



September 12, 2024

Adam Mendez
Senior Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

**RE: CYPRESS WOODS RVPD
DCI2023-00030**

Dear Mr. Mendez:

Enclosed please find responses to Staff's comments dated March 13, 2024. Accordingly, the following items are provided to address Staff's sufficiency review comments:

1. Environmental Resource Permit (ERP) Modification Memo;
2. Revised Environmental Report;
3. Unit 4-B Plat; and
4. Title Opinion.

Environmental Comments prepared by: Camryn Silverson:

1. There are hydric FLUCCS located in the areas proposed for expansion. Please indicate how the applicant intends to protect environmental critical areas onsite.

RESPONSE: The applicant will have to obtain an Environmental Resource Permit to address the development and protection of environmental critical areas on site. The applicant requests that the following condition be placed as part of the request which has been placed and approved by the BoCC in other PUD's to address similar staff comments.

"State and Federal Permits

- a. ***Generally. County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if applicant fails to obtain requisite approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Applicant must obtain applicable state/federal permits prior to commencing development.***
- b. ***State Wetland Permits. Developer may not commence construction on development impacting wetlands until issuance of required state permits. Development activity must comply with state wetland permits and applicable local development permits.***

- c. ***If the State does not approve wetland impacts or if State wetland permits are not consistent with proposed wetland impacts reflected in County development permits, then Developer must amend County development permit approvals consistent with state wetland permits and Lee Plan/LDC regulations on development within wetlands."***
2. The LDC requires written statement from the entity holding the beneficial interest in the easement, specifying the entity has no objection to the improvements and, improvements will not interfere with the long-term maintenance of the infrastructure within easement area. Please indicate if the expansion of the storage area will impact the FPL easement and if a written statement has been obtained.

RESPONSE: It is noted that staff is amenable to a condition of zoning approval stating that a development order for use of the FPL easement area will not be granted until no objection from FPL is obtained.

Legal Review: Rick Burris

1. Description & Sketch. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5) Cypress Woods RV Resort Unit 4-B is missing "- B" in the legal description. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5).

RESPONSE: LDC Section 34-202(a)(5) notes that legal descriptions and sketches are not required for platted properties. The plat for Unit 4-B is attached.

"A metes and bounds legal description along with a sketch of the legal description, prepared by a Florida Licensed Surveyor and Mapper, must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177."

2. Title Certification. A title certification is required per LDC §34-202(a)(7) and must meet the following criteria:
- a. Form. The certification of title must be in one of the following forms:
 - i. Title certificate or title opinion, no greater than 90 days old at the time of the initial development order submittal. Or, ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date.
 - b. Content. The certification of title must include, at a minimum, the following:
 - i. The name of the owner of the fee title.
 - ii. All mortgages secured by the property;
 - iii. All easements encumbering the property;
 - iv. The legal description of the property; and
 - v. The certification of title documentation must be unequivocal.

RESPONSE: Please see attached title opinion.

Zoning Comments: Adam Mendez

1. The Environmental Data report provided includes two erroneous USGS Quad Maps of Lake Harbor, Florida [Pages 4 and 12].

RESPONSE: Please see revised Environmental Report.

2. Please clarify what appears to be a Deviation enumeration "80" on the revised MCP adjacent to the landscape maintenance area access on Luckett Road.

RESPONSE: This enumeration is tied to Deviation 8, allowing for access through a perimeter buffer.

Thank you in advance for your consideration of the above information. If you have any further questions, please do not hesitate to contact me directly at (239) 850-8525, or acrespo@RViPlanning.com

Sincerely,

RVi Planning + Landscape Architecture



Alexis Crespo, AICP

Vice President of Planning

**MEMORANDUM****DATE:** July 14, 2022**TO:** Lee County Department of Community Development
Zoning Section
Adam Mendez, Senior Planner**FROM:** Jeremy Sterk**RE:** Cypress Woods RRPD
DCI2023-00030

The purpose of this memo is to address comment #1 of the March 13th, 2024, request for additional information. The comment is below:

1. There are hydric FLUCCS located in the areas proposed for expansion. Please indicate how the applicant intends to protect environmental critical areas onsite.

To address potential wetlands in the FPL easement (outside the gravel access road), the applicant will be applying for a modification to their existing environmental resource permit (ERP). The wetland in this area was historically cleared for the FPL easement and is very low quality. My expectation is that the South Florida Water Management District (SFWMD) will request a very small amount of offsite mitigation to be purchased at an approved wetland mitigation bank as part of the permit modification.

Feel free to contact me if you have any questions.

Jeremy Sterk, CEP
Partner \ Principal Environmental Consultant
Earth Tech Environmental





CYPRESS WOODS

Environmental Data for MCP Amendment
SECTION 11, TOWNSHIP 44, RANGE 25 EAST
LEE COUNTY, FLORIDA

Prepared For:



RVi Planning + Landscape Architecture
c/o Duane Truitt
William Schwab
4323 Snowberry Lane
Naples, FL 34119



Prepared By:



Earth Tech Environmental, LLC
10600 Jolea Avenue
Bonita Springs, FL 34135
239.304.0030
www.eteflorida.com



January 2024
Revised: June 13, 2024

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INTRODUCTION

The purpose of this document is to satisfy the Environmental Requirements for Lee County regarding the Master Concept Plan (MCP) Amendment for Cypress Woods (Subject Property).

PROPERTY LOCATION

The Subject Property for this report consists of a portion of a single parcel (Strap # 11-44-25-05-0000K.00CE). The Subject Property is the southern portion of the FPL easement that bisects the Cypress Woods RV Resort development north of Lockett Road and east of I-75 in Lee County, Florida. Based on the boundary linework provided to ETE by the planner the Subject Property totals approximately 2.51 acres. See Figure 1 below for a location map.

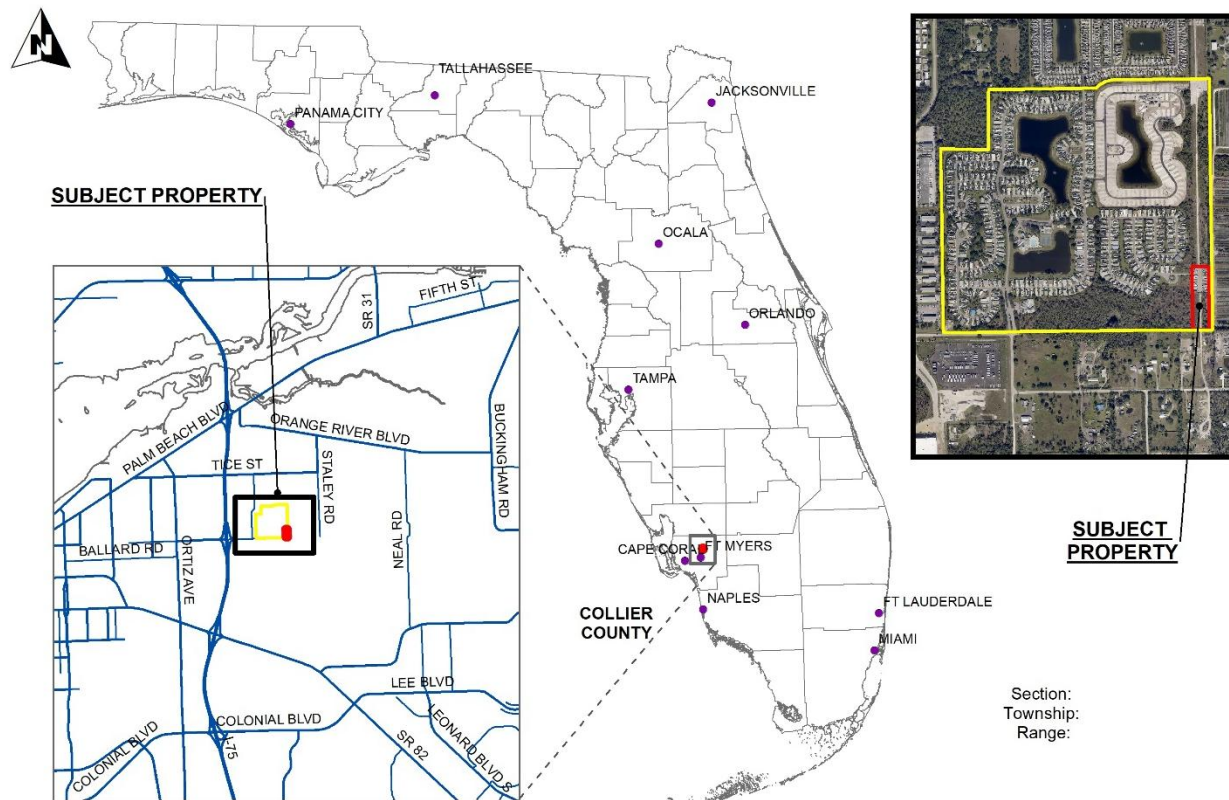


Figure 1. Site Location Map

ENVIRONMENTAL REQUIREMENTS

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

Site elevations range from 19' to 20' NAVD. See Figure 2 below for USGS Quadrangle Map.

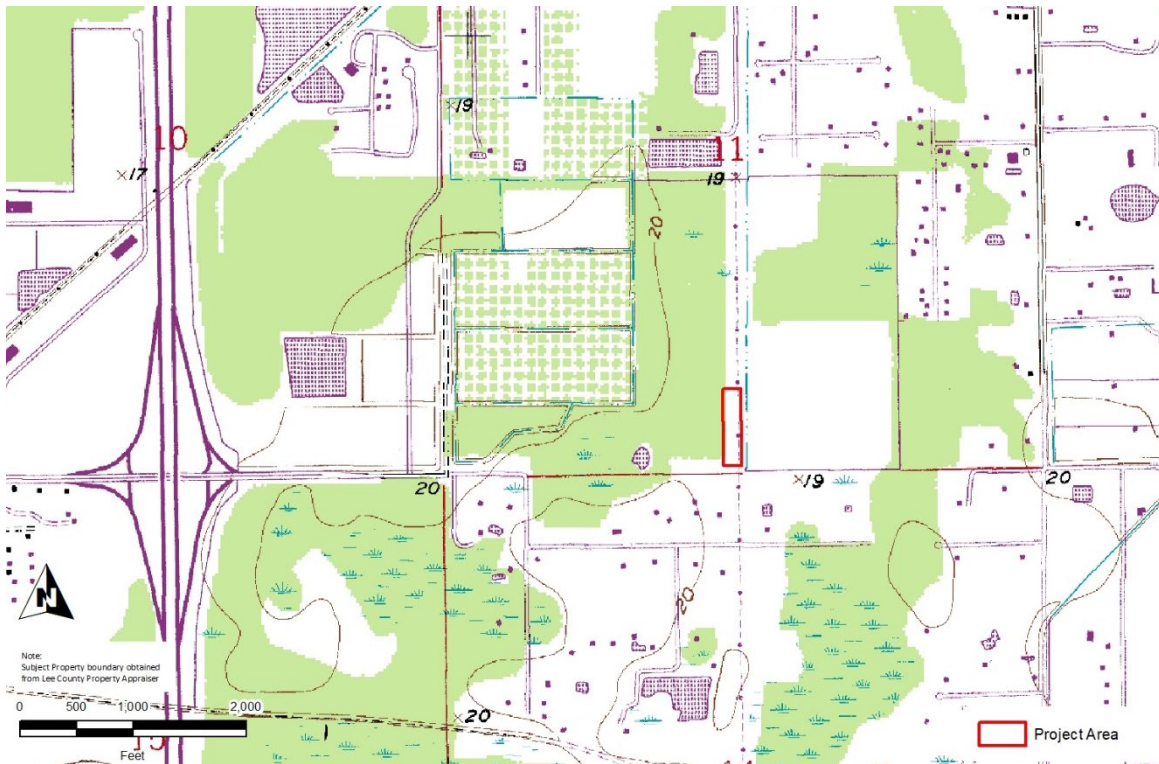


Figure 2. USGS Quadrangle Map

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

See Figure 3 below for the anticipated Jurisdictional Wetland Map. A future site visit with SFWMD will determine the wetland limits. A protected species survey is included in Appendix B.

