1406	1470
2006-07	881	858	798	1390	1416	1480
2007-08	893	873	807	1396	1417	1489
2008-09	911	892	821	1397	1416	1492
2009-10	936	917	841	1388	1409	1487
2010-11	970	944	863	1370	1399	1482
2011-12	1003	976	889	1354	1383	1470
2012-13	1037	1008	916	1337	1367	1460
2013-14	1068	1037	939	1325	1357	1454
2014-15	1098	1066	961	1314	1347	1450
2015-16	1126	1092	982	1307	1341	1449
2016-17	1153	1116	1001	1303	1338	1449
2017-18	1177	1139	1018	1301	1338	1453
2018-19	1197	1156	1030	1305	1344	1463
2019-20	1213	1171	1040	1315	1354	1476

Table 12. Projected exports of FCOJ from Sao Paulo, Brazil by destination under existing tariff schedule, 2001- 02 through 2019 – 2020.

Season	Destination			
	United States	Canada	European Union	Japan
	1000 MT @ 65° Brix			
2001-2	53	63	821	85
2002-3	7	64	883	91
2003-4	4	64	875	91
2004-5	4	64	872	92
2005-6	6	63	873	93
2006-7	8	63	881	94
2007-8	9	63	893	96
2008-9	12	63	911	98
2009-10	14	63	936	101
2010-11	14	64	970	105
2011-12	23	64	1003	109
2012-13	31	64	1037	113
2013-14	39	65	1068	117
2014-15	47	65	1098	120
2015-16	56	65	1126	124
2016-17	64	65	1153	127
2017-18	73	65	1177	131

2018-19	80	65	1197	134
2019-20	86	65	1213	136

Table 13. Projected exports of FCOJ from Sao Paulo under phased elimination of the U.S. tariff, by destination, 2001-02 through 2019-20.

Season	Destination			
	United States	Canada	European Union	Japan
	1000 MT @ 65° Brix			
2001-2	53	63	821	85
2002-3	14	64	877	91
2003-4	18	64	864	90
2004-5	23	64	855	90
2005-6	32	63	850	90
2006-7	34	63	858	92
2007-8	32	63	873	94
2008-9	34	63	892	97
2009-10	37	63	917	100
2010-11	46	64	944	103
2011-12	56	64	976	107
2012-13	67	64	1008	110
2013-14	77	65	1037	114
2014-15	88	65	1066	117
2015-16	100	65	1092	121
2016-17	111	65	1116	124
2017-18	123	65	1139	127
2018-19	133	65	1156	130
2019-20	142	65	1171	132

Table 14. Projected exports of FCOJ from Sao Paulo under immediate elimination of the U.S. tariff by destination, 2001-02 through 2019-20.

	Destination			
Season	United States	Canada	European Union	Japan
	1000 MT @ 65° Brix			
2001-2	53	63	821	85
2002-3	96	60	806	84
2003-4	95	59	796	84
2004-5	96	59	791	84
2005-6	100	59	791	85
2006-7	104	58	798	87
2007-8	110	58	807	88
2008-9	119	58	821	90
2009-10	129	58	841	93
2010-11	144	58	863	95
2011-12	163	58	889	99
2012-13	182	59	916	102
2013-14	201	59	939	105
2014-15	220	59	961	108
2015-16	240	59	982	111
2016-17	260	59	1001	113
2017-18	279	58	1018	116
2018-19	297	58	1030	118
2019-20	313	58	1040	120

Table 15. Projected utilization of U.S. orange juice production, under existing U.S. tariff by product form and destination, 2001-02 through 2019-20.

Season	United States FCOJ	United States NFC	Canada NFC
	1000 MT @ 65° Brix	Million SSE gallons	
2001-2	668	499	41
2002-3	741	529	19
2003-4	744	533	23
2004-5	747	536	26
2005-6	748	540	29
2006-7	749	547	33
2007-8	750	554	36
2008-9	751	564	40
2009-10	754	572	44
2010-11	757	575	46
2011-12	757	586	47
2012-13	756	596	48
2013-14	756	606	48
2014-15	755	616	49
2015-16	754	624	50
2016-17	752	633	51
2017-18	751	641	51
2018-19	750	647	52
2019-20	751	652	53

Table 16. Projected utilization of U.S. orange juice production, under phased elimination of the U.S. tariff by product form and destination, 2001-02 through 2019-20.

Season	United States FCOJ	United States NFC	Canada NFC
	1000 MT @ 65° Brix	Million SSE gallons	
2001-2	668	499	41
2002-3	719	536	42
2003-4	720	547	43
2004-5	720	556	44
2005-6	718	566	45
2006-7	720	573	45
2007-8	726	578	46
2008-9	730	586	47
2009-10	733	594	47
2010-11	732	604	48
2011-12	729	615	49
2012-13	726	626	50
2013-14	723	636	51
2014-15	719	646	51
2015-16	715	655	52
2016-17	710	664	53
2017-18	706	672	54
2018-19	702	678	55
2019-20	699	684	55

Table 17. Projected utilization of U.S. orange juice production, under immediate elimination of the U.S. tariff by product form and destination, 2001-02 through 2019-20.

Season	United States FCOJ	United States NFC	Canada NFC
	1000 MT @ 65° Brix	Million SSE gallons	
2001-2	668	499	41
2002-3	657	616	49
2003-4	661	623	49
2004-5	664	629	50
2005-6	664	635	50
2006-7	665	645	51
2007-8	664	655	52
2008-9	660	666	52
2009-10	656	676	53
2010-11	648	686	54
2011-12	636	697	55
2012-13	624	709	56
2013-14	612	720	57
2014-15	599	730	58
2015-16	586	740	59
2016-17	573	750	60
2017-18	560	759	60
2018-19	548	767	61

2019-20	537	774	62

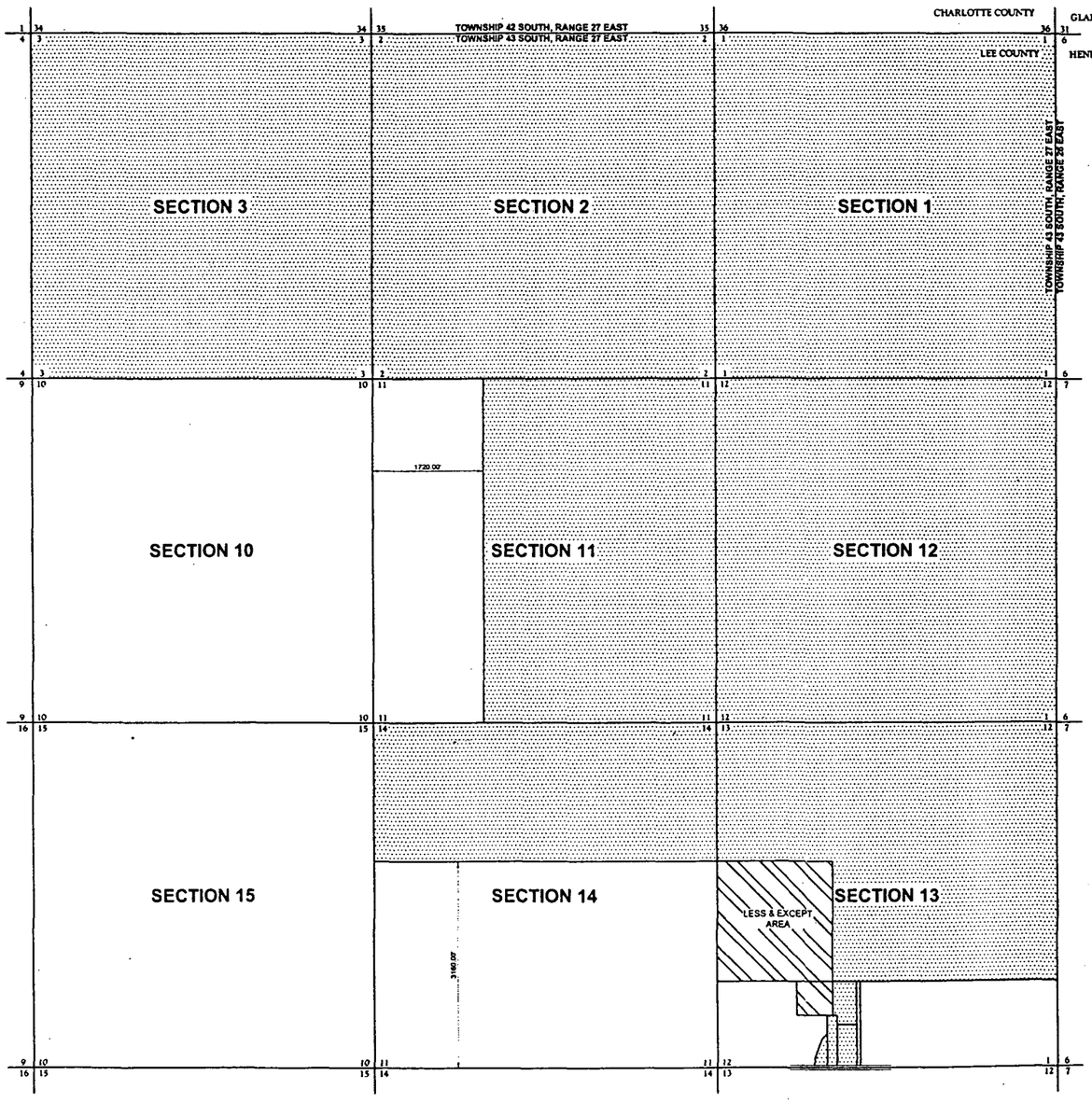
SKETCH OF DESCRIPTION

NOT A SURVEY

NORTH

0 500 1000 2000

SCALE IN FEET



NOTES:

1. LINE WORK SHOWN HEREON IS FOR GRAPHIC PURPOSES ONLY
2. ACREAGE SHOWN HEREON IS BASED ON THE LEE COUNTY GIS (GEOGRAPHIC INFORMATION SYSTEM) AND IS APPROXIMATE

LEGAL DESCRIPTION (BY CLIENT)

THAT PORTION OF SECTIONS 1, 2, 3, 11, 12, 13 AND 14, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING DESCRIBED AS FOLLOWS:

IN TOWNSHIP 43 SOUTH, RANGE 27 EAST, SECTIONS 1, 2, 3, 12, THAT PART OF SECTION 11 WHICH LIES EASTERLY OF A LINE 1,720 FEET (AS MEASURED PERPENDICULAR) EASTERLY OF THE WEST LINE OF SAID SECTION 11, THAT PART OF SECTION 14 LYING NORTH OF THE 13,EXCEPTING FROM ALL THE LANDS HEREIN DESCRIBED, A PARCEL OF LAND IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS

FROM A 4" x 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION13, BEAR SOUTH 00°13'15" EAST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,124 00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1,800 FEET; THENCE SOUTH 00°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 2,360 11 FEET; THENCE NORTH 89°36'20" WEST A DISTANCE OF 562 58 FEET; THENCE NORTH 00°03'00" WEST A DISTANCE OF 324 79 FEET TO A INTERSECTION ONE-QUARTER (SOUTH 1/2 OF SOUTHWEST 1/4) OF SAID SECTION 13; THENCE NORTH 89°47'12" WEST ALONG SAID NORTH LINE TO THE WEST LINE OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 13 TO THE POINT OF BEGINNING.

TOGETHER WITH TRACT 9 AND TRACT 10 OF OFFICIAL RECORD BOOK 2229, PAGE 891 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

TRACT 9:
THE SOUTH 1/2 OF THE EAST 1/7 OF THE WEST 7/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.

AND

TRACT 10:
THAT PORTION OF THE SOUTH 2/3 OF THE EAST 1/2 OF THE EAST 1/8 OF THE WEST 5/17 OF THE SOUTH 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA LYING SOUTH OF THE DRAINAGE DITCH.

AND ALSO TOGETHER WITH PARCEL I AND PARCEL II OF OFFICIAL RECORD BOOK 2413, PAGE 2583 (FCC MANAGEMENT COMPANY) BEING DESCRIBED AS FOLLOWS:

PARCEL I:
THAT PART OF THE WEST 60 FEET OF THE EAST 1/8 OF THE WEST 5/17 OF THE SOUTH 1/4, LYING SOUTH OF THE CREEK, IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.

AND

PARCEL II:
THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 27 EAST, TROPICAL RIVER GROVES, LEE COUNTY, FLORIDA, MORE DESCRIBED AS FOLLOWS.
BEGINNING AT SOUTHWEST CORNER OF SAID SECTION 13, THENCE RUN NORTH 90°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION13 (SAID SOUTHERLY LINE BEING ALSO THE CENTERLINE OF STATE ROAD NO. 78), FOR 1,717.71 FEET; THENCE RUN NORTH FOR 33.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 78 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN NORTH 90 %'00'00" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 191.53 FEET; THENCE RUN NORTH 02°31'45" EAST FOR 116.20 FEET; THENCE RUN NORTH18°47'54" EAST FOR 123.32 FEET; THENCE RUN NORTH 21°18'45" EAST FOR 184 13 FEET; THENCE RUN NORTH 42°18'54" EAST FOR 112.81 FEET; THENCE RUN SOUTH 00°22'20" EAST FOR 487 81 FEET TO THE POINT OF BEGINNING.

AND ALSO TOGETHER WITH PART OF OFFICIAL RECORD BOOK 2513, PAGE 3583 (WINDING BROOK CORPORATION) BEING DESCRIBED AS FOLLOWS:
THAT PORTION OF THE SOUTH ONE-QUARTER (1/4) OF SAID SECTION 13 LYING NORTHERLY OF THE CREEK AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:
FROM A 4" x 4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 13, BEAR SOUTH 00°13'15" EAST ALONG THE WEST LINE OF SECTION 13, A DISTANCE OF 2,124 00 FEET; THENCE RUN SOUTH 89°36'20" EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 1,800.00 FEET TO THE BEGINNING OF THE ABOVE REFERENCED LINE; THENCE SOUTH 00°13'15" EAST PARALLEL TO THE WEST LINE OF SAID SECTION 13 TO THE INTERSECTION WITH THE AFORESAID CREEK.