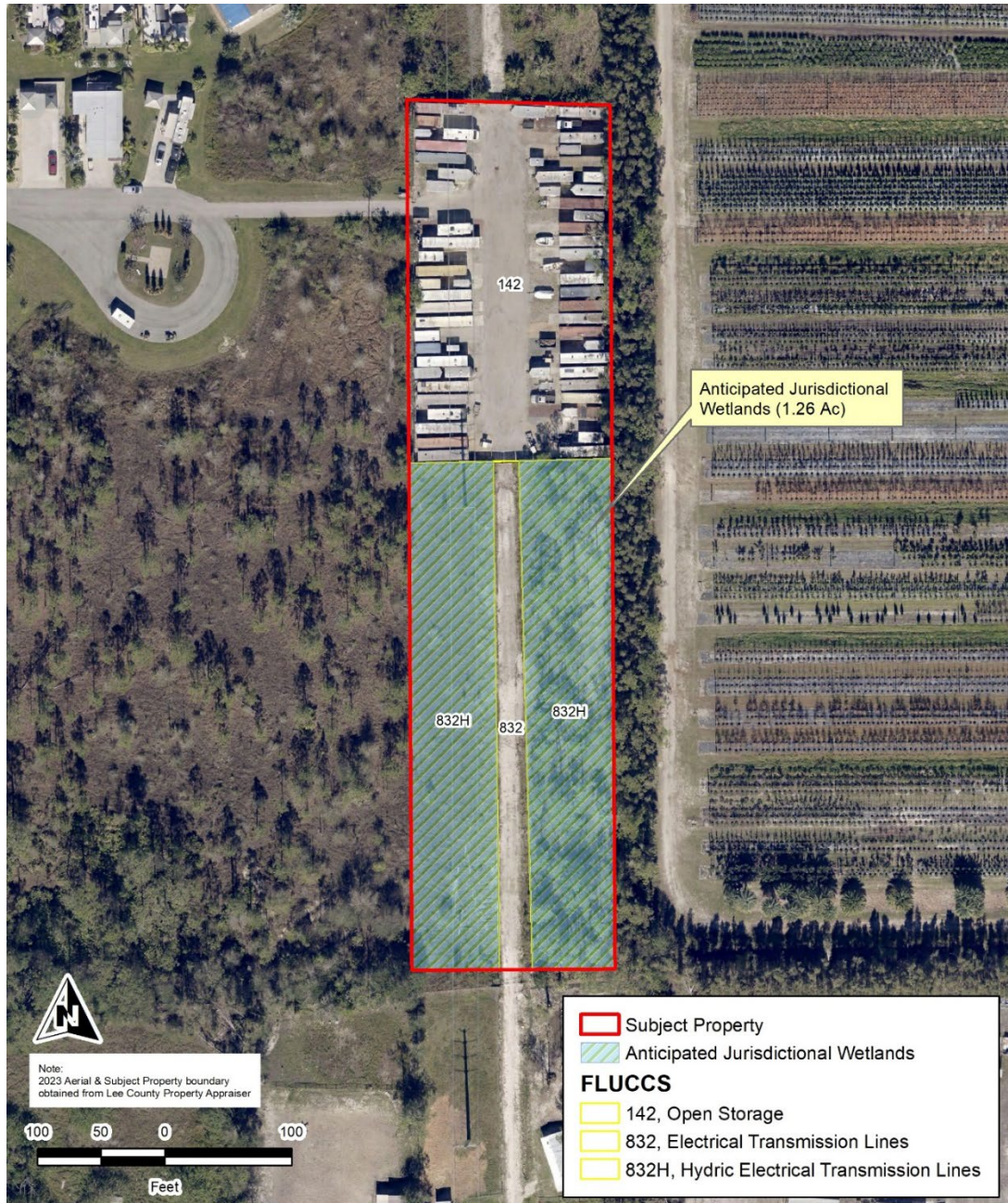


Figure 3. Anticipated Jurisdictional Wetland Map

C. PRESERVATION/CONSERVATION OF NATURAL FEATURES: Describe how the lands listed in **PART 6.B.** above will be protected by the completed project.

The previously approved Conservation Easement for the entire site will remain – See Figure 4 below. The CE contains a mix of upland and wetland communities.

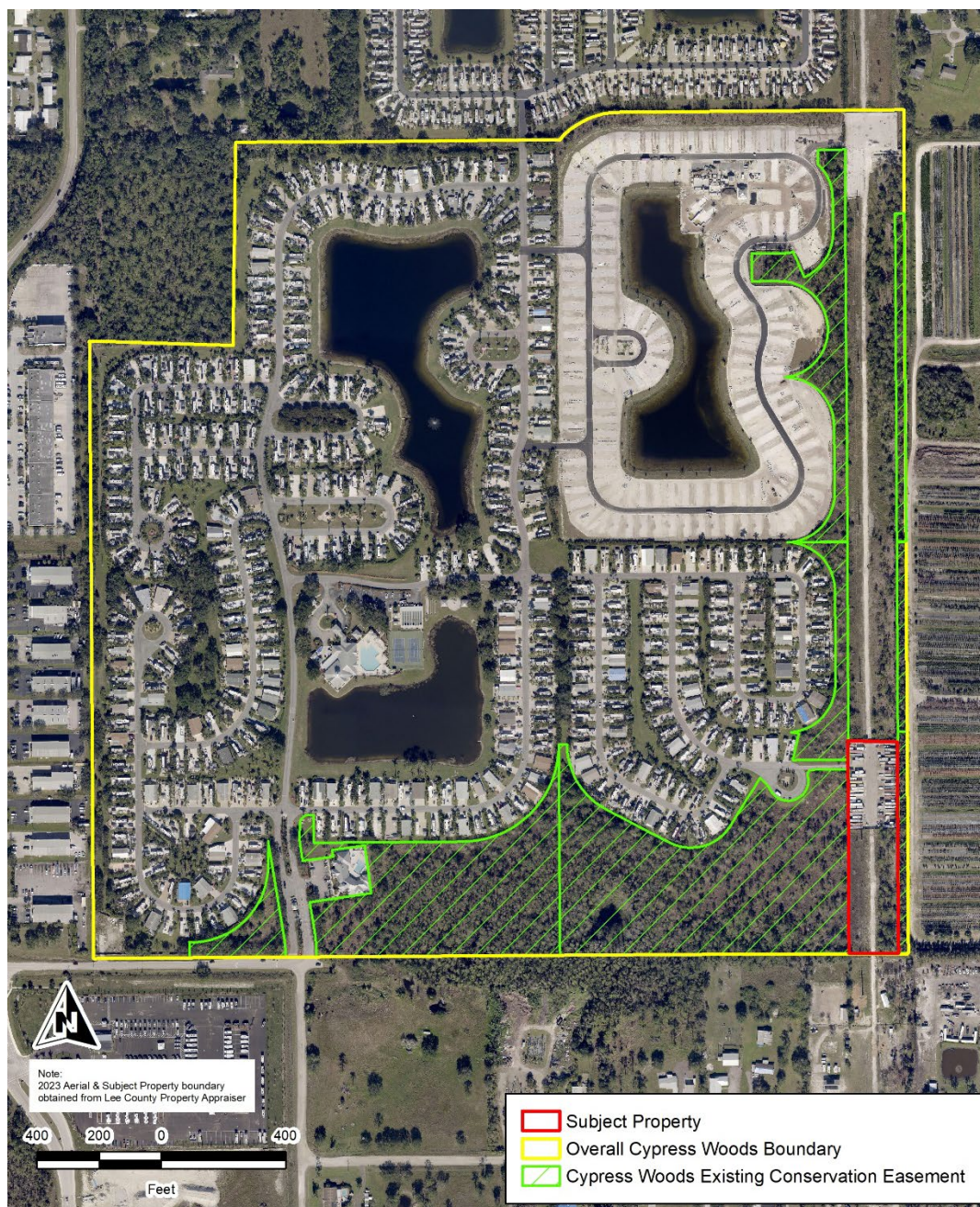


Figure 4. Existing Conservation Easement Map

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

Not applicable.

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

See Figure 5 below for NRCS Soils Map.

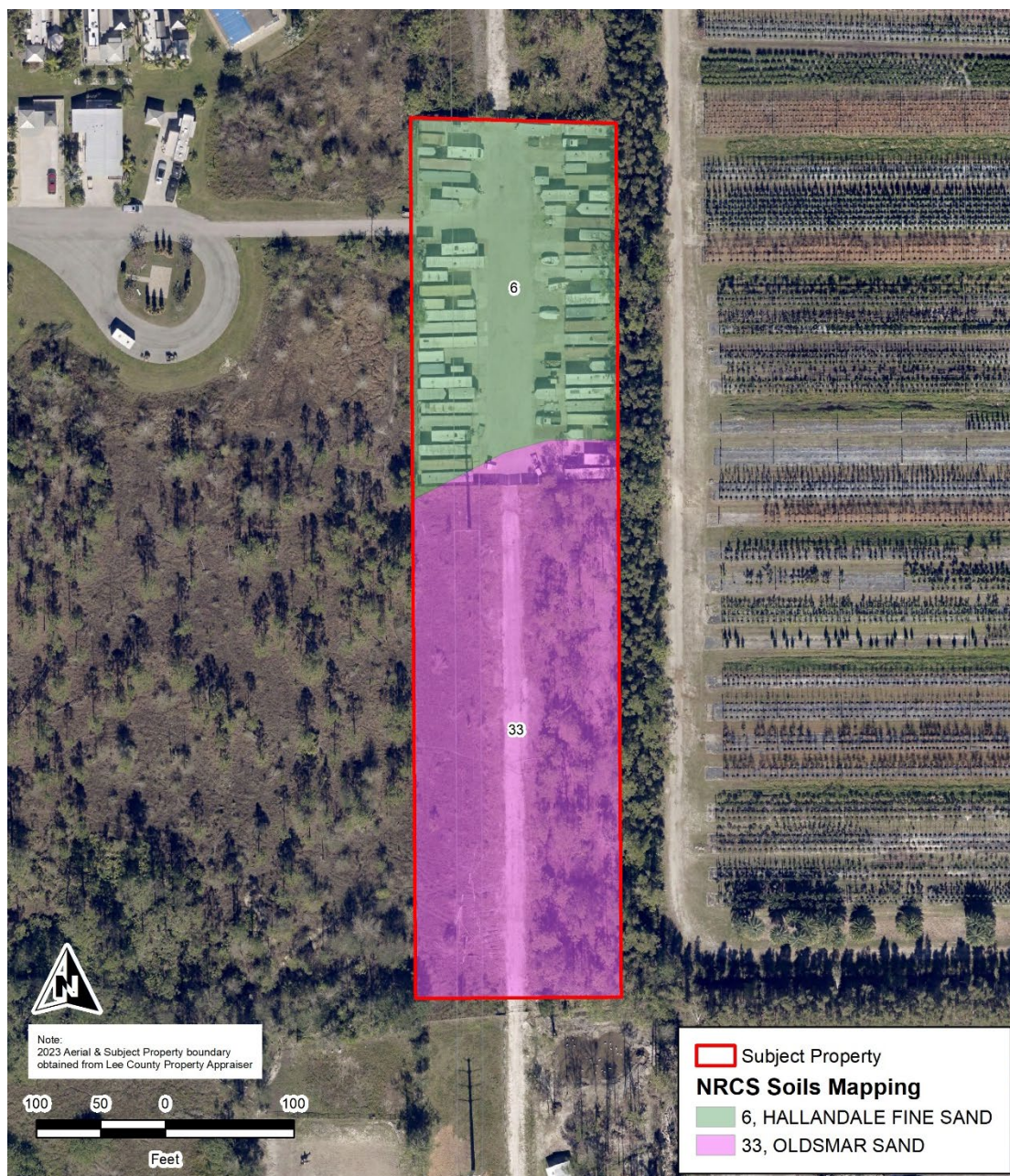


Figure 5. NRCS Soils Map

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

See Figure 6 below for FLUCCS Map.

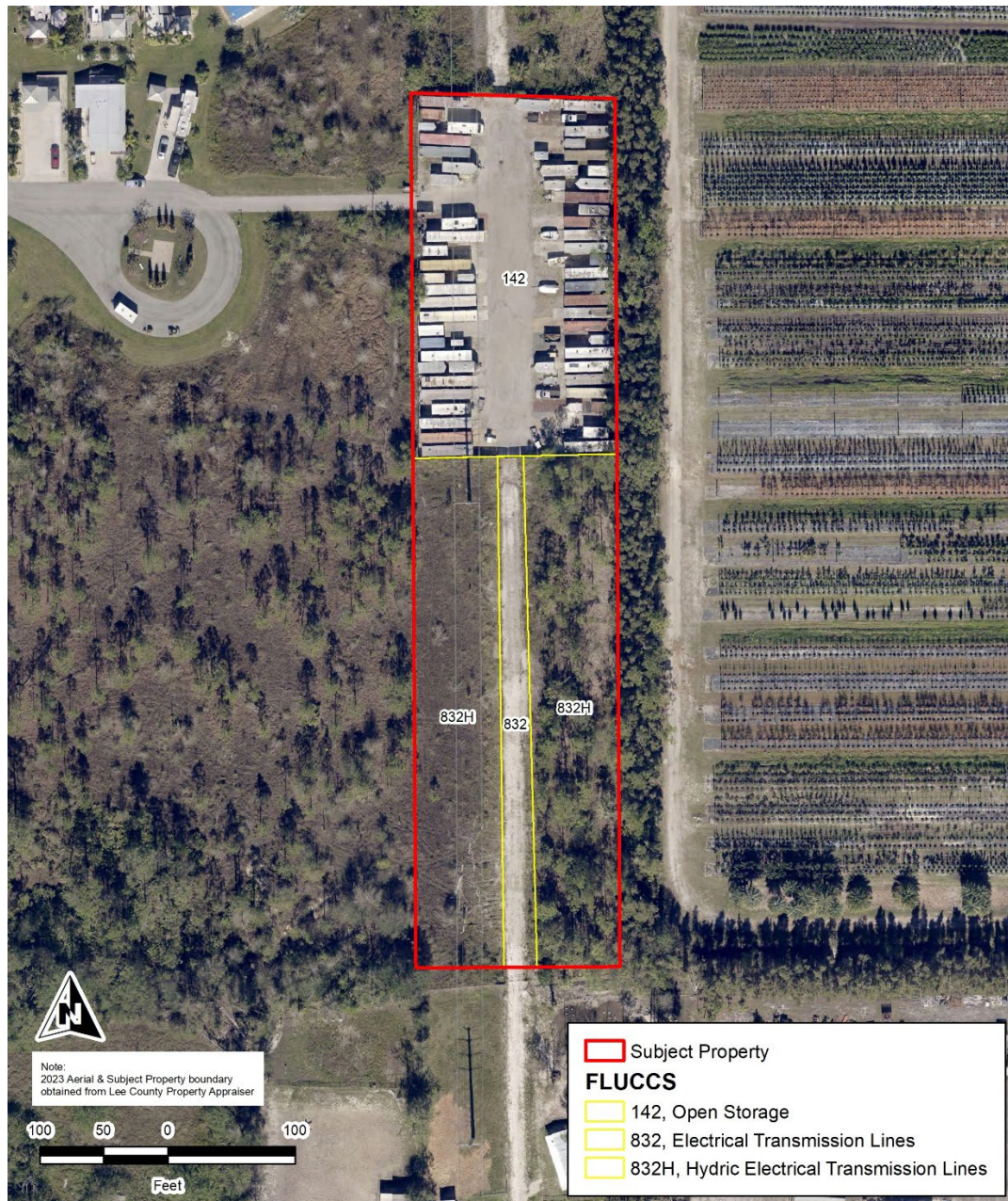


Figure 6. FLUCCS Map

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

Not applicable.

- H. EXISTING AND HISTORIC FLOW-WAYS MAP:** Map(s) drawn at the same scale as the Master Concept Plan marked or overprinted to show and historic flow-ways. [34-373(a)(4)b.v.]

Not applicable.

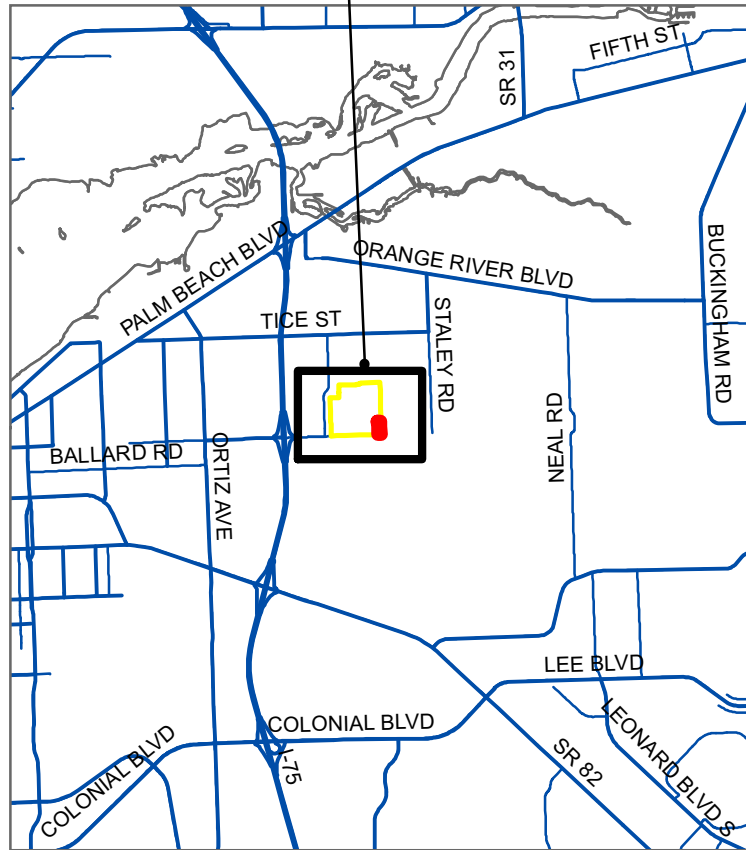
APPENDIX A

FULL SIZE EXHIBITS

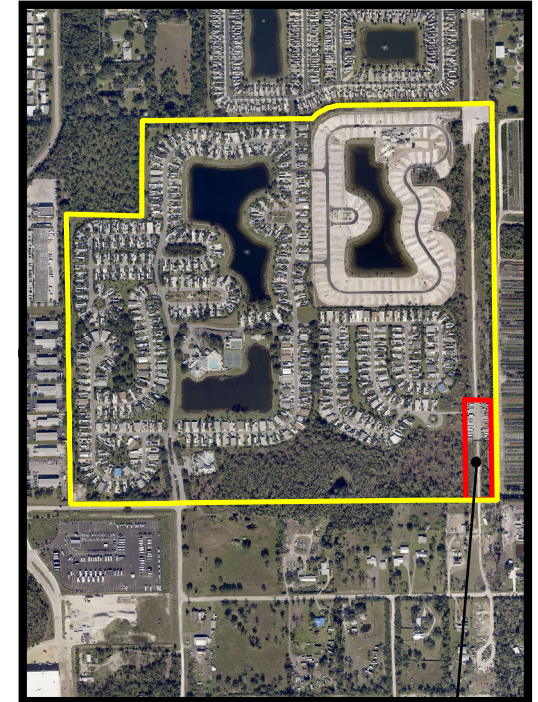
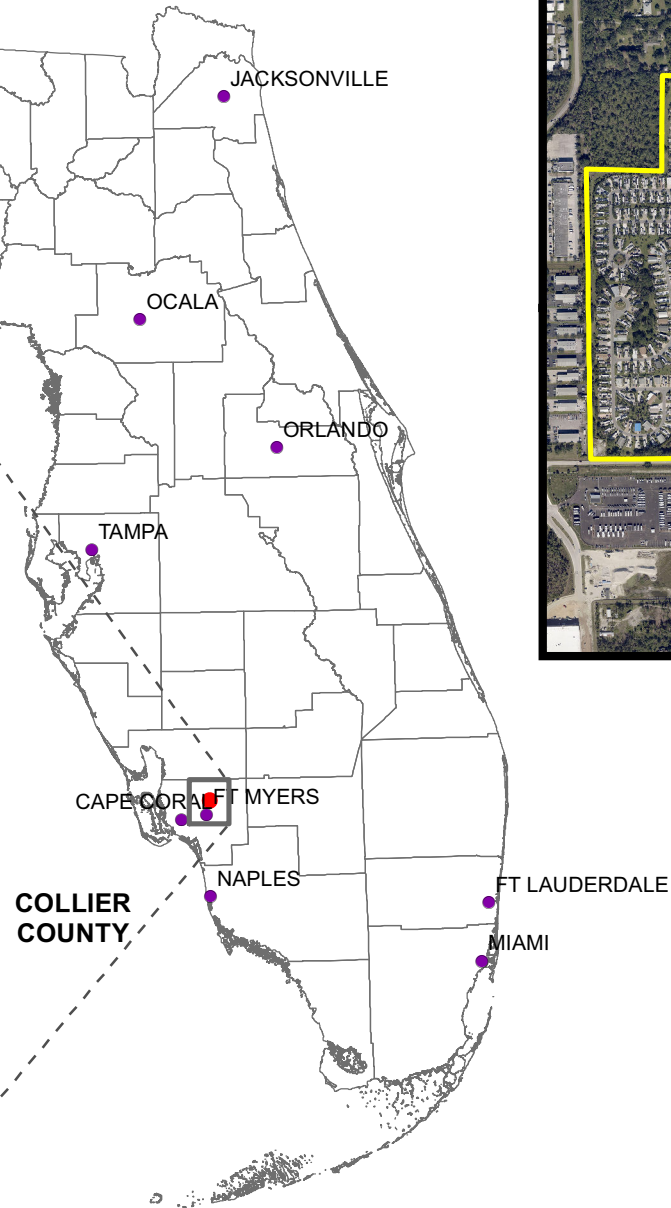
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SUBJECT PROPERTY



COLLIER COUNTY



SUBJECT PROPERTY

Section:
Township:
Range:

Project

Cypress Woods
Lee County, Florida

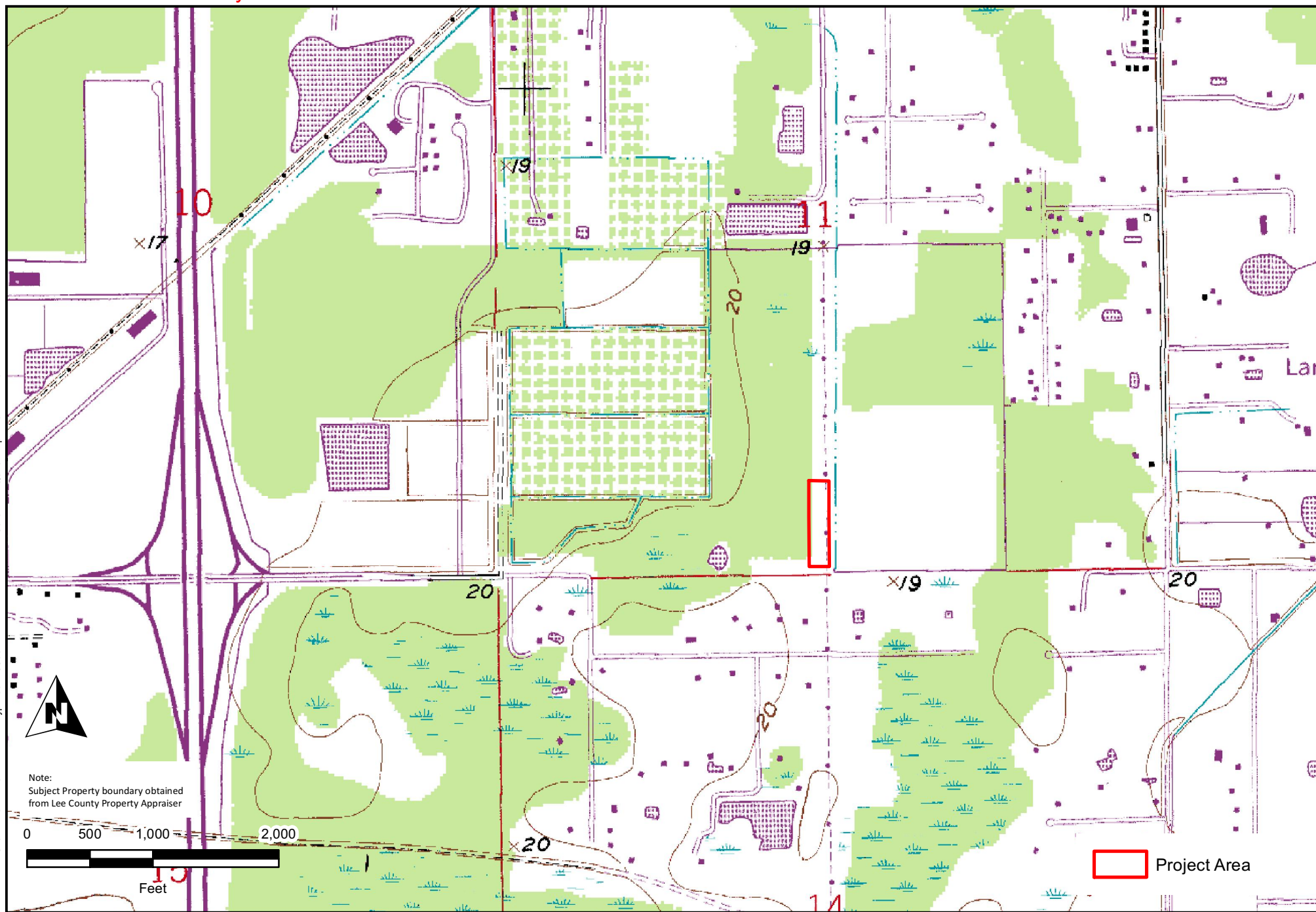
Map Type

Location Map

Date

01/25/24





Project

Cypress Woods
Lee County, Florida

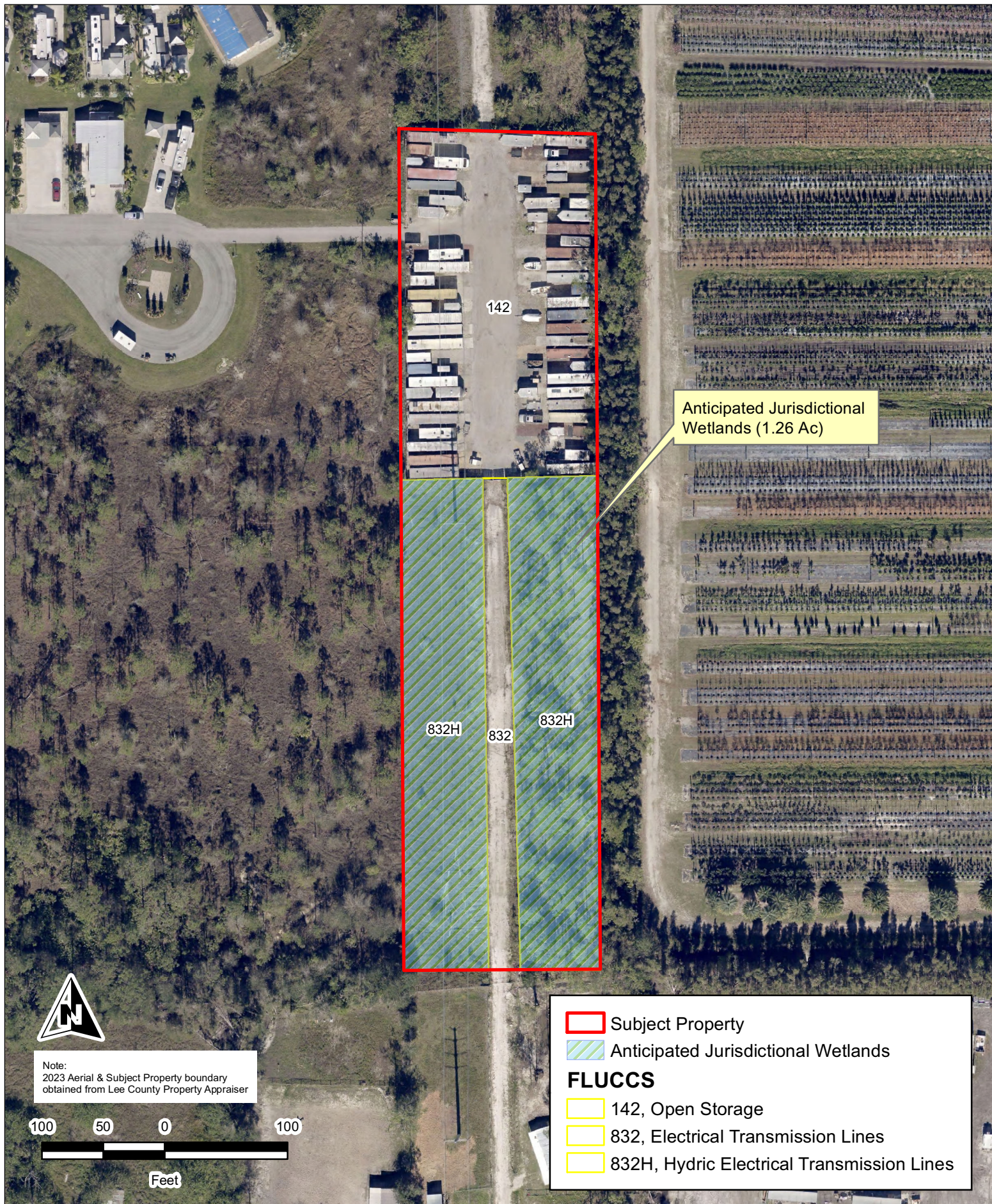
Map Type

USGS Quad Map

Date

6/13/24





Project

Cypress Woods
Lee County, Florida

Map Type

Anticipated Jurisdictional
Wetlands Map

Date

01/25/24

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Project

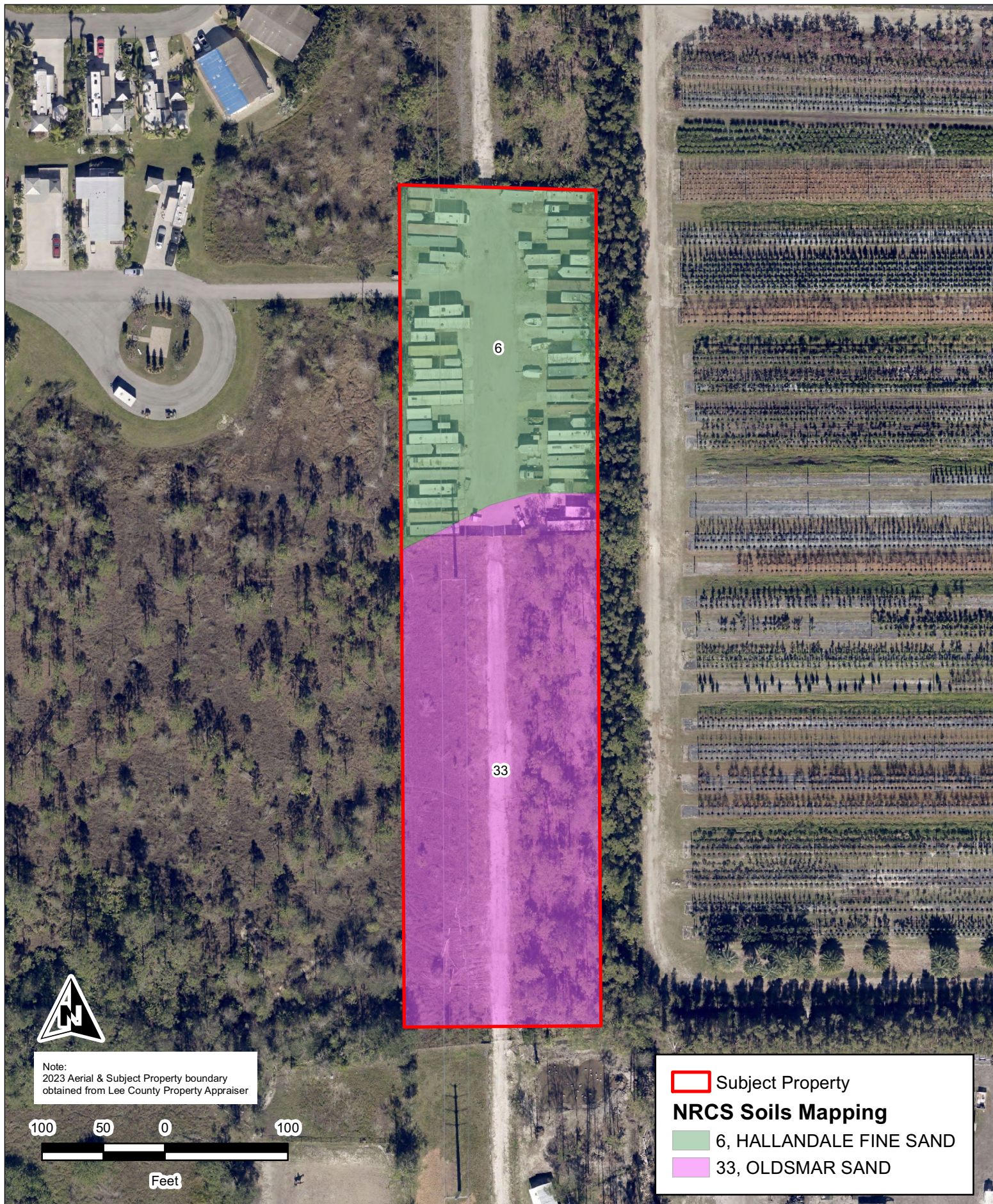
Cypress Woods
Lee County, Florida

Map Type

Existing Conservation
Easement Map

Date

01/25/24

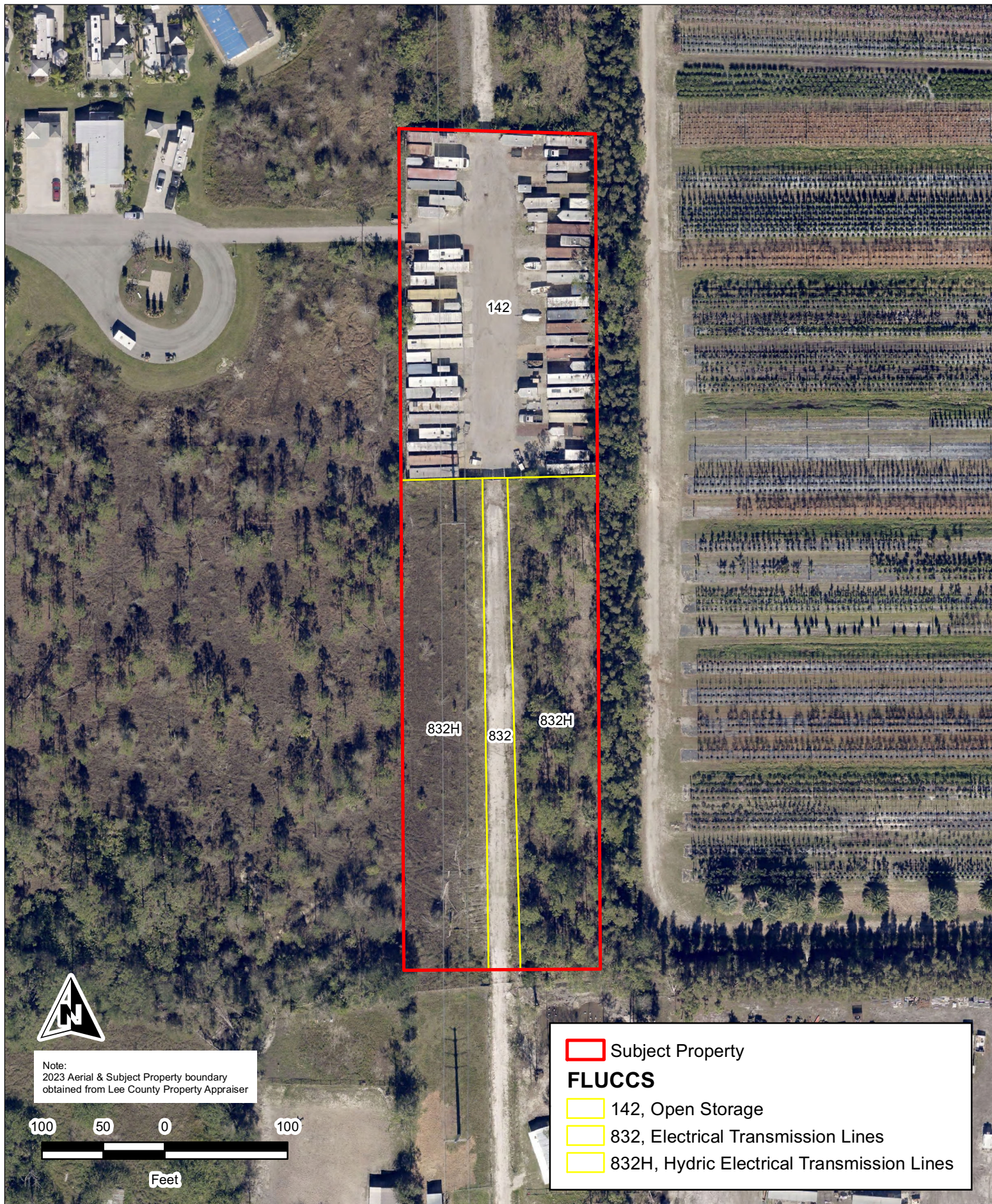


Project
Cypress Woods
Lee County, Florida

Map Type
NRCS Soils Map

Date
01/25/24

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Project

Cypress Woods
Lee County, Florida

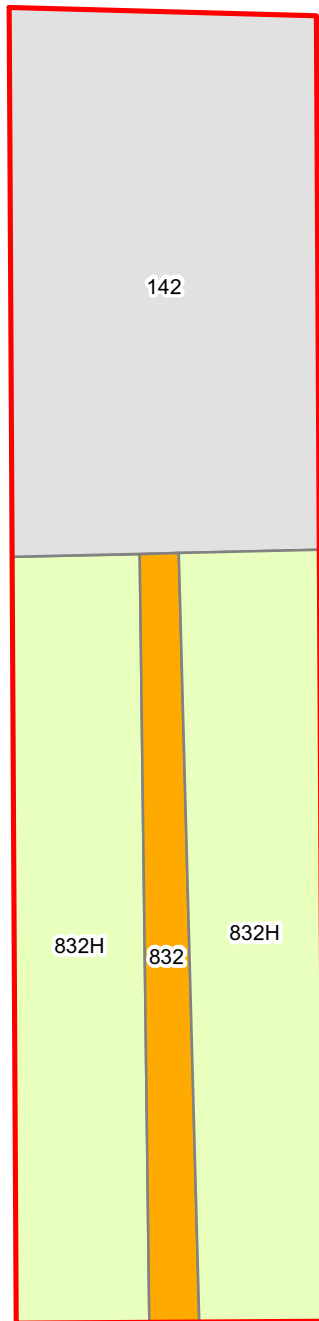
Map Type

FLUCCS Map

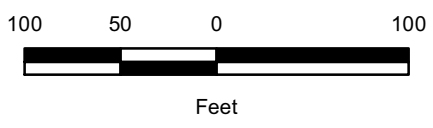
Date

01/25/24

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Note:
Subject Property boundary obtained
from Lee County Property Appraiser



Subject Property

FLUCCS

142, Open Storage

832, Electrical Transmission Lines

832H, Hydric Electrical Transmission Lines

Project **Cypress Woods
Lee County, Florida**

Map Type **FLUCCS Map**

Date **01/25/24**



APPENDIX B

PROTECTED SPECIES SURVEY



CYPRESS WOODS

Protected Species Survey

SECTION 11, TOWNSHIP 44, RANGE 25 EAST
LEE COUNTY, FLORIDA



Prepared For:



RVi Planning + Landscape Architecture
c/o Duane Truitt
4323 Snowberry Lane
Naples, FL 34119



Prepared By:



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January 2024

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Figure 6	Wood Stork Foraging Information
Figure 7	Bald Eagle Map

1.0 INTRODUCTION

Earth Tech Environmental (ETE) conducted a search for listed species on the property referred to as Cypress Woods (Subject Property). This assessment was conducted by ETE January 23rd, 2024, to evaluate the Subject Property for the potential presence of listed species of concern based on the determined Florida Land Use Cover and Forms Classification System (FLUCCS) vegetation.

2.0 PROPERTY LOCATION

The Subject Property for this report consists of a portion of a single parcel (Strap # 11-44-25-05-0000K.00CE). The Subject Property is the southern portion of the FPL easement that bisects the Cypress Woods RV Resort development north of Lockett Road and east of I-75 in Lee County, Florida. Based on the boundary linework provided to ETE by the planner the Subject Property totals approximately 2.51 acres. See Figure 1 below for a location map.