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 3,713 ± ACRES.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

PROJECT DESCRIPTION

UPDATE THE "PROJLOGO.DWG" FILE IN THE SAME DIRECTORY AS THIS DRAWING

PROJECT SURVEYOR

STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER CERTIFICATE NO. 2636

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

FILE NAME	219655C01.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21965\DWG\SURVEYING\
PLOT DATE	THU, 3-25-2004 - 5:22 PM
PLOT BY	SCOTT WHEELER

DRAWING DATA

SURVEY DATE	
DRAWN BY	MGL
CHECKED BY	
SCALE	AS NOTED
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SKETCH OF DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21965 / 143S R27E	1 OF 1

EDITORIAL

Just say no to proposed rural village

Increased density would lead to sprawl

A plan to radically increase the numbers of homes allowed on a 3,700-acre tract near the rural community of Alva east of Fort Myers is a sign of things to come.

It's also another alarm bell for those who want to prevent ill-planned urban sprawl to do to the eastern part of Lee County what it has done to the coastal areas.

Florida Citrus Co. wants to change Lee County's growth plan to allow creation of a "rural village" on the property, now planted in citrus trees.

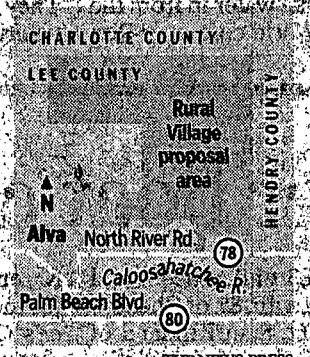
Current zoning would allow 1,289 housing units on the property. The owners want to increase that limit to 7,426 units, plus allow 100,000 square feet of commercial space and 36 holes of golf.

What the owners really want to be able to build is not a rural village, but a substantial new town with perhaps 15,000 or more residents. However artfully designed, it would radically change the rural, small-town quality of the area — despite that misleading "rural village" designation.

This sounds like a good place to draw the line against further creation of whole new towns when we already have thousands of existing lots in big subdivisions and when we are desperately trying to preserve relatively open space and avoid congestion in the eastern stretches of the county.

Growth is indeed coming to the inland area, whether current densities are increased or not. But we suspect that existing zoning would allow the developers plenty of opportunity for profitable development without crushing the Alva area under thousands of new residents and vehicles.

The Ginn Co., which originally hoped to build 1,400 homes on 5,139 acres in a low-density area in south county, now plans to build 336 homes on 4,355 acres, living with the one-unit-per-10-acre den-



THE NEWS-PRESS

sity.

Others can do the same.

Developers want to rezone rural areas for urban growth and greater profit, but down that road lies Broward-style overpopulation.

The thousands of old lots platted in Lee County subdivisions such as Cape Coral and Lehigh Acres will attract hundreds of thousands of more people regardless of what planning steps are taken. Other new developments under way or proposed threaten to further clog the Buckingham and North Fort Myers areas.

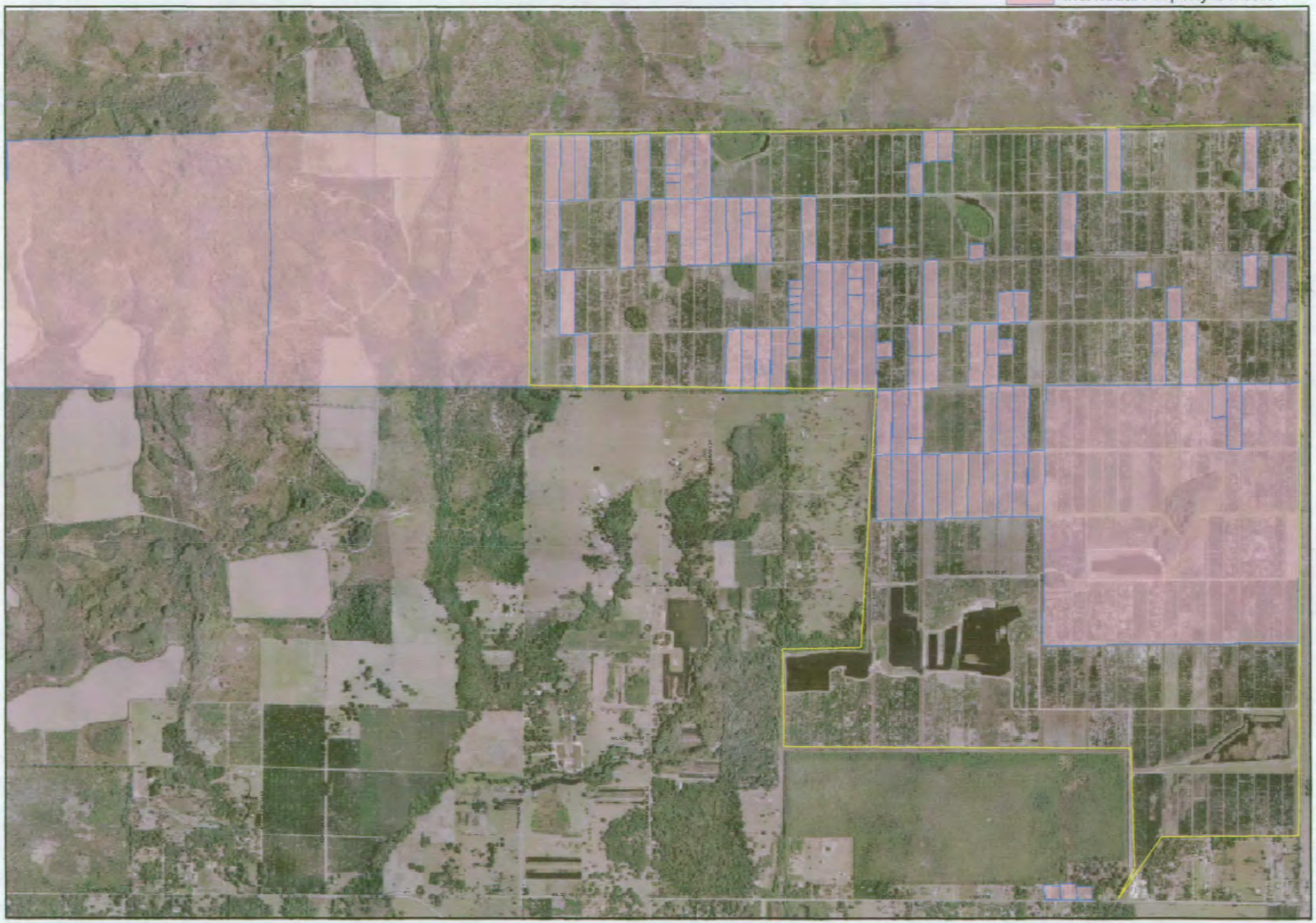
Beyond that are the growth time bombs in Hendry and Glades counties, in which Lee County will have little say.

If the anti-sprawl principles of "smart growth" mean anything, we are going to have to say no to these requests for urban densities in the countryside east of Interstate 75. A new kind of development is needed there, one that respects a rural quality of life.

The county is trying to organize a coalition to buy the Babcock Ranch not far from the Florida Citrus land, in part to prevent creation of another new town there. But we can't buy out everybody. Some areas are going to have to be managed for intelligent growth.

■ **READERS' FORUM** on news-press.com: Should housing densities in rural areas be increased several times to allow larger developments? What difference does low-density zoning make to the quality of life for people in Lee County?

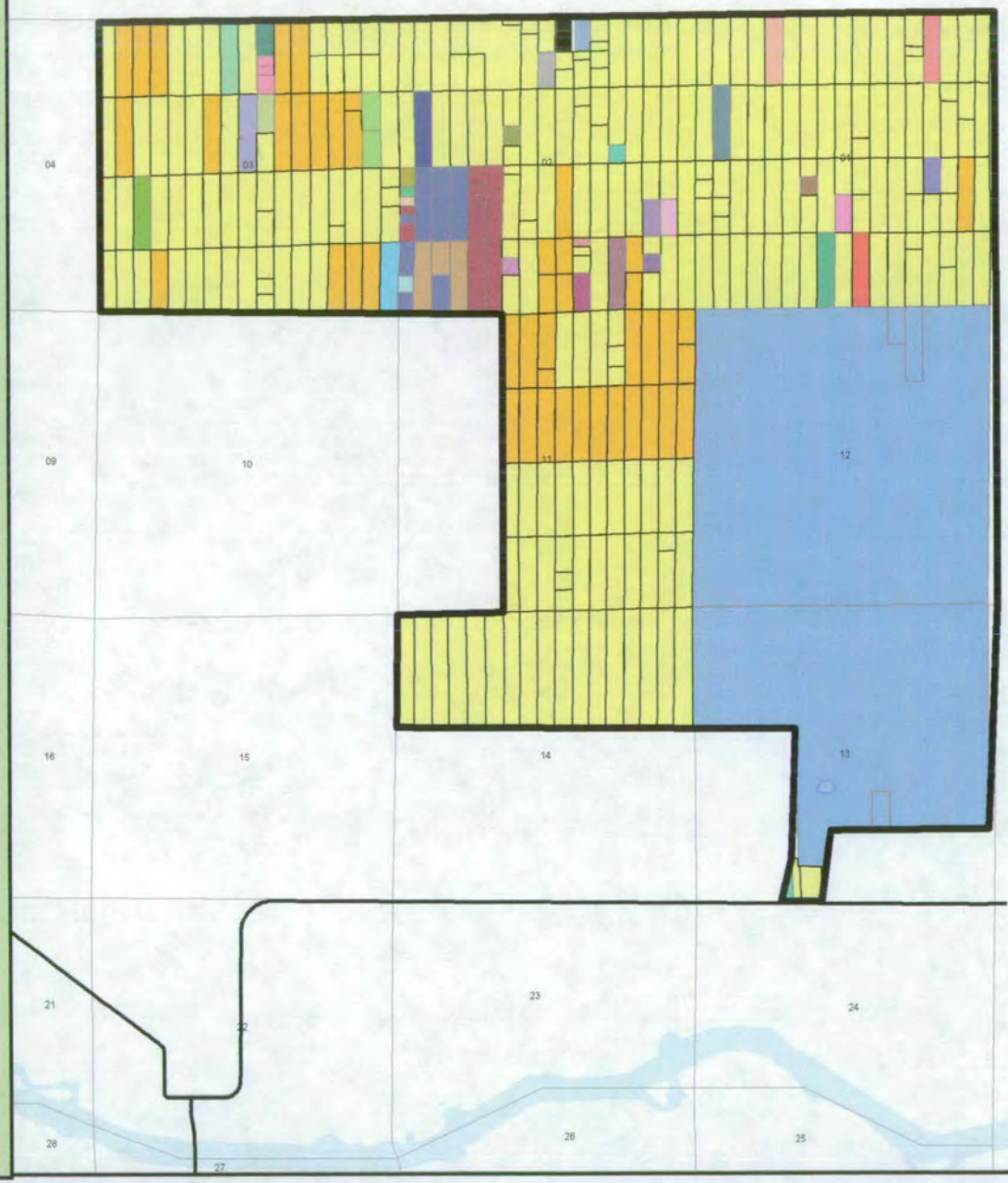
CPA2004-06



CPA 2004-00006

(Ownership Pattern)

R 27 E



Property Owners

- ALJO GROVES LC
- ANDREWS MARION
- BEALE JOHN P
- BEALE SEQUANA T
- BLATT LOTTIE S+
- BLACK HOWARD E
- BEWLEY D J + CHRISTINE
- CODESPOTI S
- ENTRUST ADMIN SVS INC FBO
- GIGAX KENNETH W
- HANSON LUCILLE A
- HENKEL EVERETT
- HERMOSA MARIANO G TR
- KING CHARLES TR
- LAKELAND AGRIBUSINESS INC
- MCDOLDRICK LOIS F CO-TR
- WHITE RANDEL + PEGGY L H/W
- COHEN JEAN TR
- C M HANSEN FARMS INC
- DENICK FRANK ETAL
- ELIAN ROBERT J + RUBY W
- FIYALKO MARY
- FL CITRUS CO
- FUGO JOHN A ETAL
- GRIFFIN MICHAEL C
- HANSEN CHRIS M
- HANSEN SUSAN P
- HAWKEN C H + MIRIAM S
- HSIAO C C + BEATRICE E
- JEAGER F S JR + SHARON R
- JOSEPH NOSEK + SONS INC
- KANDRA JOSEPH E + MARLYNE K
- KARCHER M L + ANN C
- UONELLI EILEEN C
- LUTKE SCHIPHOLT J H ETAL
- MILONE LOUIS M + MARY JO
- POKINSKY B + ELWIRA S 1/2 INT
- URICH N J + DOROTHY L
- WENDEL J + VERA
- WINDING BROOK CORP
- Boundary