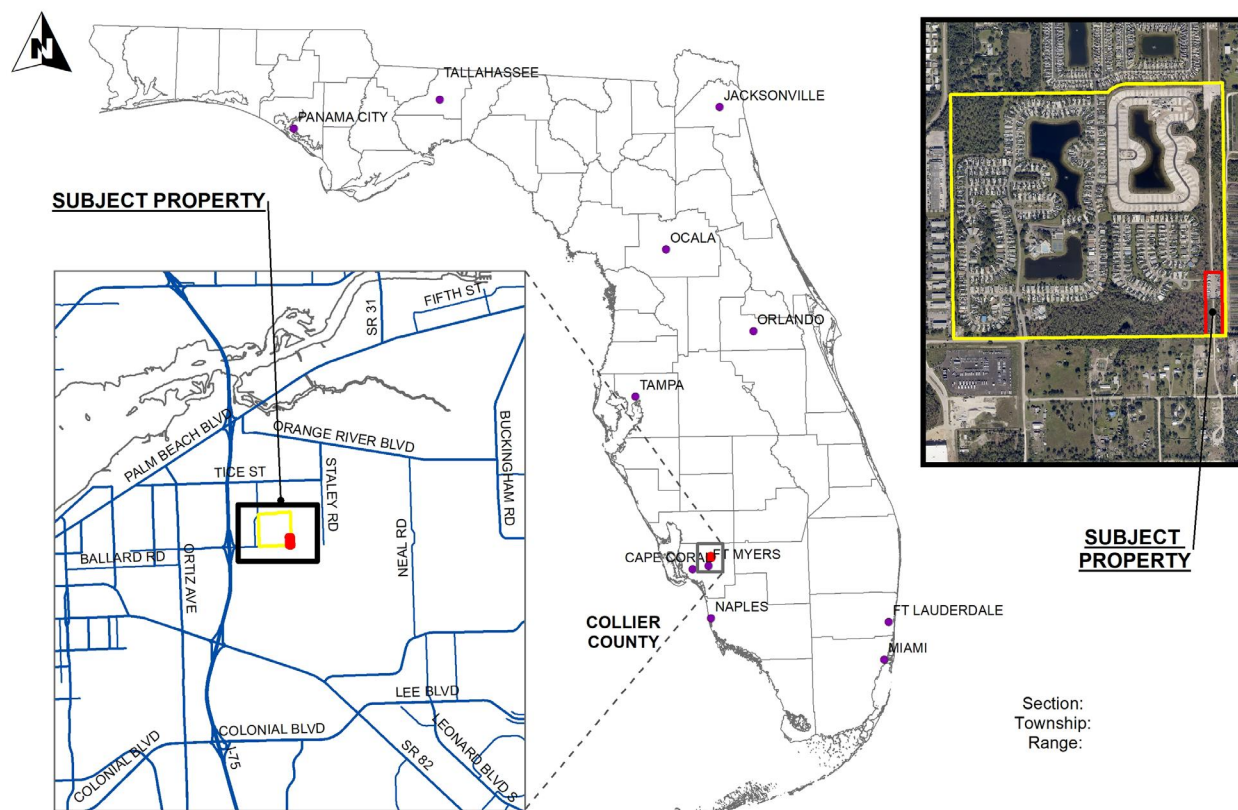


Figure 1. Site Location Map

3.0 SPECIES SURVEY MATERIALS AND METHODS

The species survey was conducted in accordance with the Lee County Administrative Code AC-13-10, specifically using the Endangered Species Survey Methodology (ESSM) as outlined by Southern Biomes and approved by Lee County in accordance with AC-13-10. As outlined in the methodology, existing vegetation communities or land uses on the Subject Property were delineated on the most recent aerial photograph available (Lee County 2023) using the Florida Land Use, Cover and Forms Classification System (FLUCCS). FLUCCS mapping for this property is detailed below in Figures 3 & 4. The resulting FLUCCS codes

were cross-referenced with a list of protected plant and animal species. The lists were obtained from two agency publications:

- ❖ “Florida’s Endangered Species, Threatened Species & Species of Special Concern-Official Lists”, December 2022.
- ❖ “Notes on Florida’s Endangered and Threatened Plants”, Florida Department of Agriculture and Consumer Services, 2010.

In the field, each FLUCCS community is searched for listed species or signs of listed species. This is accomplished using a series of pedestrian transects throughout each vegetation community (see Figure 5). If necessary, transect integrity is maintained using a handheld GPS in track mode. At least 80% of each survey area was covered in this way. Signs or sightings of all species are recorded, and any associated burrows, dens, or cavities are flagged in the field and marked by GPS.

Based on the habitat types found on the Subject Property (see Table 3), particular attention was paid to the presence or absence of Big Cypress fox squirrel, gopher tortoise, and Florida bonneted bat. The presence or absence of listed plant species such as wild pine, twisted air plants, and butterfly orchids were also considered.

Approximately one (1) man-hours were logged on the Subject Property during this species survey (see Table 1).

TABLE 1. FIELD TIME SPENT ON THE SUBJECT PROPERTY					
DATE	START TIME	END TIME	NO. ECOLOGISTS	MAN HOURS	TASK
January 23, 2024	9:00 am	10:00 am	1	1	Species Survey Fieldwork
Total Hours:				1	

4.0 EXISTING SITE CONDITIONS

Temperatures during the fieldwork for this survey were in the mid 70’s with partly cloudy skies.