N
W E
S

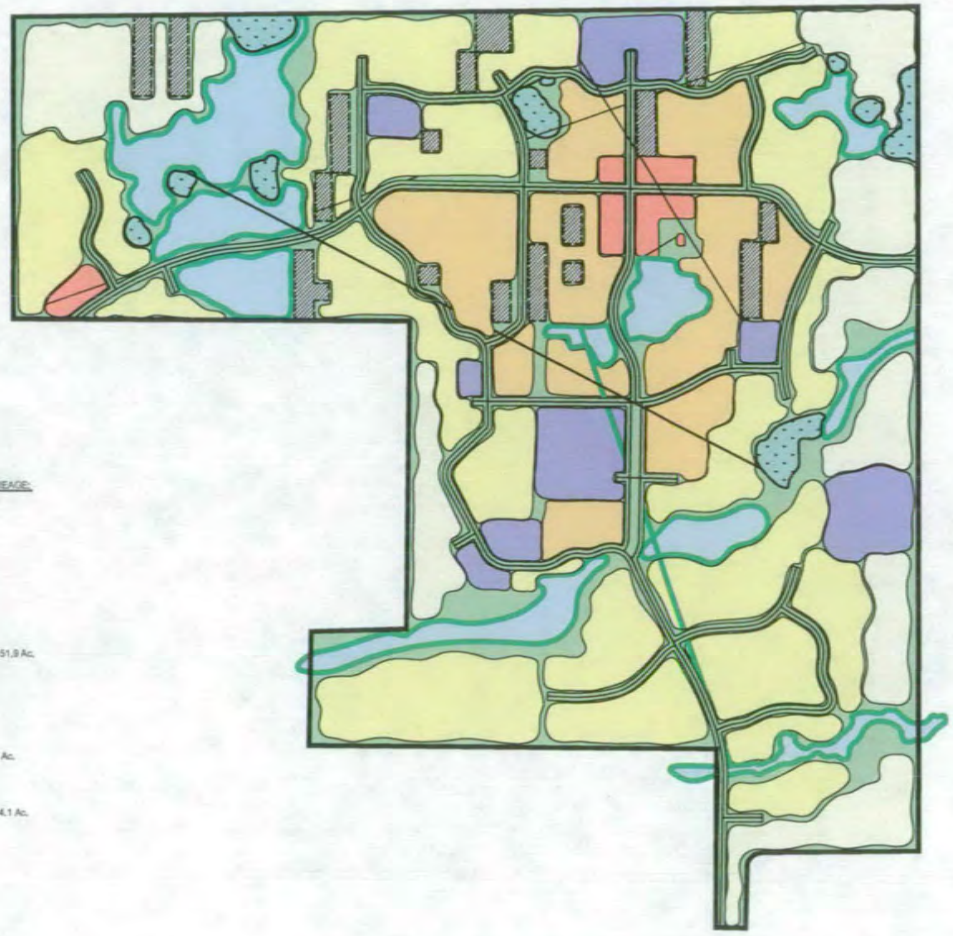
0 0.045 0.09 0.18 0.27 0.36
Miles

LEE COUNTY
SOUTHWEST FLORIDA

DATE

T 43 S

GOIN OUTBACK
AMAZING GRACE
PERSIMMON POINTE
PERSIMMON RIDGE
PARKINSON
GOLDEN
RIVER
WILD HORSE
RIVER
SANDS



LAND USE LEGEND & APPROXIMATE ACREAGE:

- TOWN CENTER - 403.2 Ac.
- RANCHETTE - 433.8 Ac.
- TRANSITIONAL - 1027.5 Ac.
- PUBLIC / CIVIC - 194.7 Ac.
- TOWN CENTER, MIXED USE - 51.9 Ac.
- LAKES - 365.4 Ac.
- WETLANDS - 72.5 Ac.
- OPEN / GREEN SPACE - 823.4 Ac.
- OPEN LANDS / LAND USE - 114.1 Ac.

TOTAL = 3486.5 Ac.

N
W E
S

0 500 1000 2000

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 - 239-418-0692 fax
Florida certificate of authorization:
Engineering LB #: 26978

ENGINEER OF RECORD:

OWNER/DEVELOPER:
FLORIDA CITRUS CORPORATION

PROJECT:
SPANISH CREEK CPA

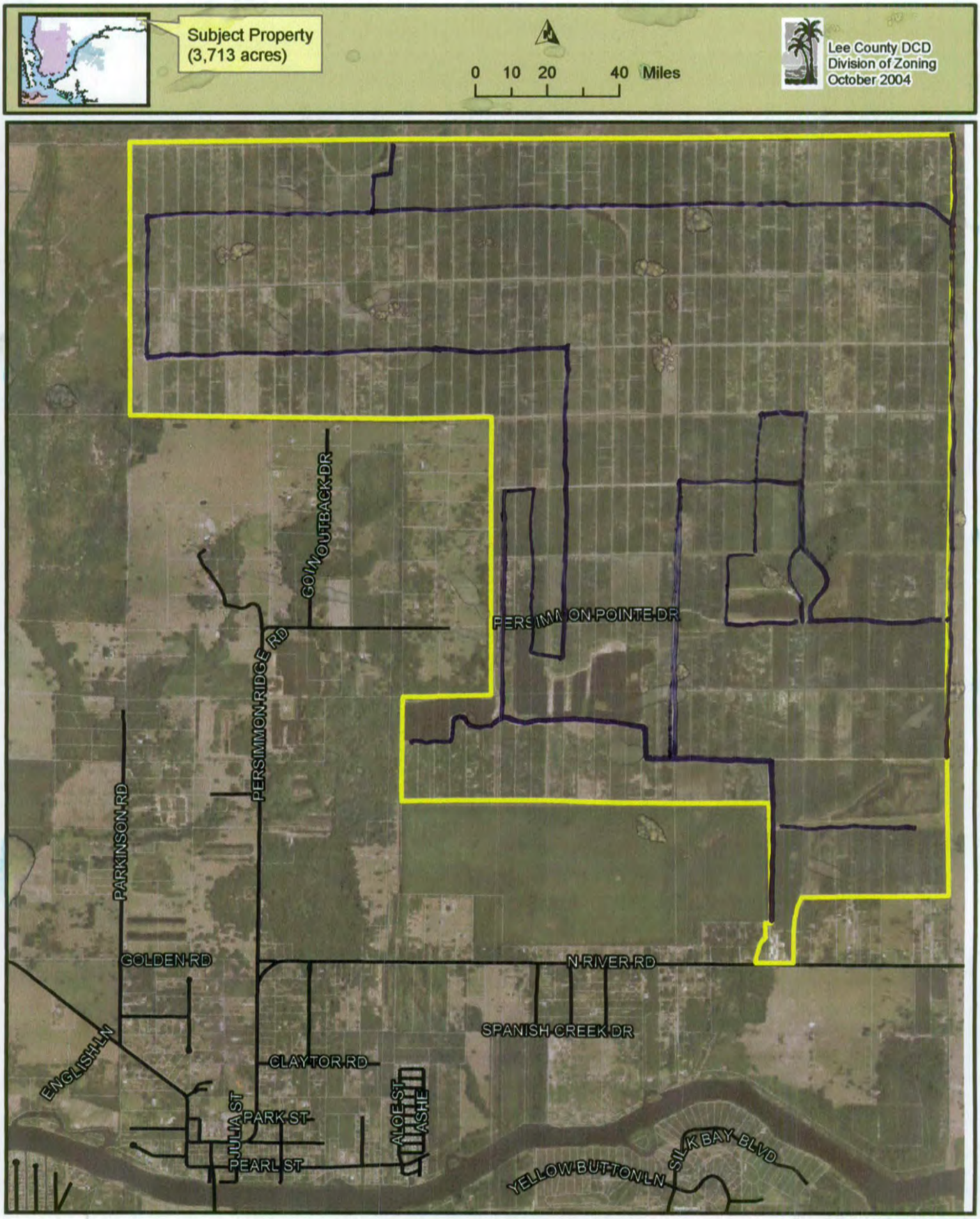
PLAN REVISIONS:
DATE: DESCRIPTION:

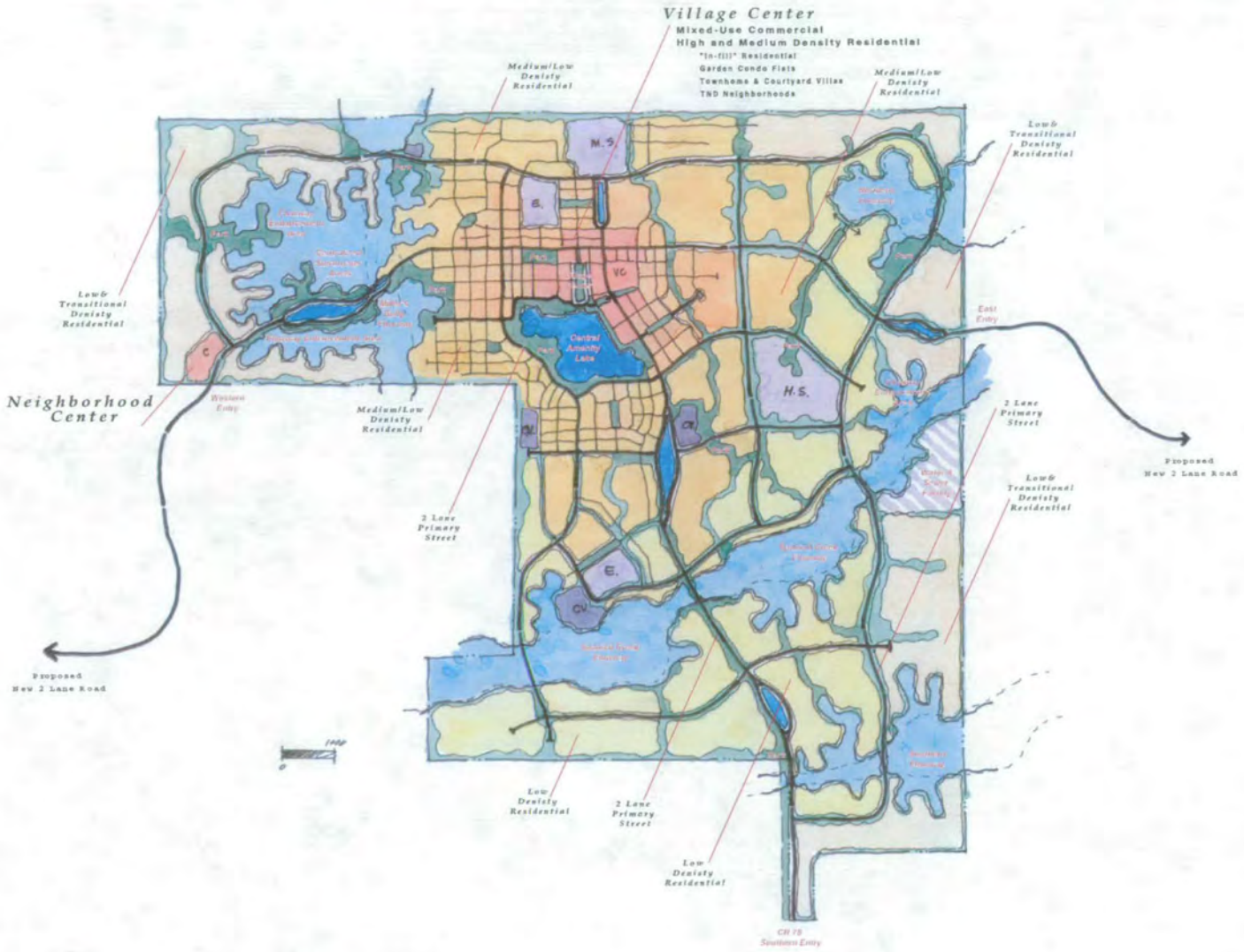
EXHIBIT

Project Manager:	DD
Drawn By:	JRP
Checked By:	DD
Project Number:	21021-01
Cad File:	Ownership Exhibit
XREF:	-
DXF:	-

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

Sheet Number: 01


Subject Property
(3,713 acres)
0 10 20 40 Miles
Lee County DCD
Division of Zoning
October 2004
COLONY OUTBACK DR
PERSIMMON RIDGE RD
PERSIMMON POINTE DR
PARKINSON RD
GOLDEN RD
N RIVER RD
SPANISH CREEK DR
CLAYTOR RD
ENGLISH LN
JULIA ST
PARK ST
PEARL ST
ALOE ST
ASHE
YELLOW BUTTON LN
SILK BAY BLVD



This Plan is a Preliminary Concept. As such it is subject to modifications pending environmental and engineering considerations. Its purpose is to convey the overall physical layout, the placement of open space, streets and land use types.