The Subject Property consists of a utility easement that runs north-south in the southern portion, and an open storage area in the northern portion. Access to the open storage area is from the Cypress Woods RV Resort to the west, and from the north and south along the utility easement. A Conservation Easement (CE) runs north-south just west of the Subject Property in association with (SFWMD Permit #36-02960-S. See Figure 2 for an aerial map. The Subject Property has the following surrounding land uses:

North	Residential
East	Agricultural
South	Residential
West	Residential / Undeveloped

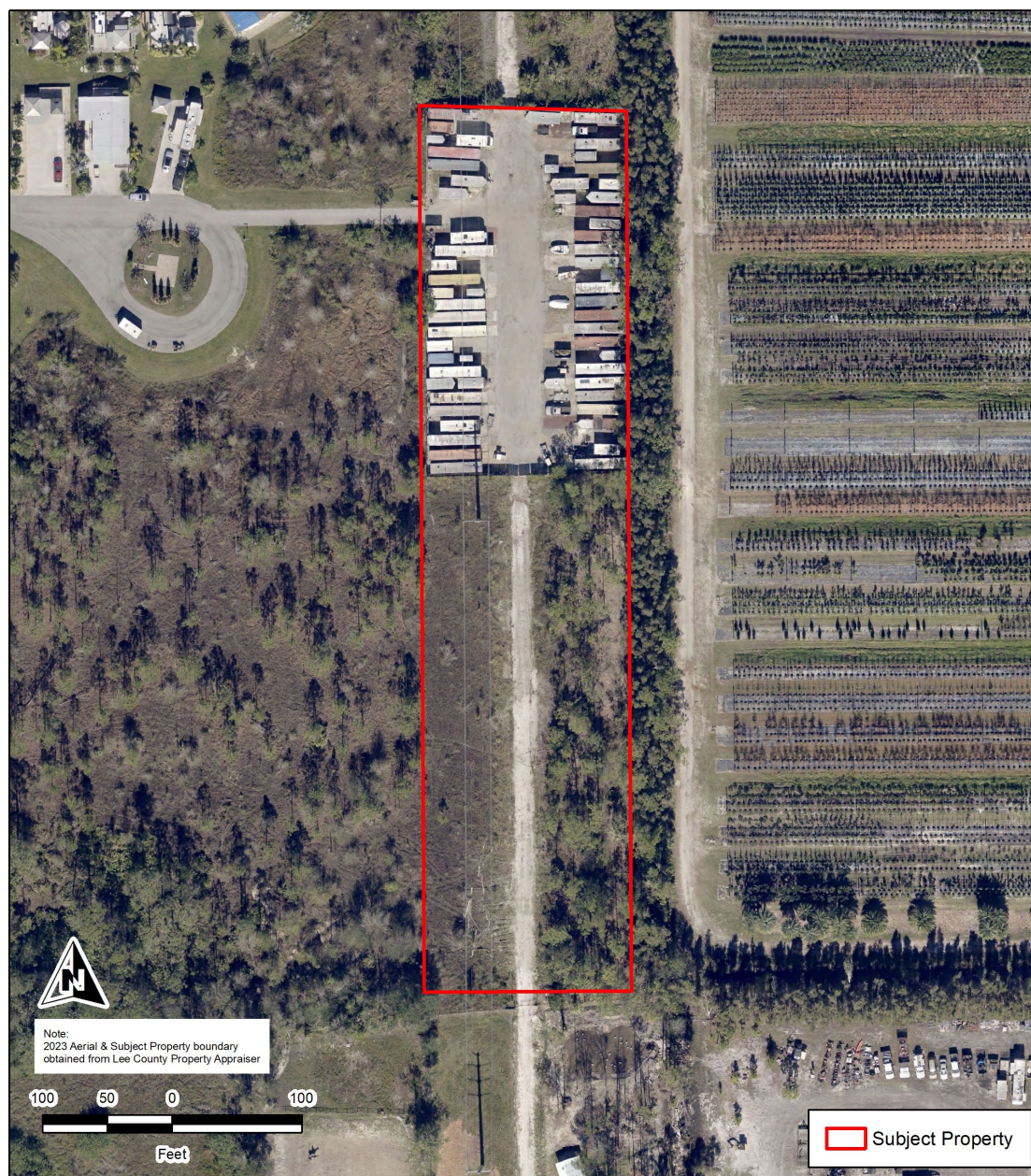


Figure 2. Aerial Map

Listed below are the FLUCCS communities identified on the site. The community descriptions correspond to the mappings on the FLUCCS maps below (Figures 3 and 4). See Florida Land Use, Cover and Forms Classification System (Department of Transportation, Surveying & Mapping Geographic Mapping Section, 1999) for definitions.

The Florida Invasive Species Council's (FISC) list of invasive species contains Category 1 and Category II species that may be found on the Subject Property. Category 1 species are invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives (FISC). Category II species are invasive exotics that are increasing in abundance or frequency but have not yet altered Florida plant communities (FISC). A significant factor in mapping vegetative associations and local habitats is the invasion of these species such as Brazilian

pepper, earleaf acacia, melaleuca, and Caesarweed. Levels of exotic density were mapped by using field observations and photo interpretation as shown in Figure 3. Modifiers, or “E” designators, are appended to the FLUCCS codes to indicate the approximate density of exotics in the canopy and/or sub-canopy.

TABLE 2. ACREAGE PER FLUCCS COMMUNITY		
FLUCCS CODE	DESCRIPTION	ACREAGE
142	Open Storage	1.04
832	Electrical Transmission Lines	0.21
832H	Hydric Electrical Transmission Lines	1.27
	Site Total:	2.52

E1 = Exotics <25% of total cover
E2 = Exotics 26-50% of total cover
E3 = Exotics 51-75% of total cover
E4 = Exotics >75% of total cover

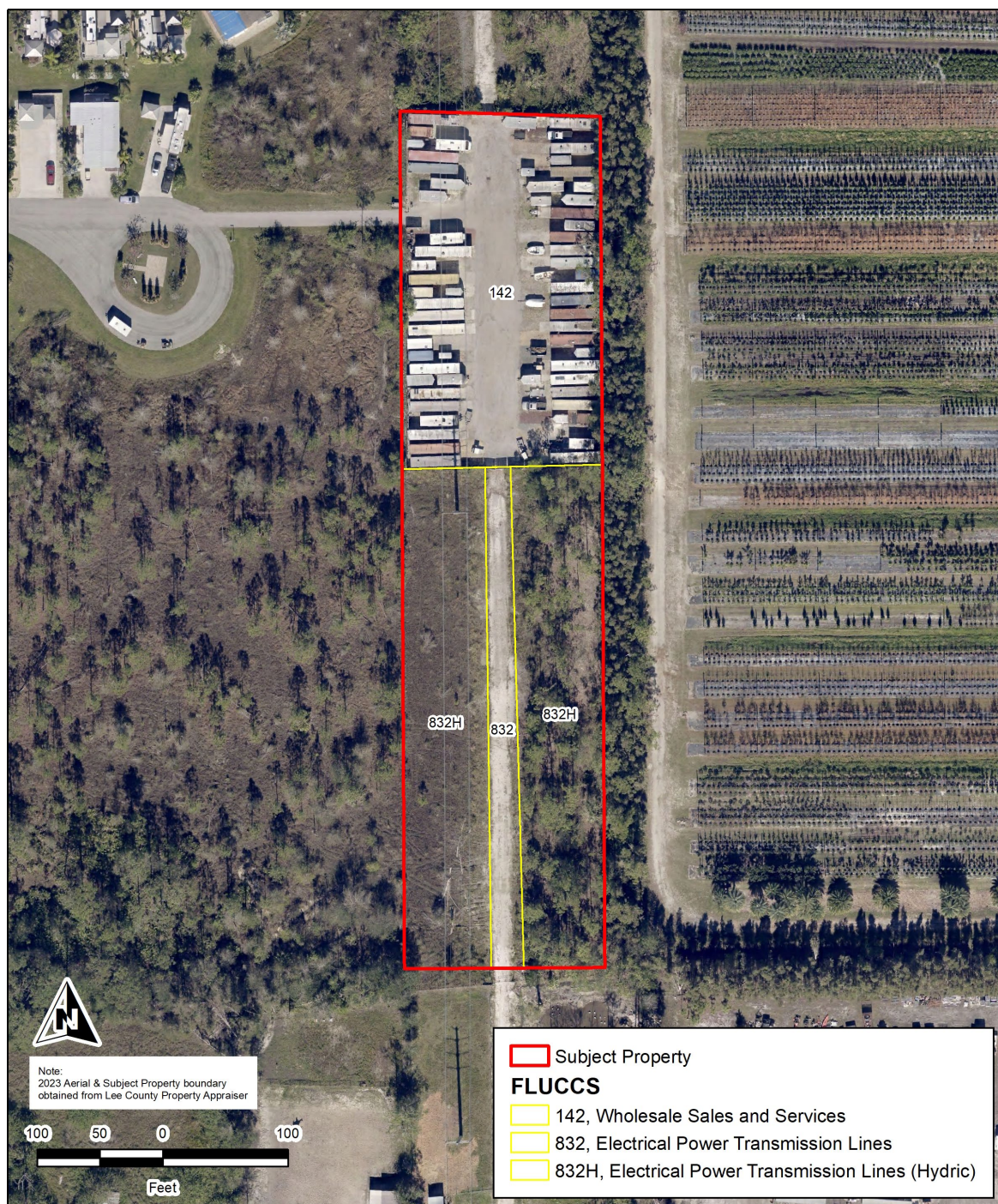


Figure 3. FLUCCS Mapping with Aerial

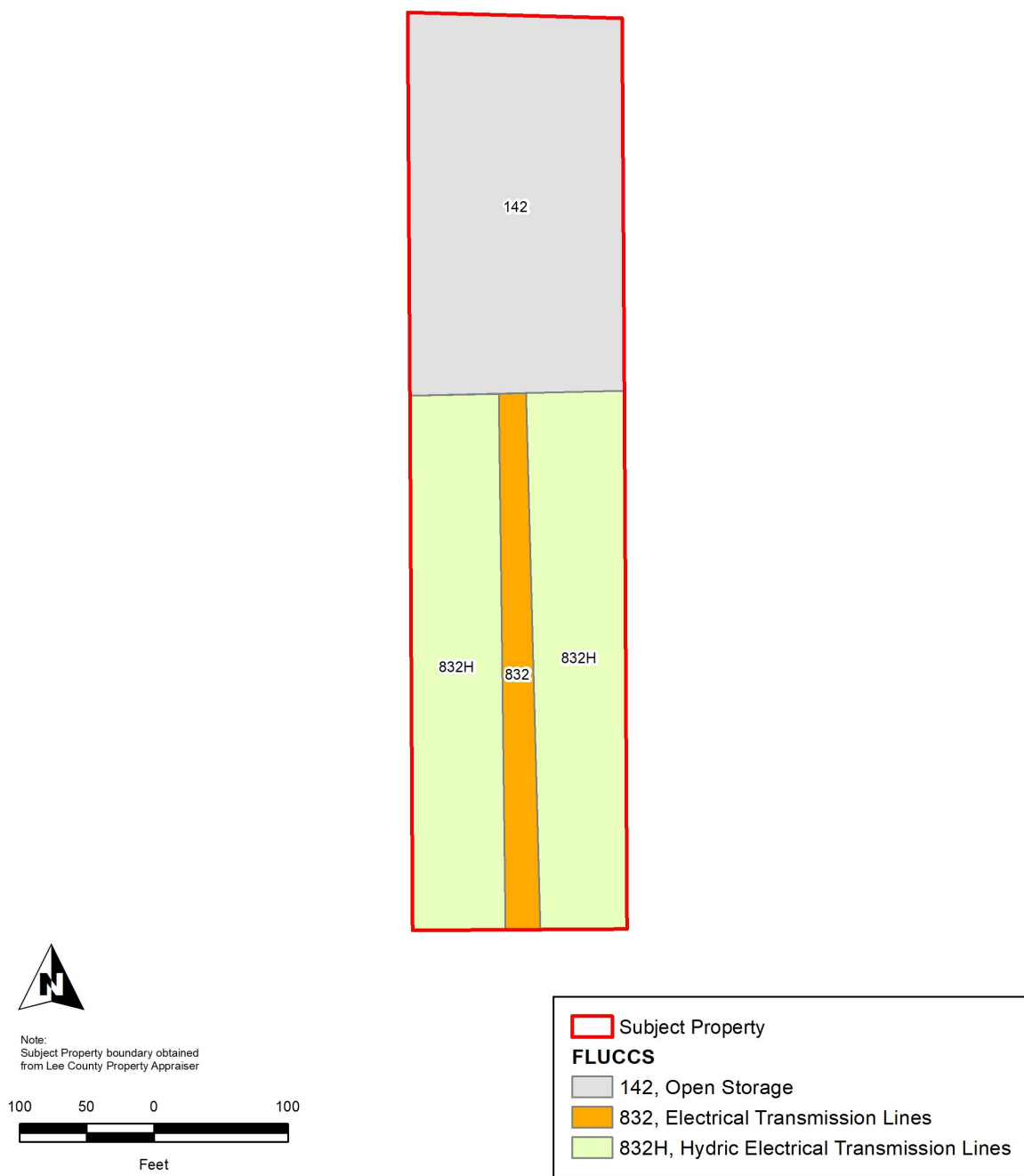


Figure 4. FLUCCS Mapping without Aerial

FLUCCS DESCRIPTIONS

* = exotic species

FLUCCS 142, Open Storage

This community comprises the north portion of the Subject Property and is the current open storage area for the Cypress Woods community. The area contains no existing vegetation.