CONCEPTUAL MASTER PLAN

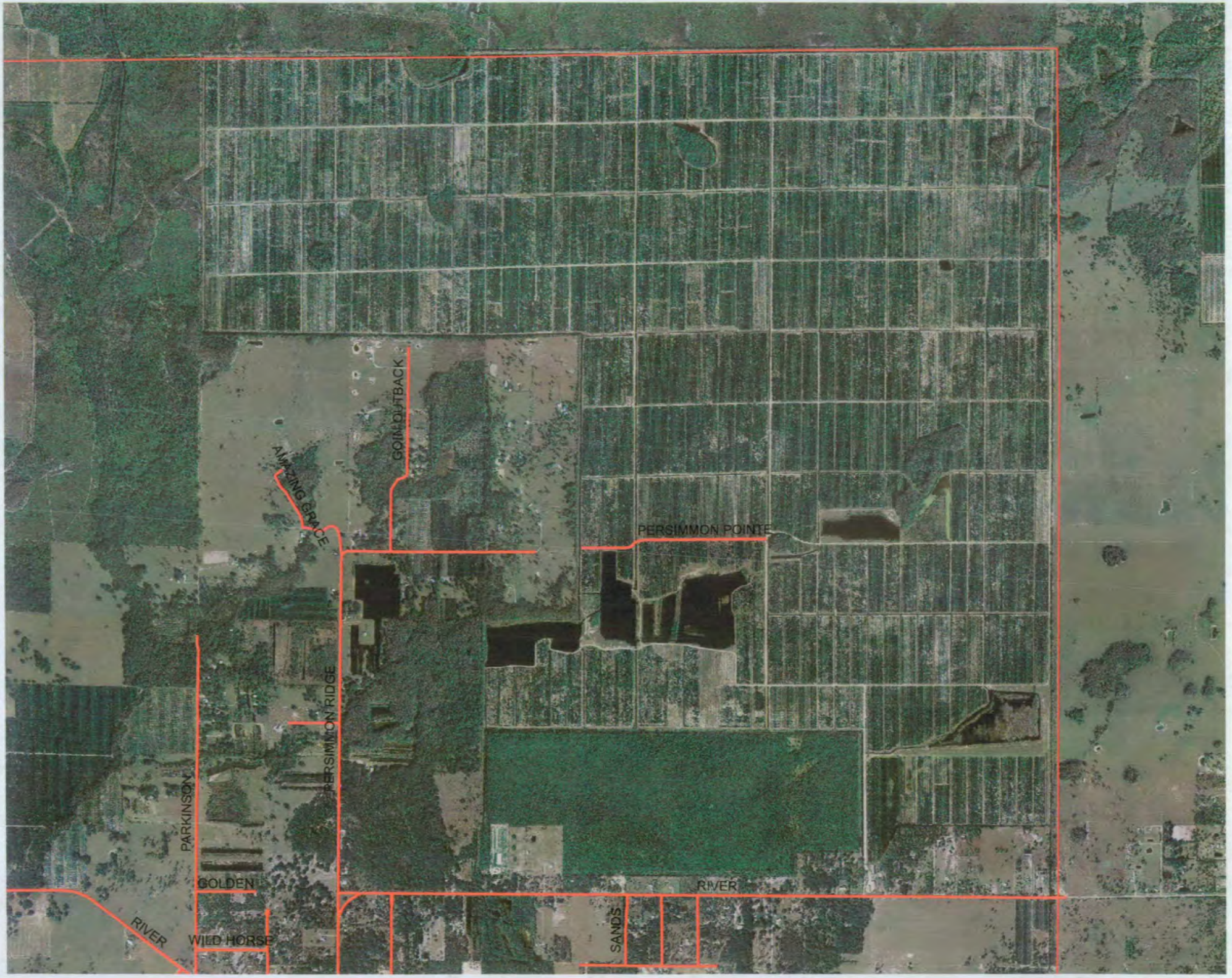
Spanish Creek

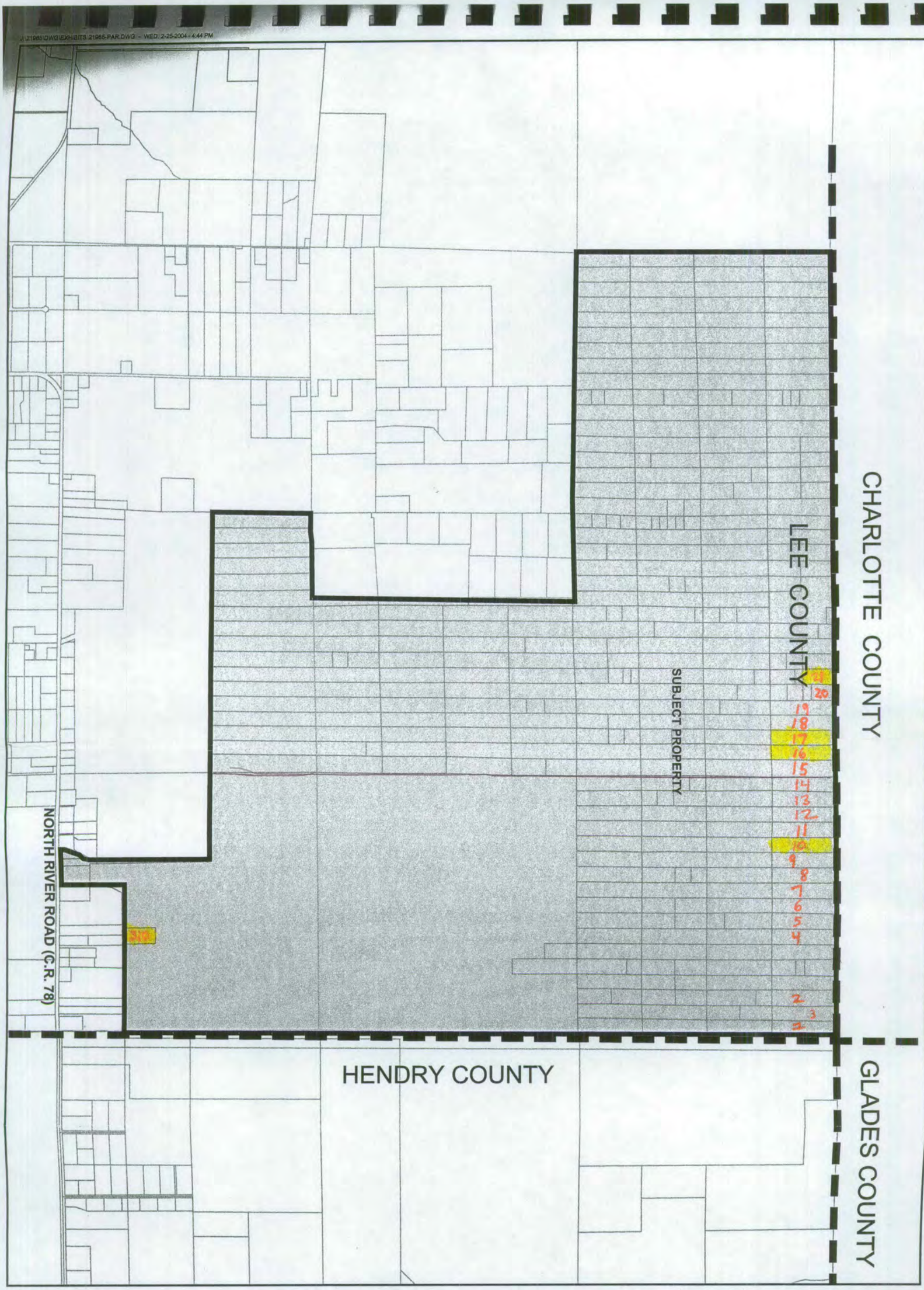
Lee County, Florida

Prepared for:
FLORIDA CITRUS CORPORATION
Vero Beach, Florida

Prepared by:
J. W. RAPSON REAL PROPERTY ADVISORS
Community Planning - Development Advisory
Maitland, Florida

08.19.06


AMAZING GRACE
GOIN OUTBACK
PERSIMMON POINTE
PERSIMMON RIDGE
PARKINSON
GOLDEN
RIVER
RIVER
WILD HORSE
SANDS



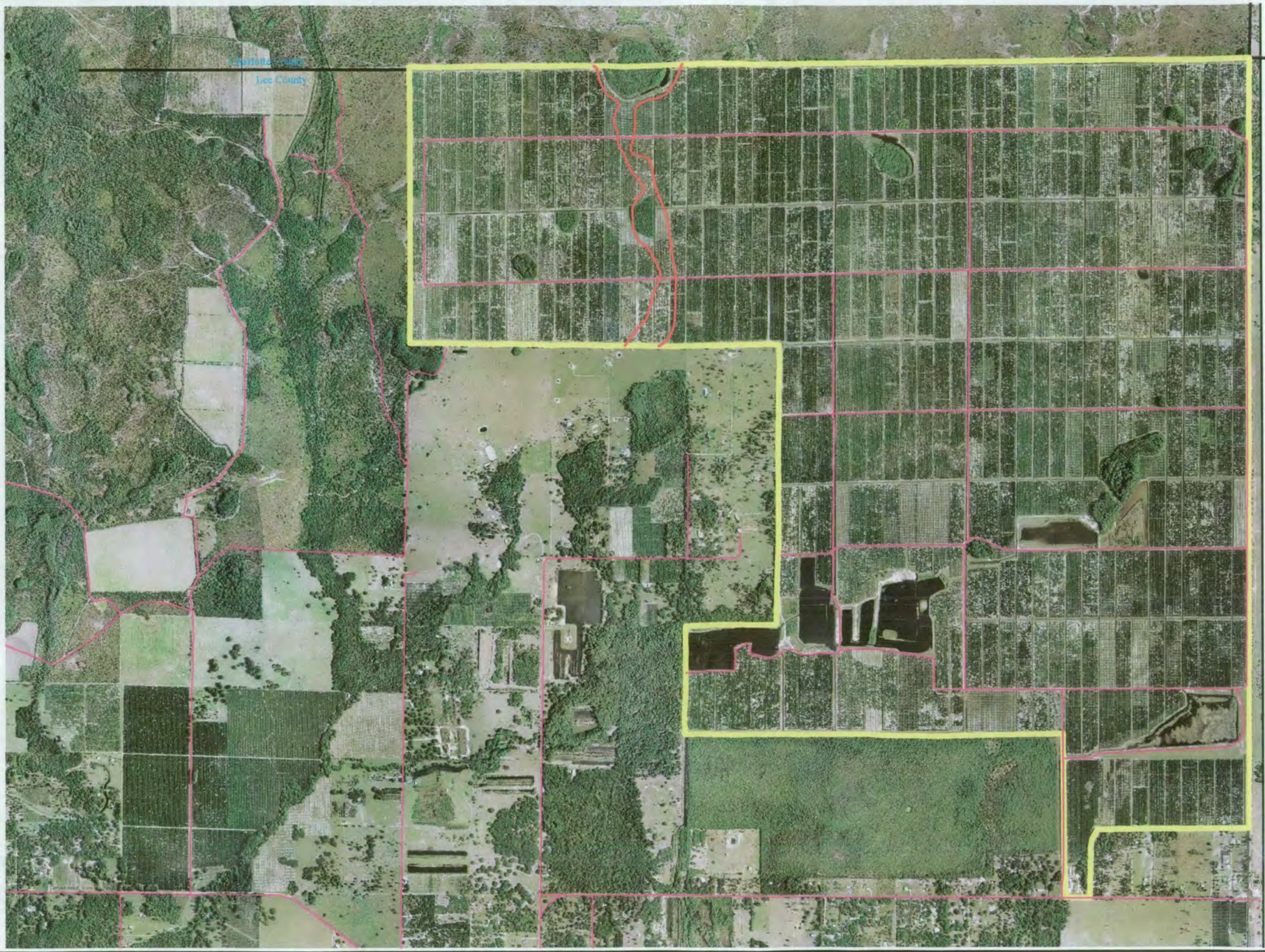
Barraco and Associates, Inc.

MAP 1

0 600 1200 2400
SCALE IN FEET

Parcel Map
Florida Citrus Property
Lee County, Florida

W N S E



N

0 500 1000 2000
SCALE IN FEET

Lee County, Florida

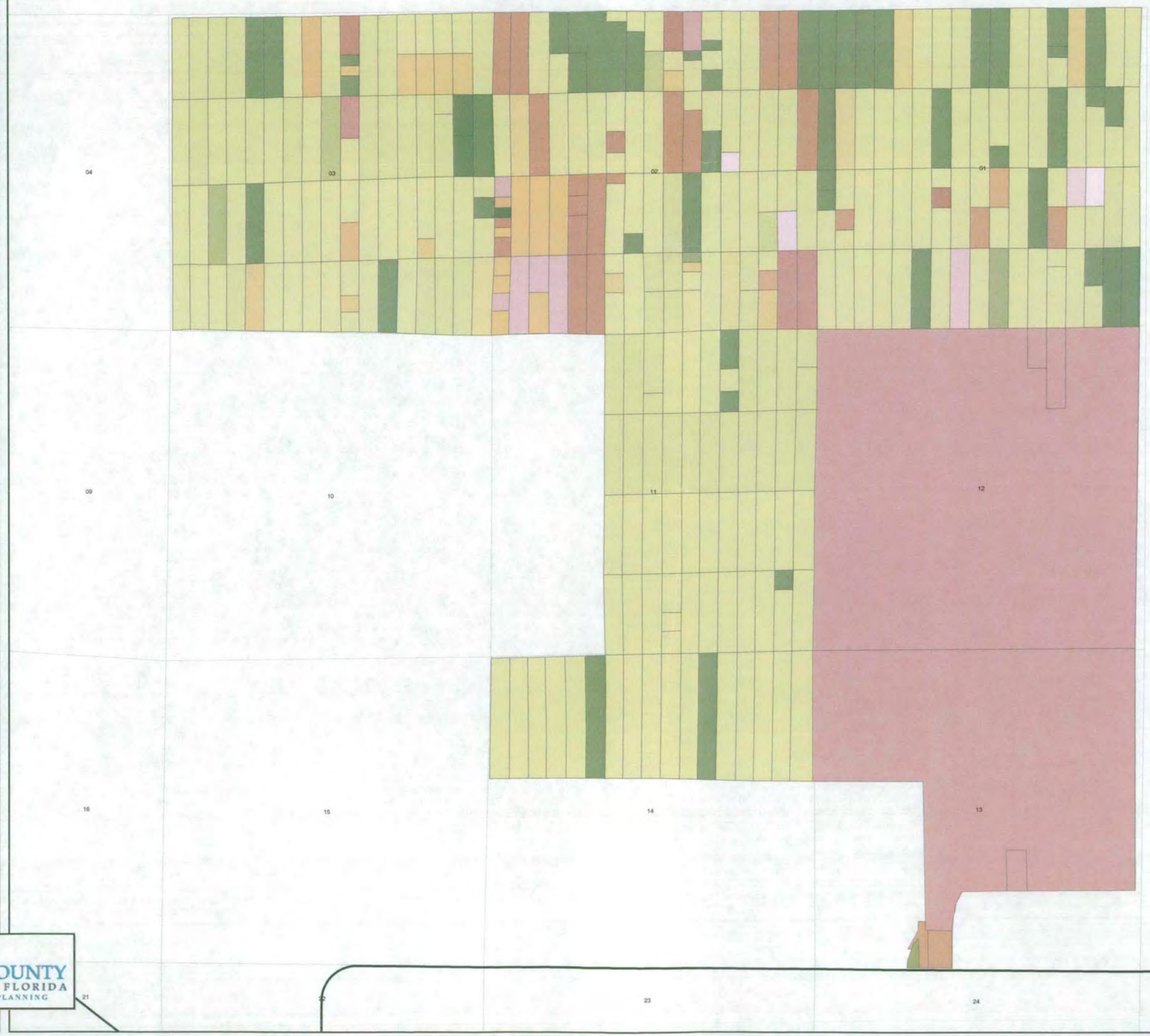
JOHNSON ENGINEERING
413 HICKPOCHEE AVENUE
LABELLE, FLORIDA 33935
PHONE (863) 612-0594
FAX (863) 612-0341
E.B. #642 & L.B. #642