FLUCCS 832, Electrical Transmission Lines

This community is comprised of the access road that runs down the center of the FPL easement. It is a limerock road with little or no vegetation.

FLUCCS 832H, Hydric Electrical Transmission Lines

This community comprises the remainder of the FPL easement, on either side of the central lime rock access road. The western side of the FPL easement has little or no canopy vegetation. Canopy vegetation on the east side the easement consists predominantly of *earleaf acacia (*Acacia auriculiformis*), *melaleuca, (*Melaleuca quinquenervia*), slash pine (*Pinus elliottii*), and cabbage palm (*Sabal palmetto*). Mid-story vegetation consists of occasional wax myrtle (*Myrica cerifera*), *earleaf acacia, *Brazilian pepper (*Schinus terebinthifolia*), and *melaleuca. Groundcover on both sides consists of various obligate sedge spp., various obligate grasses, broom sedge (*Andropogon virginicus*), dogfennel (*Eupatorium capillifolium*), and tickseed (*Coreopsis spp.*).

5.0 RESULTS

All relevant species observed on the Subject Property are detailed in Table 3 and any protected species observed are specifically noted. See Figure 5 below for transect and field results.

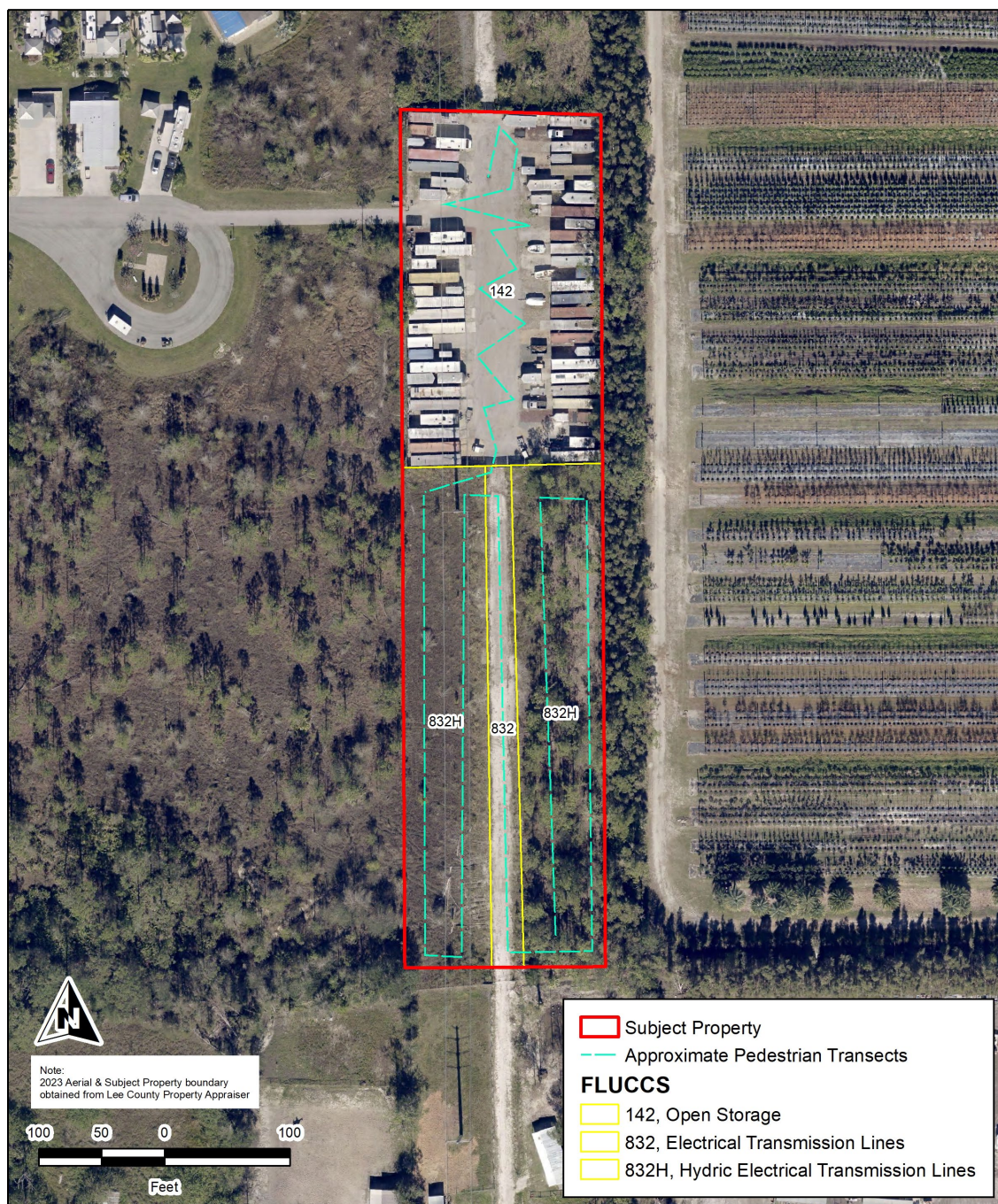


Figure 5. Transect Map & Field Results

TABLE 3. SPECIES OBSERVED ON THE SUBJECT PROPERTY				
COMMON NAME	SCIENTIFIC NAME	OBSERVATIONS	LISTED SPECIES?	STATUS
BIRDS				
Northern Mockingbird	<i>Mimus polyglottos</i>	DV	N	-
Great Egret	<i>Ardea alba</i>	DV	N	-
MAMMALS				
Raccoon	<i>Procyon lotor</i>	OT	N	-
REPTILES				
Black Racer	<i>Coluber constrictor priapus</i>	DV	N	-
Brown Anole	<i>Anolis sagrei</i>	DV	N	-
AMPHIBIANS				
NONE	-	-	-	-

* = protected species

Abbreviations

Observations:

C = Cavity

DB = Day Bed

DV = Direct Visual

HV = Heard Vocalization(s)

MT = Marked Tree

Observations:

N = Nest

OH = Observed Hole/Burrow

OT = Observed Tracks

R = Remains

S = Scat

Status:

CE = Commercially Exploited

FE = Federally Endangered

FT = Federally Threatened

SE = State Endangered

SSC = Species of Special Concern

ST = State Threatened

No listed species or signs of listed species (i.e. cavities, nests, burrows, etc.) utilizing the Subject Property were identified. The Subject Property does have community types in which additional protected species could be utilized for foraging purposes. During permitting, the following protected species concerns may be raised by the agencies:

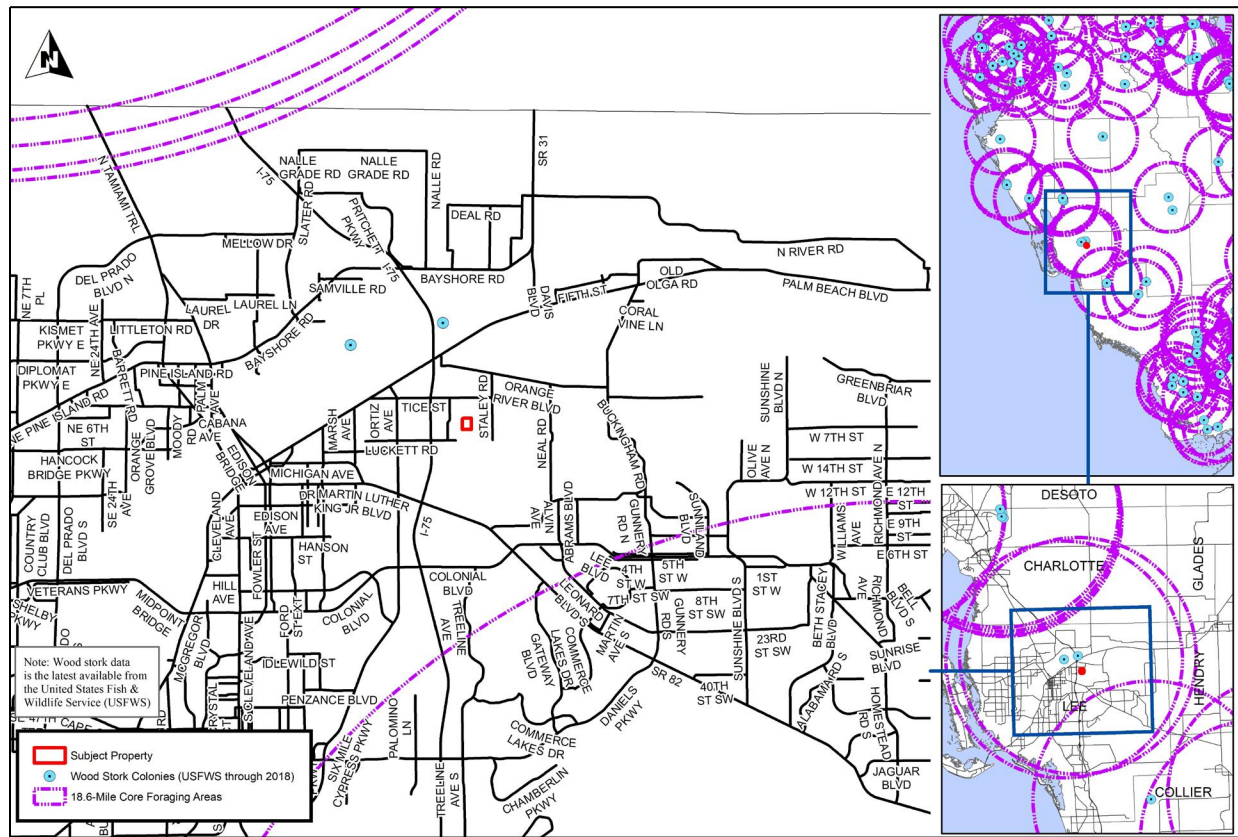


Figure 6. Wood Stork Foraging Information

Wood Stork (*Mycteria americana*)

The Subject Property falls within the core foraging area (estimated at 18.60 miles) of at least two (2) known wood stork colonies in Lee County (see Figure 6). Due to the lack of suitable nesting trees on the property and the proximity to the two known colonies, wood stork nesting is highly unlikely. The property consists of a relatively dense canopy with little to no standing water for extended periods of time for foraging purposes. Technical assistance from USFWS will likely not be required for wood stork.