North East Lee County

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
01/08/04	20023330	01-43-27	1" = 2000'	1 OF 1

CPA 2004-00006

(Ownership Pattern)



Legend

Map

<all other values>

sde_DOT_ParcelAddress.OWNERNAME

- ALJO GROVES LC
- ANDREWS MARION
- BEALE JOHN P
- BEALE SEQUANA T
- BEWLEY D J + CHRISTINE
- BLACK HOWARD E
- BLATT LOTTIE S+
- BROWN EDGAR A
- BROWN EDGAR A TR
- BROWN EDGAR A TR
- BROWN EDRAR A TR
- C M HANSEN FARMS INC
- CODESPOTI S
- COHEN JEAN TR
- DENICK FRANK ETAL
- ELIAN ROBERT J + RUBY W
- ENTRUST ADMIN SVS INC FBO
- FCC MANAGEMENT CO
- FCC MANAGEMENT COMPANY
- FIYALKO MARY
- FLA CITRUS CO
- FLORIDA AGRI
- FLORIDA AGRI MANAGEMENT CO
- FLORIDA CITRUS CO
- FLORIDA CITRUS COMPANY
- FUGO JOHN A ETAL
- GIGAX KENNETH W
- GRIFFIN MICHAEL C
- HANSEN CHRIS M
- HANSEN SUSAN P
- HANSON LUCILLE A
- HAWKEN C H + MIRIAM S
- HENKEL EVERETT
- HERMOSA MARIANO G TR
- HSIAO C C + BEATRICE E
- JEAGER F S JR + SHARON R
- JOSEPH NOSEK + SONS INC
- KANDRA JOSEPH E + MARLYNE K
- KARCHER M L + ANN C
- KING CHARLES TR
- LAKELAND AGRIBUSINESS INC
- LIONELLI EILEEN
- LIONELLI EILEEN C
- LUTKE SCHIPHOLT J H ETAL
- MCGOLDRICK LOIS F CO-TR
- MILONE LOUIS M + MARY JO
- POKINSKY B + ELWIRA S 1/2 INT
- URICH N J + DOROTHY L
- WENDEL J + VERA
- WHITE RANDEL + PEGGY L H/W
- WINDING BROOK CORP

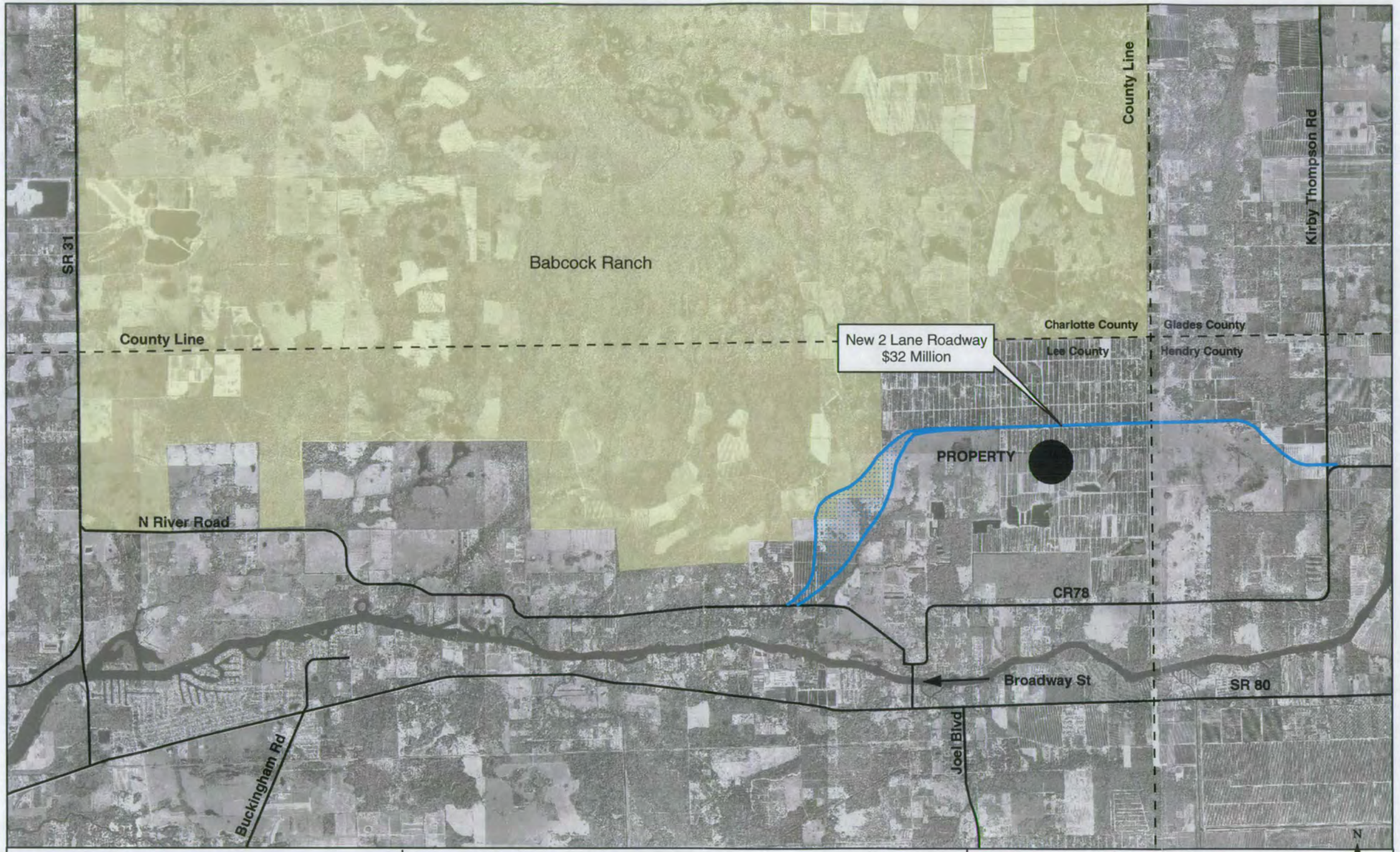
N
W E
S

0.09 0.0450 0.09 0.18 0.27 0.36

Miles

map date
approval information

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 9/28/05)

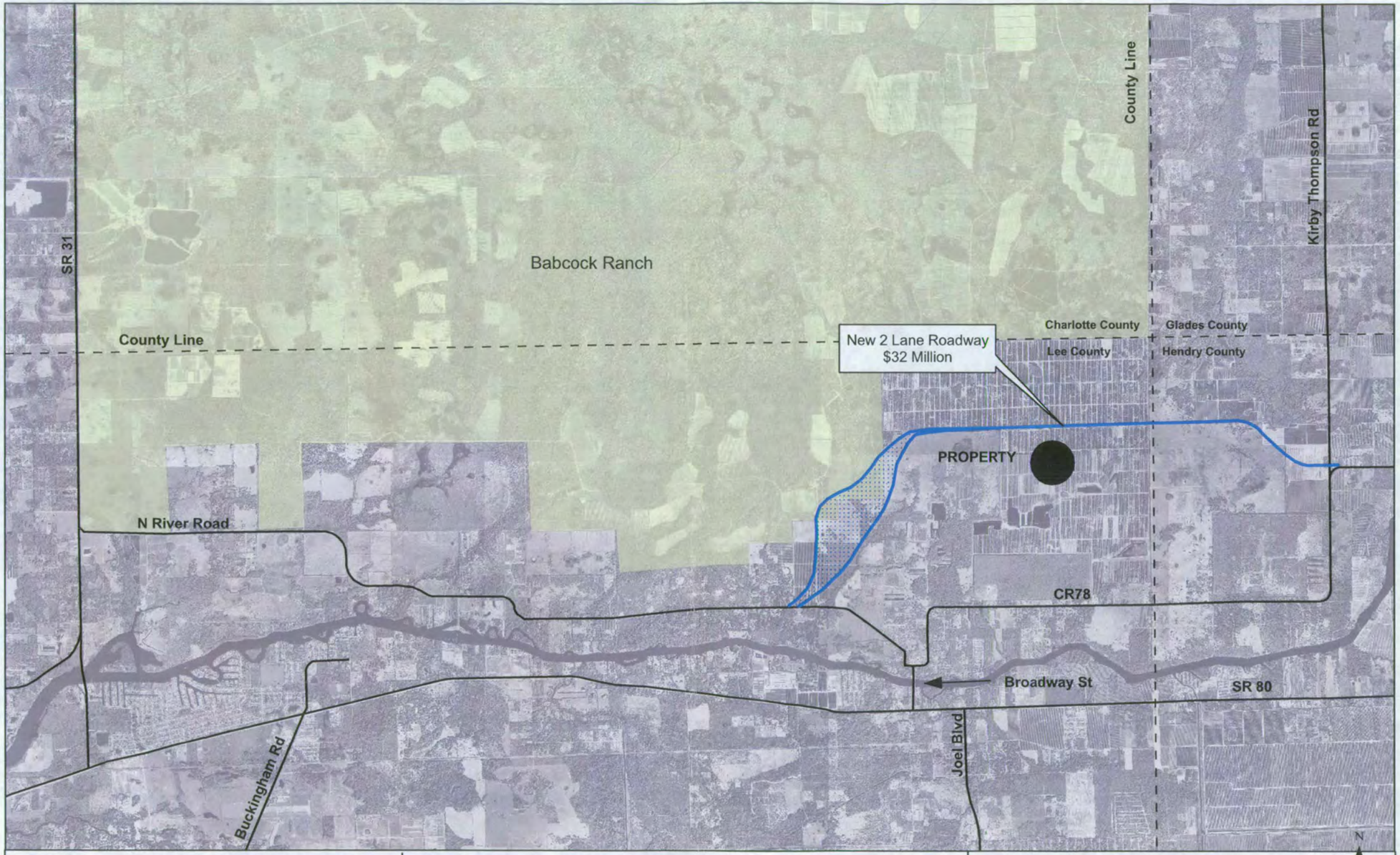
Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

0 0.5 1 2 Miles

dpa

04525/06E/0905



FLORIDA CITRUS
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

EXHIBIT 7 (Revised)

PROPOSED NEW 2-LANE ROAD
(Revised 9/28/05)

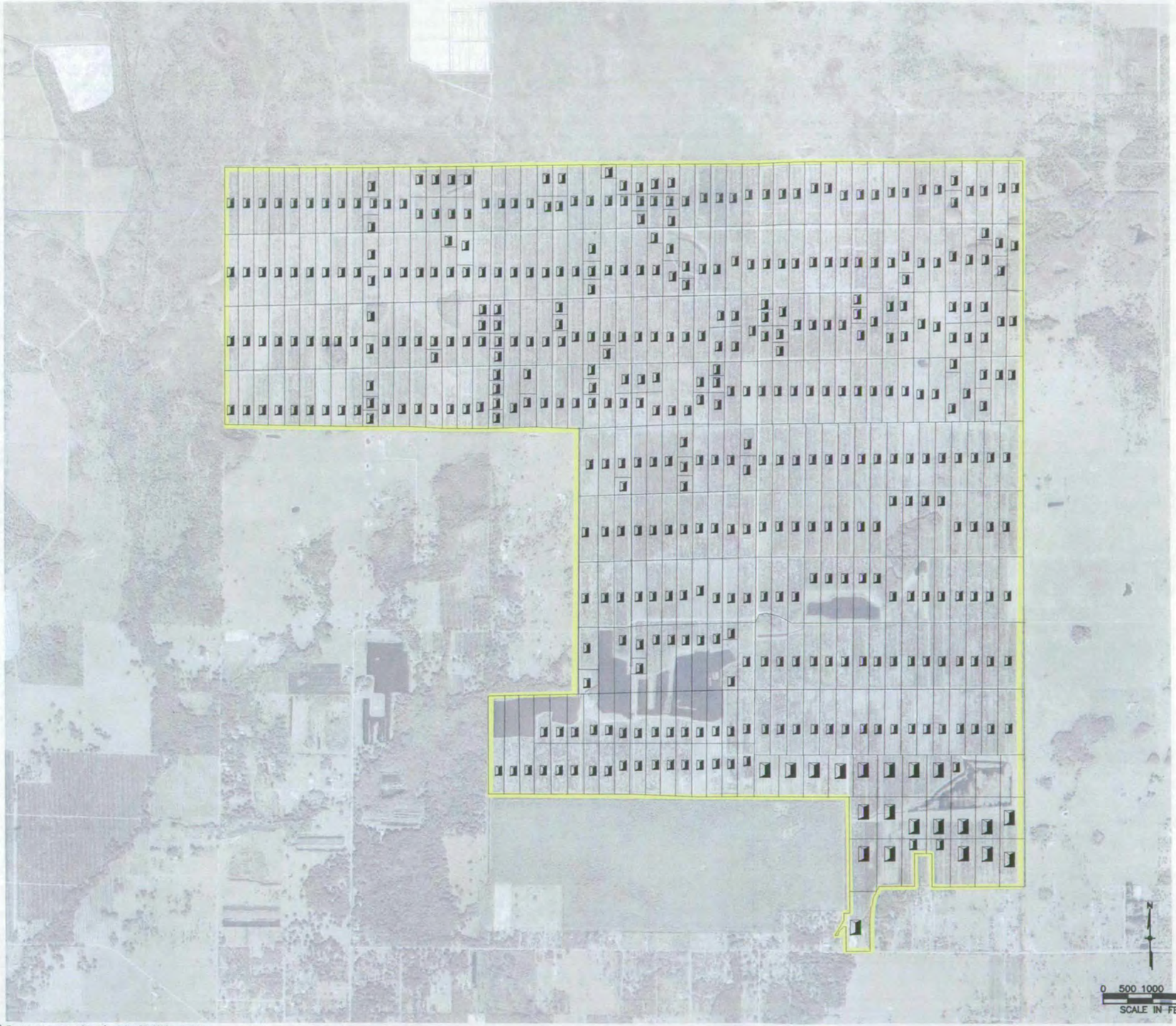
Preliminary Alignment For Discussion Purposes Only, Subject to Change

Aerial Photograph: USGS DOQQ 1999
Albers Meters Projection

Miles
0 0.5 1 2

dpa

04525/06E/0905



SUMMARY

Total 455 Lots (Between 2.5 to 10 Acres)

N:\20055278\site plan\site plan1-1117-2.dwg (Sheet1) cyt Sep 30, 2005 - 10:46am

REVISIONS			

SPANISH CREEK

COMPREHENSIVE PLAN AMENDMENT

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

PERMITTED RANCHETTE DEVELOPMENT

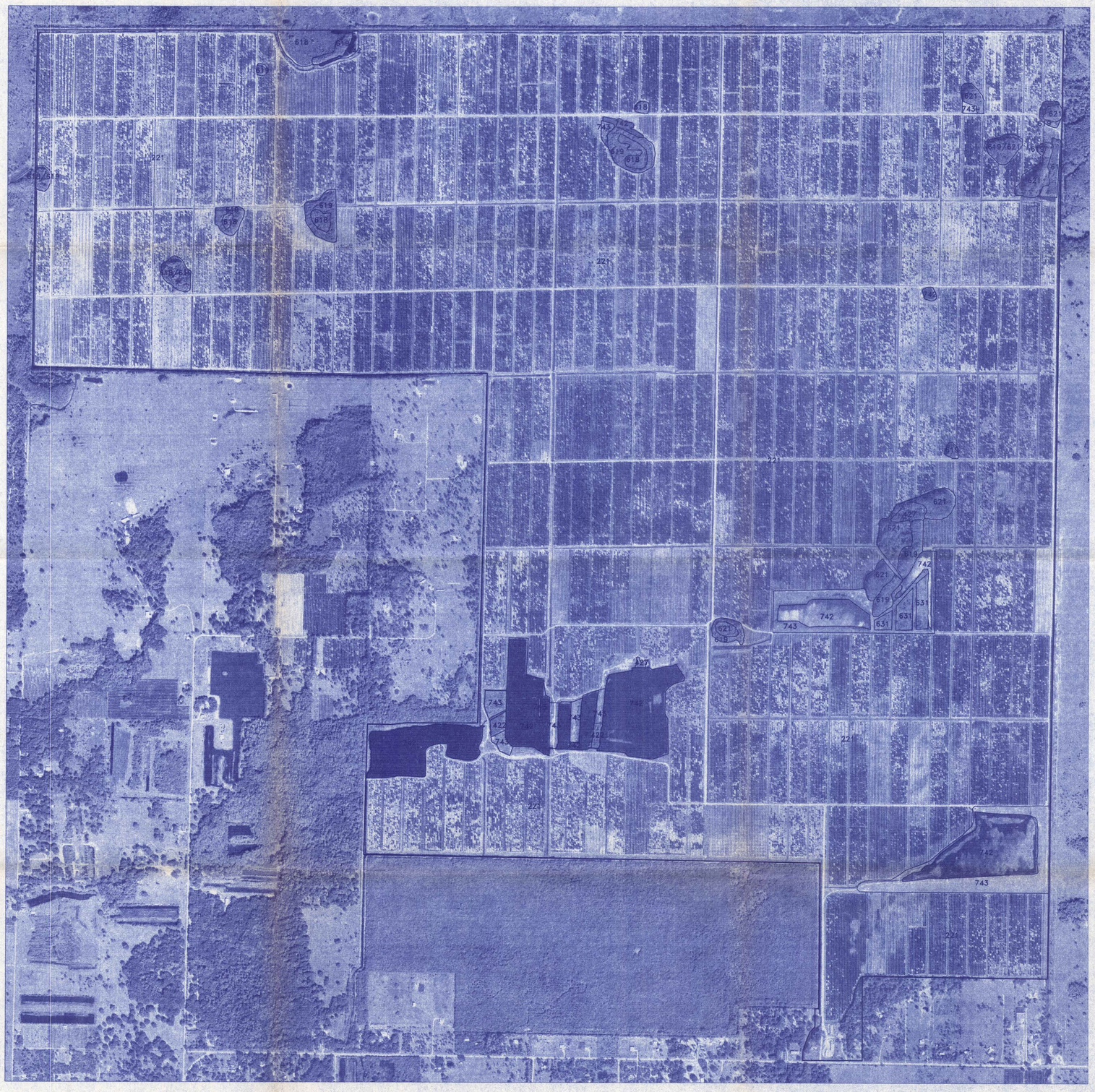
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
SEPTEMBER 2005	20055278		1" = 1000'	1

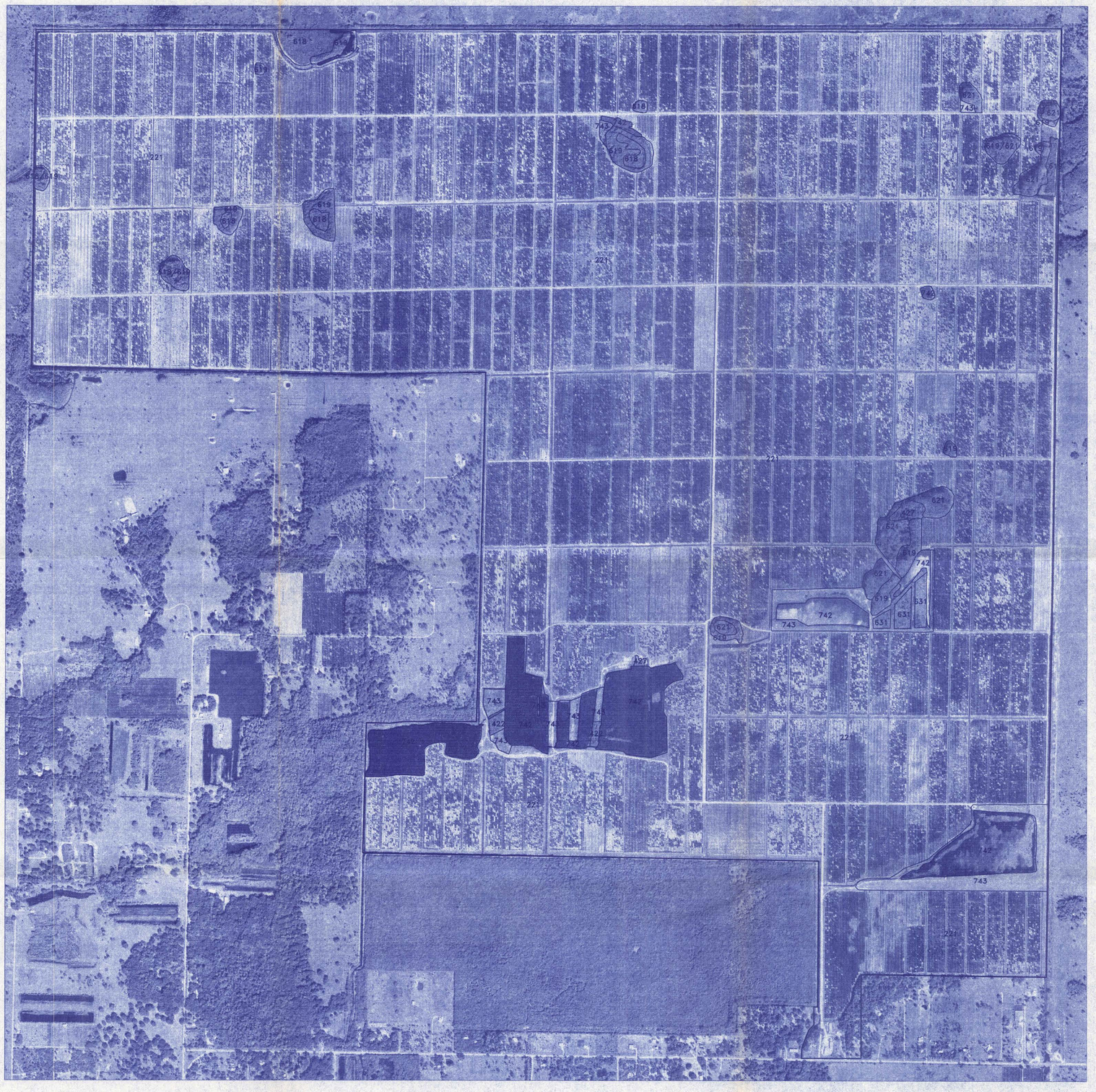
kwiktag® 022 564 976

CPA2004-00006

PLAN/BACKUP

COMP PLAN


618
618
618



COUNTY LINE DRAINAGE DITCH ACREAGE TOTALS
TOTAL ACRES: 3713 +/-
OTHER SURFACE WATER (OSW) TOTAL: 131.72 ACRES OSW 1: 29.94 AC OSW 2: 31.28 AC OSW 3: 7.74 AC OSW 4: 20.30 AC OSW 5: 22.93 AC OSW 6: 11.12 AC OSW 7: 4.25 AC OSW 8: .81 AC OSW 9: 1.51 AC OSW 10: 1.76 AC
WETLANDS (WL) TOTAL: 93.40 ACRES WL 1: 4.92 AC WL 2: 6.80 AC WL 3: 7.61 AC WL 4: 11.31 AC WL 5: .87 AC WL 6: .91 AC WL 7: 8.62 AC WL 8: 2.57 AC WL 9: 4.15 AC WL 10: 2.35 AC WL 11: .41 AC WL 12: 11.17 AC WL 13: .80 AC WL 14: 11.44 AC WL 15: 8.68 AC WL 16: 4.25 AC WL 17: 4.08 AC WL 18: 1.88 AC WL 19: .58 AC
OAK HAMMOCK (OH) TOTAL: 3.14 ACRES OH 1: 2.74 AC OH 2: .40 AC
BRAZILLIAN PEPPER (BP) TOTAL: 2.64 AC BP 1: 1.13 AC BP 2: 1.51 AC
SPOIL AREA TOTAL: 101.19 ACRES
CITRUS GROVE TOTAL 3380.91 ACRES

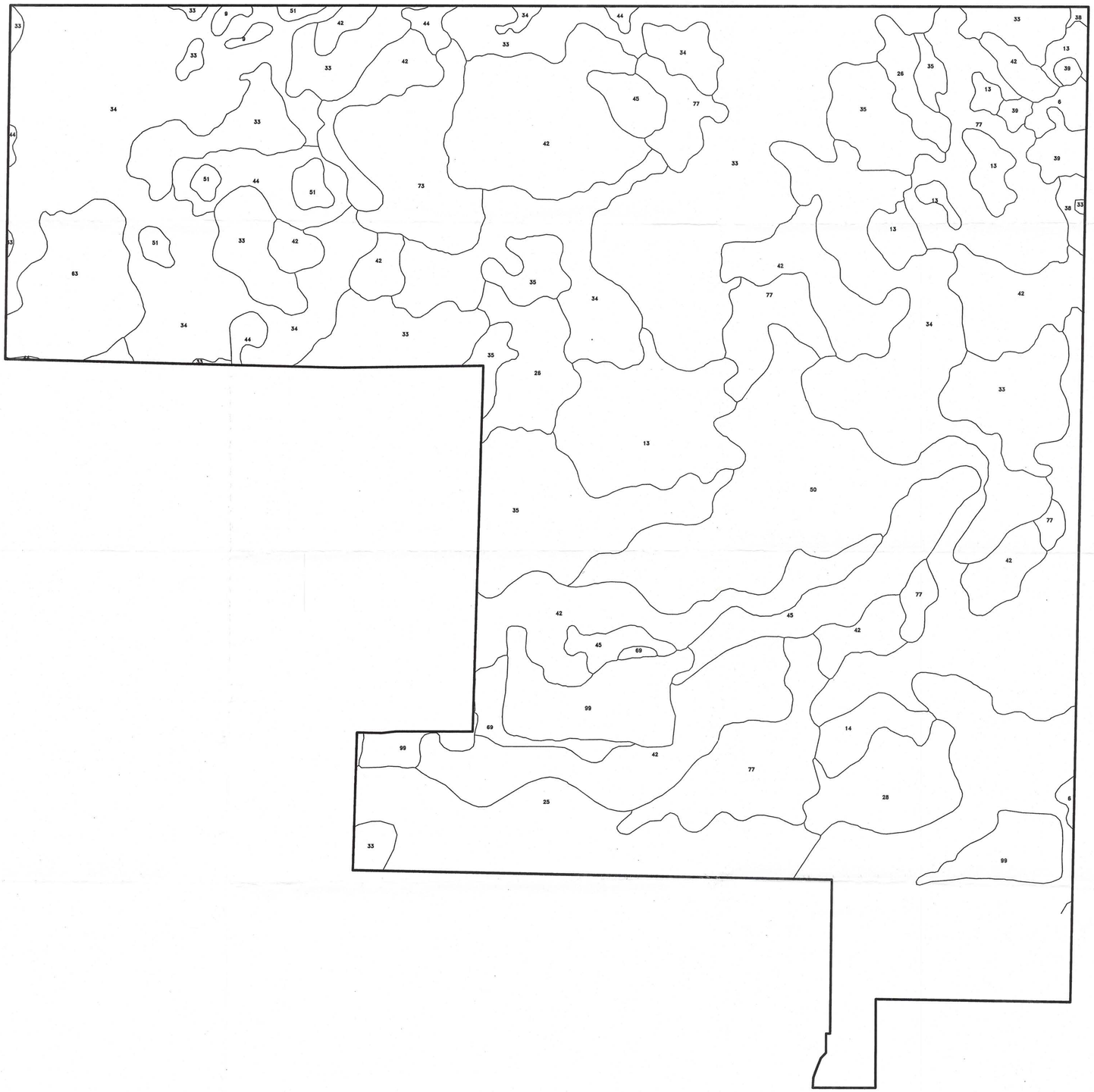
FLUCCS MAP	
CODE	DESCRIPTION
221	CITRUS GROVES
422	BRAZILLIAN PEPPER
427	LIVE OAK
618	WILLOW WETLANDS
619	BRAZILLIAN PEPPER WETLANDS
621	CYPRESS WETLANDS
631	SCRUB WETLANDS
742	BORROW AREAS
743	SPOIL AREAS

JOB #	030120
SCALE	1"=800'
FILE	FLUCCS04
DRAWN BY	BWS
DATE	02/23/04

COUNTY LINE DRAINAGE DISTRICT
FLUCCS MAP WITH ACREAGE

COUNTY	LEE
SEC	1-3, 10-15
TWP	43S
RNG	27E
REVISIONS	

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (239)418-0671



NRCS SOILS MAP		
CODE	SOIL NAME	*HYDRIC
6	HALLANDALE F.S.	----
9	EAUGALLIE SAND	----
13	BOCA F.S.	N
14	VALKARIA F.S.	N,L
25	ST. AUGUSTINE SAND	----
26	PINEDA F.S.	N,L
28	IMMOKALEE SAND	----
33	OLDSMAR SAND	----
34	MALABAR F.S.	N,L
35	WABASSO SAND	N
38	ISLES F.S., SLOUGH	N,L
39	ISLES F.S., DEPRESSIONAL	N,L
42	WABASSO SAND, LIMESTONE SUBSTRATUM	----
44	MALABAR F.S., DEPRESSIONAL	N,L
45	COPELAND SANDY LOAM, DEPRESSIONAL	N,L
50	OLDSMAR F.S., LIMESTONE SUBSTRATUM	----
51	FLORIDANA SAND, DEPRESSIONAL	N,L
63	MALABAR F.S.	----
69	MATLACHA GRAVELLY F.S.	----
73	PINEDA F.S., DEPRESSIONAL	N,L
77	PINEDA F.S., L.S.	N,L
99	WATER	----

* SOIL SURVEY OF FLORIDA (2000)

JOB #	030120
SCALE	1"=800'
FILE	SOILS
DRAWN BY	BWS
DATE	02/23/04

COUNTY LINE DRAINAGE DISTRICT

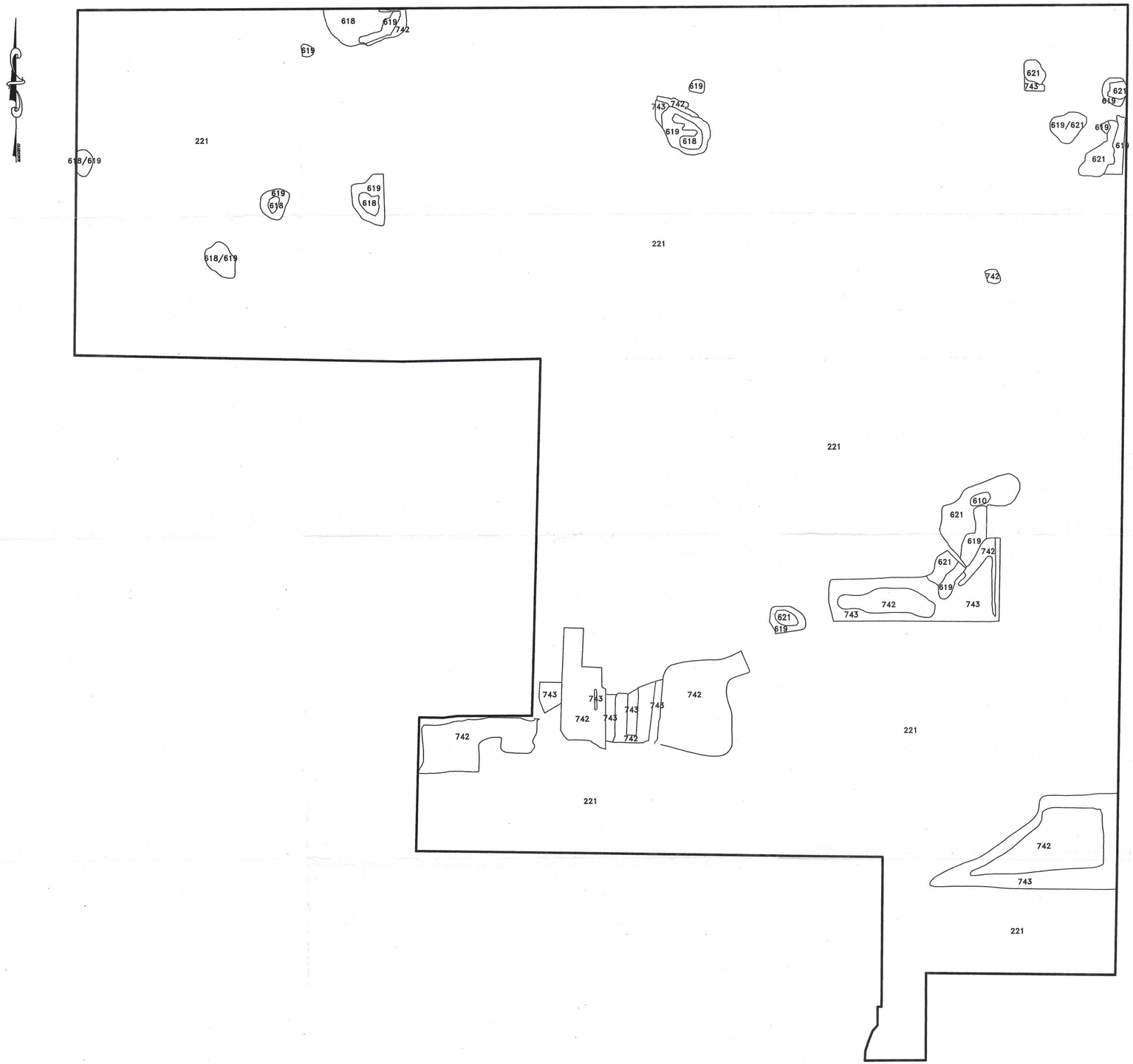
NRCS SOILS MAP

COUNTY	LEE
SEC	1-3, 10-15
TWP	43S
RNG	27E
REVISIONS	

Boylan Environmental Consultants, Inc.

Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (239)418-0671



FLUCCS MAP	
CODE	DESCRIPTION
221	CITRUS GROVES
422	BRAZILLIAN PEPPER
427	LIVE OAK
618	WILLOW WETLANDS
619	BRAZILLIAN PEPPER WETLANDS
621	CYPRESS WETLANDS
631	SCRUB WETLANDS
742	BORROW AREAS
743	SPOIL AREAS

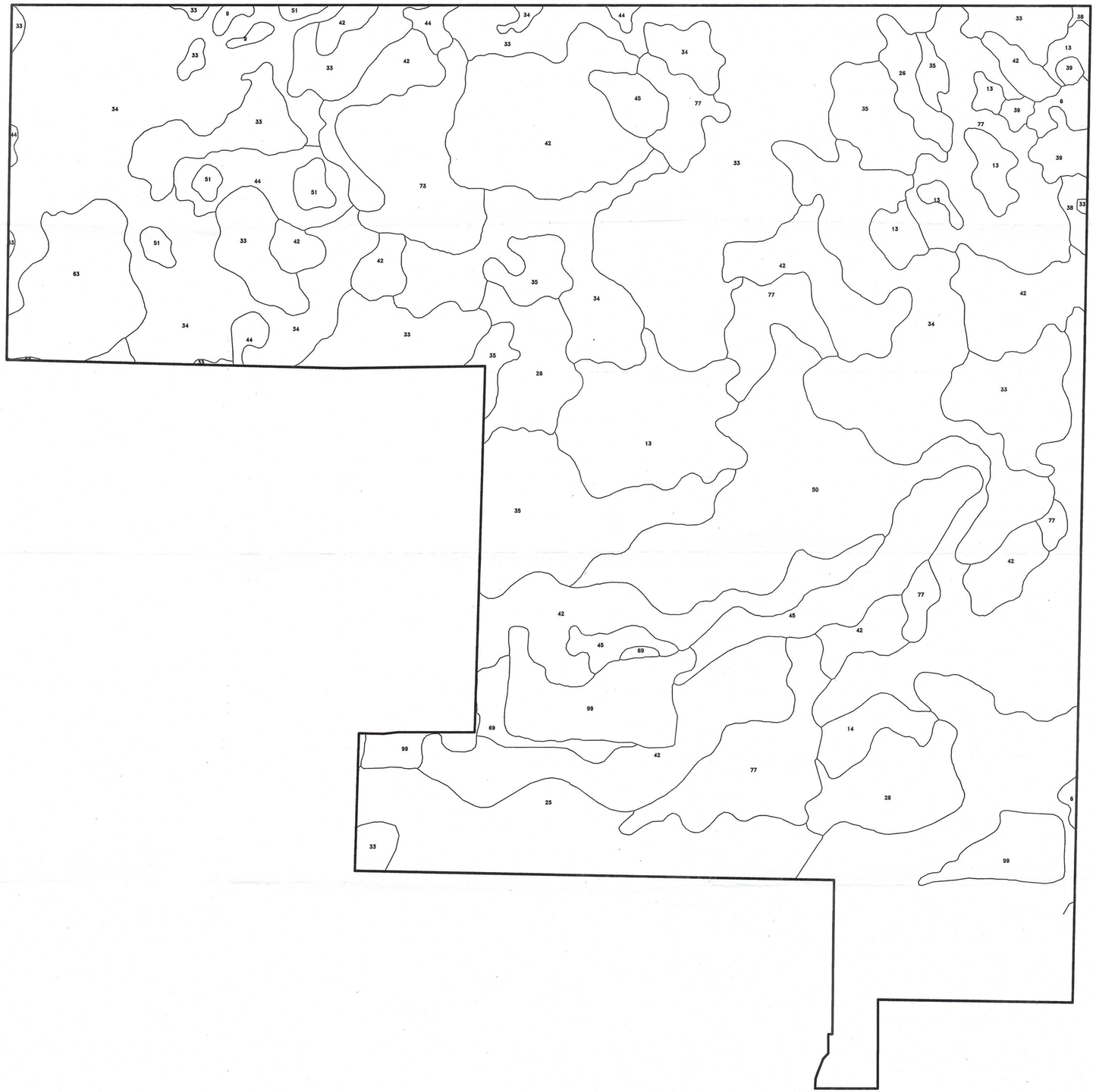
JOB #	030120
SCALE	1"=800'
FILE	FLUCCS
DRAWN BY	BWS
DATE	02/23/04

COUNTY LINE DRAINAGE DISTRICT

FLUCCS MAP

COUNTY	LEE
SEC	1-3, 10-15
TWP	43S
RNG	27E
REVISIONS	

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (239)418-0671



NRCS SOILS MAP		
CODE	SOIL NAME	*HYDRIC
6	HALLANDALE F.S.	----
9	EAUGALLIE SAND	----
13	BOCA F.S.	N
14	VALKARIA F.S.	N,L
25	ST. AUGUSTINE SAND	----
26	PINEDA F.S.	N,L
28	IMMOKALEE SAND	----
33	OLDSMAR SAND	----
34	MALABAR F.S.	N,L
35	WABASSO SAND	N
38	ISLES F.S., SLOUGH	N,L
39	ISLES F.S., DEPRESSIONAL	N,L
42	WABASSO SAND, LIMESTONE SUBSTRATUM	----
44	MALABAR F.S., DEPRESSIONAL	N,L
45	COPELAND SANDY LOAM, DEPRESSIONAL	N,L
50	OLDSMAR F.S., LIMESTONE SUBSTRATUM	----
51	FLORIDANA SAND, DEPRESSIONAL	N,L
63	MALABAR F.S.	----
69	MATLACHA GRAVELLY F.S.	----
73	PINEDA F.S., DEPRESSIONAL	N,L
77	PINEDA F.S., L.S.	N,L
99	WATER	----

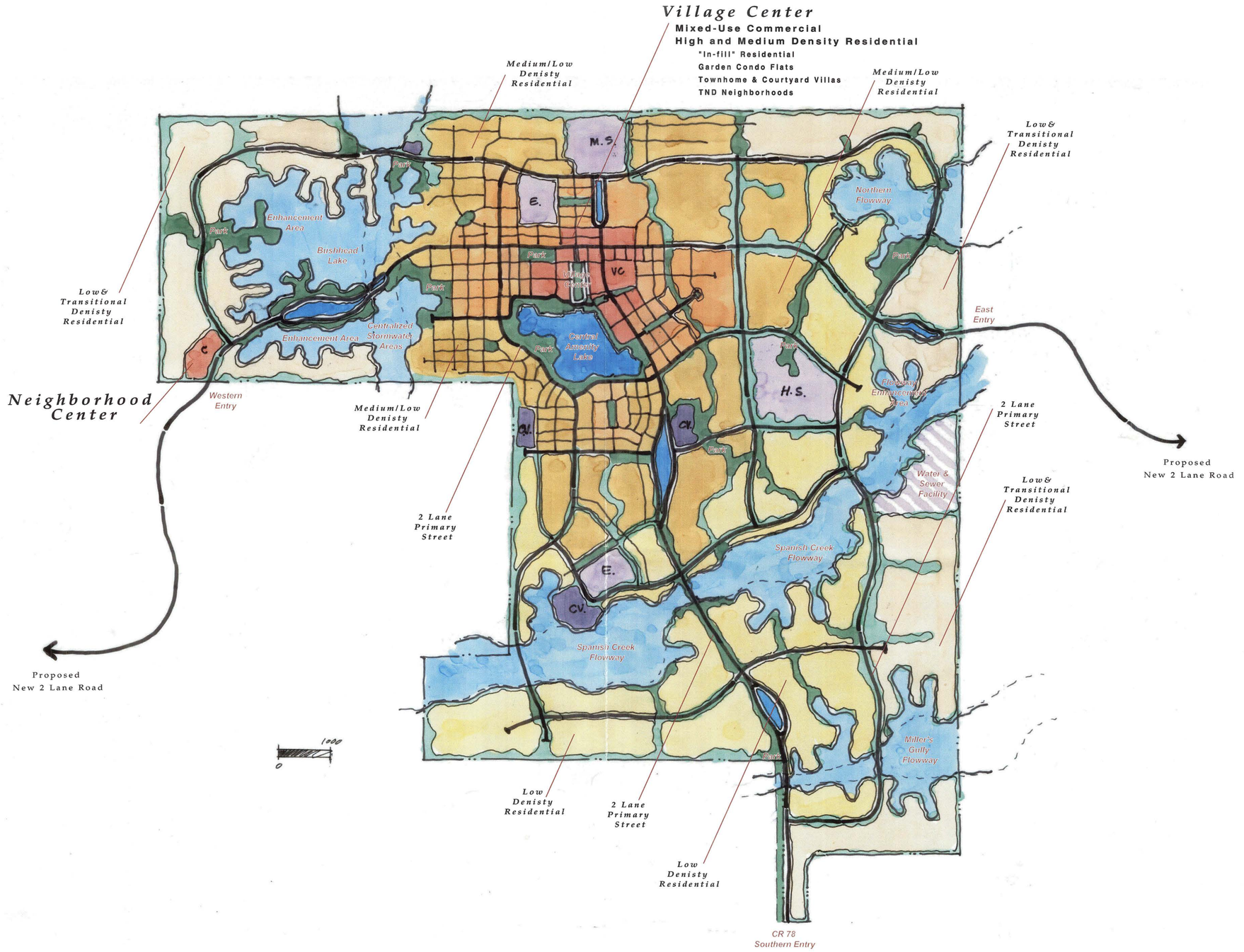
* SOIL SURVEY OF FLORIDA (2000)

JOB #	030120
SCALE	1"=800'
FILE	SOILS
DRAWN BY	BWS
DATE	02/23/04

COUNTY LINE DRAINAGE DISTRICT
NRCS SOILS MAP

COUNTY	LEE
SEC	1-3, 10-15
TWP	43S
RNG	27E
REVISIONS	

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (239)418-0671



This Plan is a Preliminary Concept. As such it is subject to modifications pending environmental and engineering considerations. Its purpose is to convey the overall physical layout, the placement of open space, streets and land use types.

CONCEPTUAL MASTER PLAN

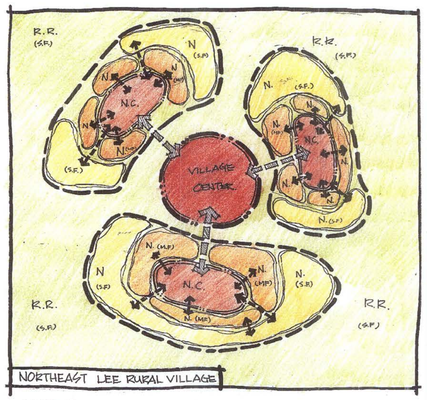
Spanish Creek

Lee County, Florida

Prepared for:
FLORIDA CITRUS COMPANY
Alva, Florida

Prepared by:
J. W. RAPSON REAL PROPERTY ADVISORS
Community Planning - Development Advisory
Maitland, Florida

08.19.06



LEGEND:

- VILLAGE CENTER
- COLONY
- NEIGHBORHOOD COMMERCIAL (N.C.)
- NEIGHBORHOOD (N.)
- RURAL RESIDENTIAL (R.R.)
- PRIMARY CIRCULATION
- SECONDARY CIRCULATION

LEGEND

- VILLAGE CENTER
- NEIGHBORHOOD CENTER
- PUBLIC FACILITY
- WETLAND / PRESERVE
- LAKE
- FLOW-WAY
- PRIMARY CONNECTION
- FLOW-WAY CROSSING
- 5 MINUTE WALKING DISTANCE
- TRAIL SYSTEM

LMED 321

N:\20055278\site plan\site plan1-1117-2.dwg (2 x 3) ayt Sep 30, 2005 - 10:04am

REVISIONS		

SPANISH CREEK

COMPREHENSIVE PLAN AMENDMENT

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SCHEMATIC SITE PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
SEPTEMBER 2005	20055278		1" = 1000'	1

SUMMARY

Total 455 Lots (Between 2.5 to 10 Acres)

N:\20055278\site plan\site plan1-1117-2.dwg (Sheet1) ayt Sep 30, 2005 - 11:03am

REVISIONS		

SPANISH CREEK

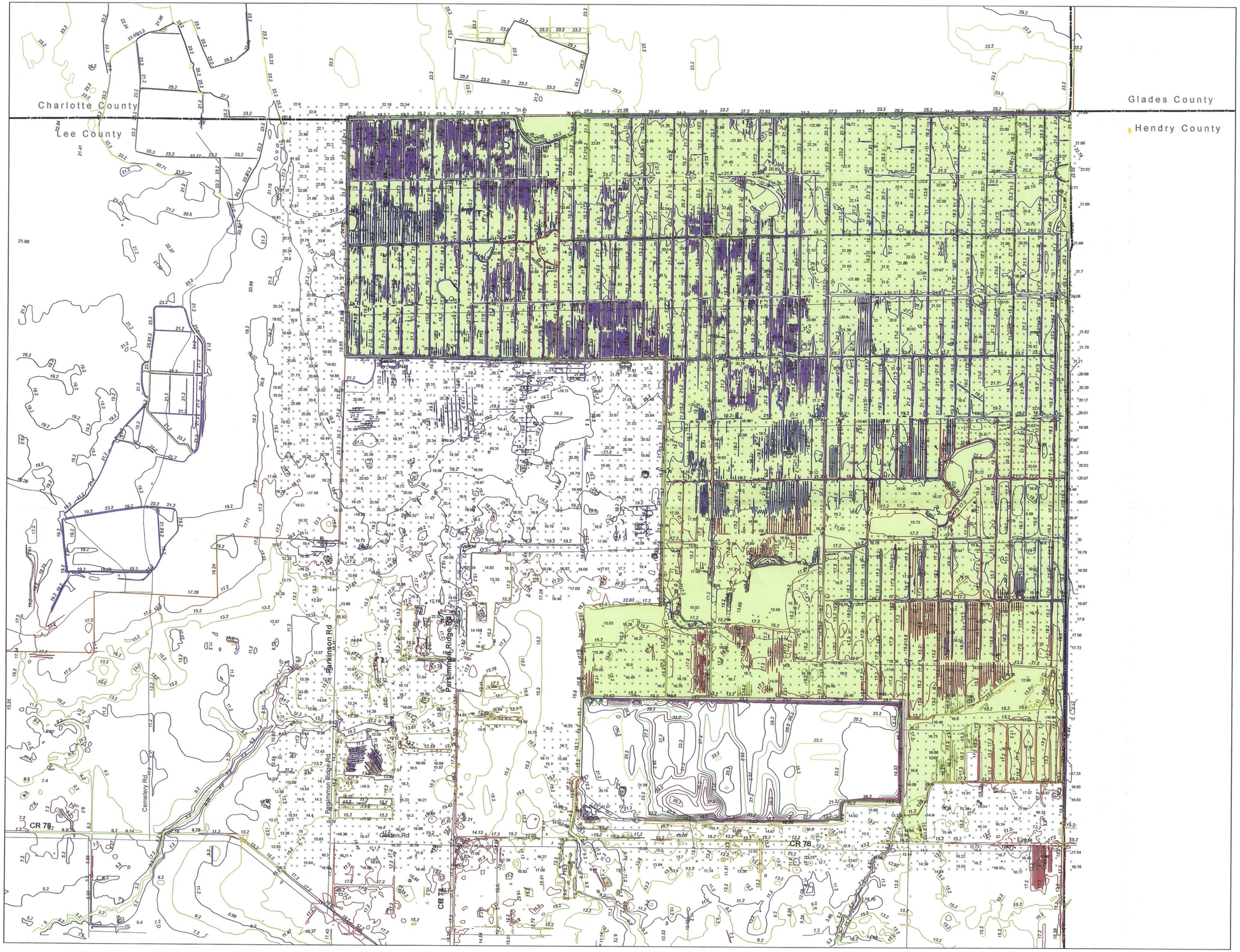
COMPREHENSIVE PLAN AMENDMENT

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

PERMITTED RANCHETTE DEVELOPMENT

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
SEPTEMBER 2005	20055278		1" = 1000'	1



N

0 2000 4000

Scale in Feet

NOTE: Elevation information taken from Lee County 1998 photogrammetry and represents planning level information. Elevations have not been verified by survey field data.

J:\20033350\2x3TopoMap.mxd

REVISIONS

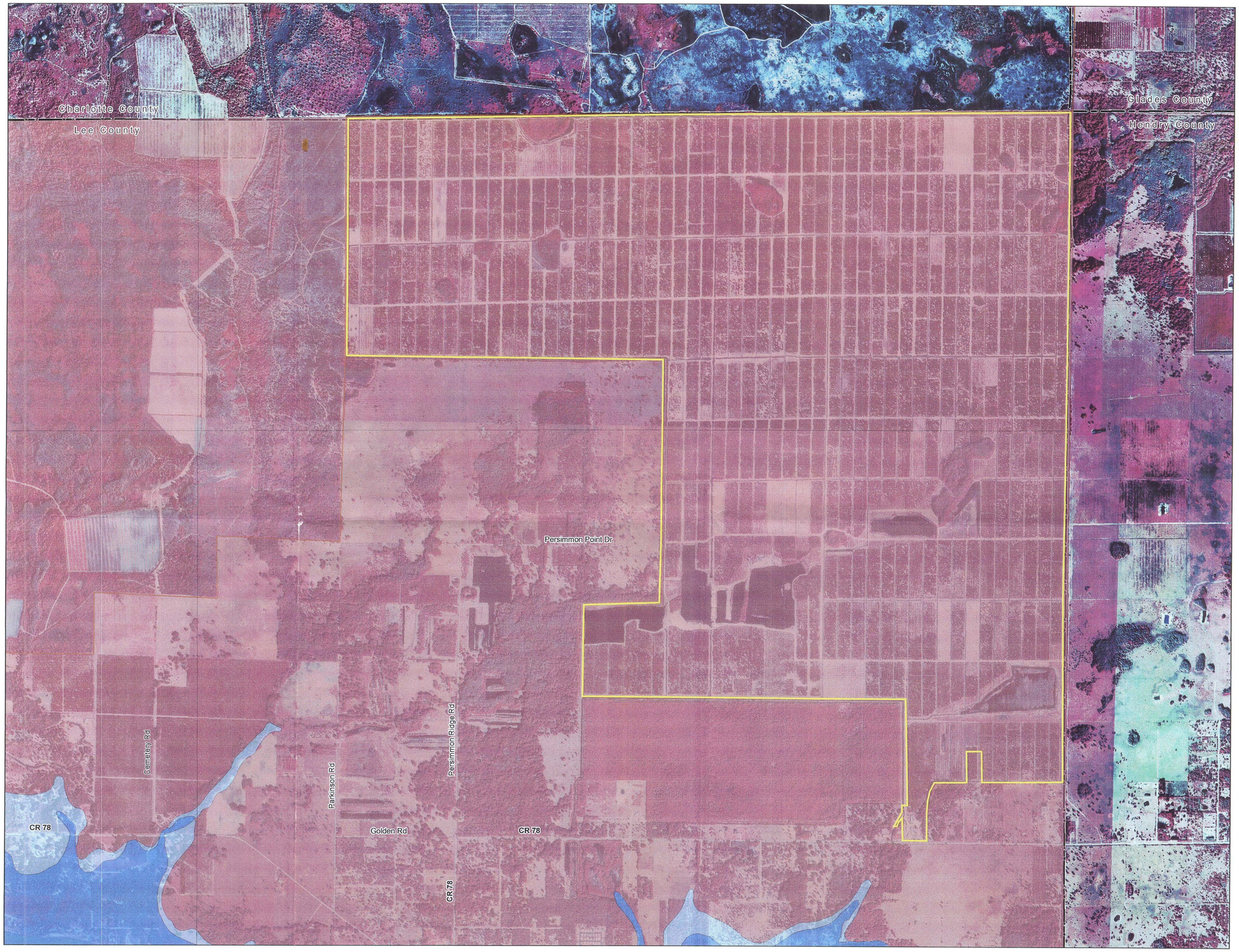
Florida Citrus
Lee County, Florida

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Topographic Map

DATE	PROJECT	FILE NO.	SCALE	SHEET
12/15/04	20000000	00-00-00	As Shown	1 OF



N

0 2000 4000

Scale in Feet

Legend

- ProjectLimits
- County Boundary

FEMA Flood Zones

ZONE

- A - 100 Yr Flood
- AE - 100 Yr w/BFE
- D - Undertemined
- UNDES
- VE
- X - Outside 500 Yr
- X500 - 500 Yr Line

NOTE: Flood information taken from FGDL datasets that are based on the FEMA digital Q3 data. This data has been cross checked against FIRM Panel 1251240250B and is an accurate representation inside the project limits.

d:\20033330\2x3FEMAmap.mxd

REVISIONS		

Florida Citrus
Lee County, Florida

JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

FEMA Flood Map

DATE	PROJECT	FILE NO.	SCALE	SHEET
12/15/04	20000000	00-00-00	As Shown	1 OF