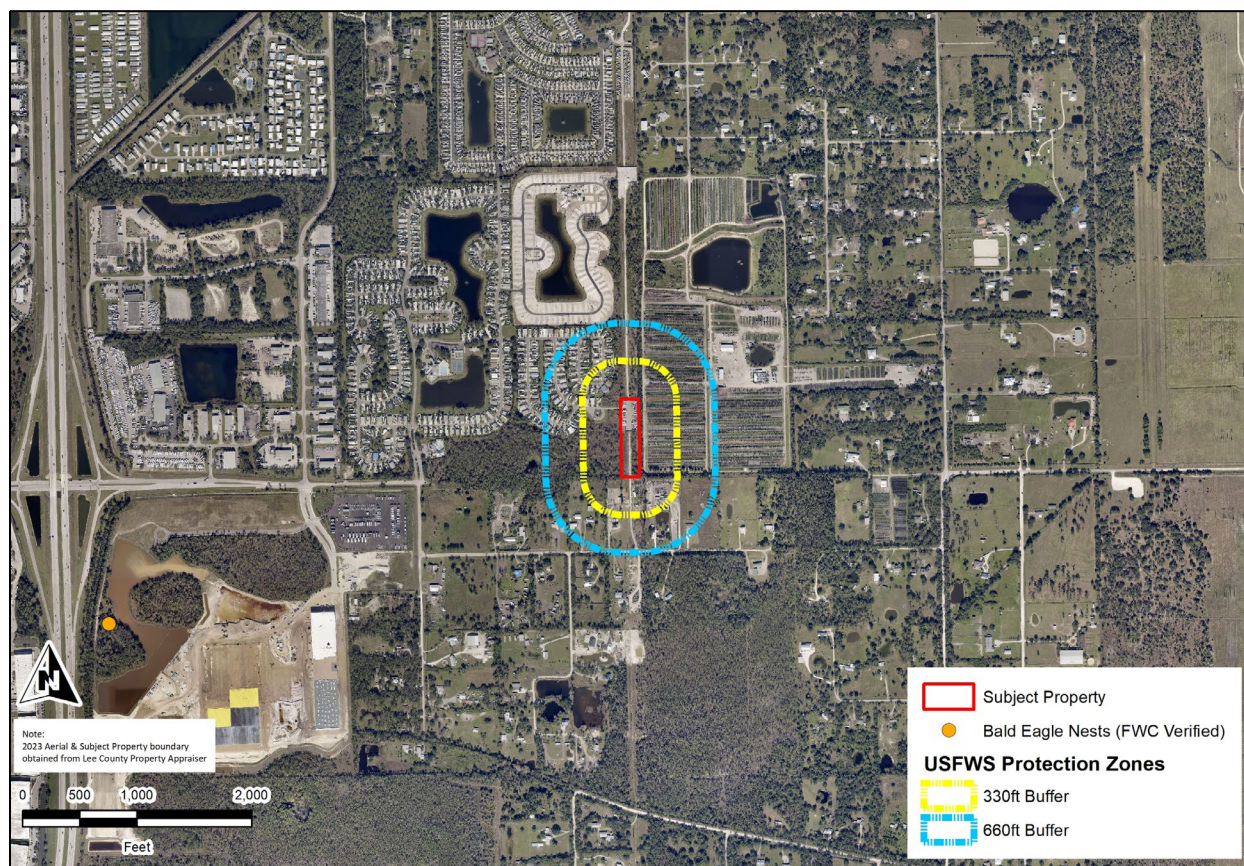


Figure 7. Bald Eagle Map

Bald Eagle (*Haliaeetus leucocephalus*)

The Subject Property does not fall within the 330-foot or 660-foot USFWS Protection Zones of any FWC-documented bald eagle nest (see Figure 7). Technical assistance from USDWS will likely not be necessary for bald eagle.

6.0 REFERENCES

Ashton, Ray E. and Patricia S. "The Natural History and Management for the Gopher Tortoise." Krieger Publishing Company. Malabar, Florida. 2008.

Lee County Property Appraiser. www.leepa.org

Cox, James; Inkley, Douglas; and Kautz, Randy. "Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated for Large-Scale Development in Florida." Nongame Wildlife Program Technical Report No. 4. December 1987.
http://www.fwspubs.org/doi/suppl/10.3996/062015-JFWM-055/suppl_file/062015-jfwm-055.s2.pdf?code=ufws-site

Endangered Species Survey Methodology (ESSM) as outlined by Southern Biomes, EIS and approved by Lee County in accordance with AC-13-10.

"Florida's Endangered and Threatened Species" - Official List. Florida Fish and Wildlife Conservation Commission. Updated December 2018.
<http://myfwc.com/media/1515251/threatened-endangered-species.pdf>
<http://myfwc.com/imperiledspecies/>

Florida Invasive Species Council. "2019 FISC List of Invasive Plant Species."
<http://www.floridainvasivespecies.org/plantlist.cfm>

Florida Land Use, Cover and Forms Classification (FLUCCS) Handbook. Florida Department of Transportation. January 1999.
<http://www.fdot.gov/geospatial/documentsandpubs/fluccmanual1999.pdf>
http://www.fdot.gov/geospatial/doc_pubs.shtm

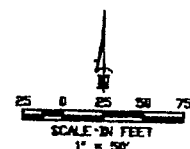
Weaver, Richard E. and Anderson, Patti J. "Notes on Florida's Endangered and Threatened Plants." Bureau of Entomology, Nematology and Plant Pathology – Botany Section. Contribution No. 38, 5th Edition. 2010.
<http://freshfromflorida.s3.amazonaws.com/fl-endangered-plants.pdf>
<http://www.freshfromflorida.com/Divisions-Offices/Plant-Industry/Bureaus-and-Services/Bureau-of-Entomology-Nematology-Plant-Pathology/Botany/Florida-s-Endangered-Plants>

THIS INSTRUMENT PREPARED BY
HARRIS-JORGENSEN, INC.
JOHN R. HARRIS, P.L.S. #4631
CERTIFICATE OF AUTHORIZATION NO. 6921
2706 S.E. SANTA INDIANA PLACE
CAPE CORAL, FLORIDA 33904
(239) 772-9939

CYPRESS WOODS RV RESORT UNIT FOUR-B

A SUBDIVISION LYING IN
SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

INSTRUMENT NUMBER 2006-000358211
SHEET 2 OF 2



LEGEND:

- PERMANENT REFERENCE MONUMENT (P.R.M.)
- 4" X 4" CONCRETE MONUMENT (C.M.)
- PERMANENT CONTROL POINT (P.C.P.)
- PK MAIL & DISK L.S. #6921
- CONCRETE MONUMENT (C.M.)
- SET 1/2" BRON. ROD CAP PLS #4631
- SET PK MAIL AND BRASS DISK PLS #4631
- POINT OF COMMENCEMENT
- RIGHT-OF-WAY
- FLORIDA POWER & LIGHT COMPANY EASEMENT
- DRAINAGE EASEMENT
- PUBLIC UTILITY EASEMENT
- ELECTRIC EASEMENT
- POINT OF BEGINNING
- NON-RADIAL
- CURVE NUMBER
- NORTH
- SOUTH
- EAST
- WEST
- SQUARE
- FEET
- CENTERLINE

SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON THE WEST LINE OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AS BEING N40°54'04"W.
2. ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET.
3. ALL LOT LINES ADJACENT TO CURVES ARE RADIAL UNLESS NOTED OTHERWISE.
4. A 10 FOOT PUBLIC UTILITY EASEMENT (P.U.E.) EXISTS ALONG STREET SIDE OF ALL LOTS AND TRACTS.
5. A 3 FOOT PUBLIC UTILITY EASEMENT (P.U.E.) EXISTS ALONG THE SIDES OF ALL LOTS.

TRACT IDENTIFICATION

- TRACT "A" = ROAD RIGHTS-OF-WAY, DRAINAGE, AND PUBLIC UTILITY EASEMENT
TRACT "B" = LANDSCAPE, BUFFER AND DRAINAGE TRACT
TRACT "C" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

LINE TABLE

Line	Bearing	Distance
L1	S00°54'04"E	40.46'
L2	N89°04'12"E	70.29'
L3	S00°55'48"E	120.00'
L4	N89°04'12"E	3.30'
L5	S89°04'12"W	5.29'
L6	S00°55'48"E	30.00'
L7	S89°04'12"W	27.73'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	30.00'	117°03'31"	58.21'	49.59'	N33°08'03"E
2	30.00'	13°04'02"	11.74'	11.74'	S13°04'02"W
3	30.00'	81°33'21"	42.89'	39.32'	S48°07'25"W
4	30.00'	80°37'05"	46.48'	41.91'	S46°37'24"E
5	30.00'	80°47'00"	48.97'	44.94'	S45°42'00"E
6	155.00'	N0°17'00"	294.82'	294.81'	N0°17'00"W
7	155.00'	84°23'54"	117.89'	117.89'	S13°23'59"E
8	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
9	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
10	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
11	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
12	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
13	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
14	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
15	30.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
16	155.00'	273°03'01"	385.73'	385.73'	S89°04'12"W
17	155.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
18	155.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
19	155.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
20	155.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
21	155.00'	89°33'05"	70.47'	70.46'	N44°03'28"E
22	65.00'	18°30'04"	21.89'	21.89'	N79°43'02"E
23	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
24	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
25	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
26	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
27	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
28	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
29	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
30	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
31	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
32	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
33	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
34	65.00'	31°24'09"	35.62'	35.62'	N54°43'02"E
35	155.00'	17°46'12"	28.16'	28.16'	S85°05'59"E
36	155.00'	17°46'12"	28.16'	28.16'	S85°05'59"E
37	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
38	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
39	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
40	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
41	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
42	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
43	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
44	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E
45	155.00'	33°34'31"	58.83'	58.83'	S59°21'38"E

POINT OF BEGINNING
FOUND 4" X 4" C.M. PLS #4631
AT THE N.W. CORNER OF
CYPRESS WOODS RV RESORT, UNIT ONE
PLAT BOOK 65, PAGES 85-89
N=4631, S=4631
E=764, L=1213
LAT=86-09-35.155
LON=-81-47-34.126

3.5' INDUSTRIAL CENTER
(PLAT BOOK 47, PAGE 91)

40' DRAINAGE EASEMENT

TRACT "B" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "C" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "D" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "E" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "F" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "G" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "H" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "I" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "P" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "Q" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "R" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "S" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "T" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "U" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "V" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "W" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "X" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "Y" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "Z" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "AA" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "AD" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "AX" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "AY" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "AZ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BA" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BB" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "BD" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BE" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BF" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BG" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BH" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BI" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BJ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "BV" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BW" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BX" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BY" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "BZ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CA" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CB" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CC" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CD" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CE" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CF" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "CH" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CI" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "CJ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "DK" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DL" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DM" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "DP" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DQ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DR" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DS" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DT" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DU" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DV" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "DY" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "DZ" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "EA" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

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TRACT "EC" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "ED" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "EE" = LANDSCAPE, BUFFER AND DRAINAGE TRACT

TRACT "EF" = LANDSCAPE, BUFFER AND DRAINAGE TRACT



OPINION OF TITLE

Klauber Goldman, P.A.

Project Name: Cypress Woods RVPD

Case Number: SCI2023-00030

Plat Number: Plat of Cypress Woods RV Resort Unit One, recorded in Plat Book 65, Page 85 through 89; Plat of Unit No. Three Cypress Woods RV Resort, recorded in Plat Book 72, Page 92 through 95; Plat of Cypress Woods R V Resort, Unit Four, recorded in Plat Book 79, Page 68 through 71 and Plat of Cypress Woods RV Resort Unit Four-B, recorded in Official Records Instrument Number 2006000358211 all being in the Public Records of Lee County, Florida.

Effective Date of Opinion of Title is August 28, 2024.

Certified To: Lee County Board of County Commissioners (the "Board")

I am an attorney licensed and eligible to practice law in the State of Florida and I have searched the Public Records of Lee County, Florida and have examined the Plat Property Information Report prepared by Chicago Title Insurance Company under order number 11896660 (the "Search") to the real property more particularly described in the property description attached as Exhibit "A." I have made a careful examination of the Public Records of Lee County, Florida, with respect to the real property described in attached Exhibit "A." This Opinion of Title is provided to satisfy the requirements of Florida Statutes Section 177.041 and Lee County Land Administrative Code AC-13-19. Based on the foregoing, I am of the opinion that:

Title to the property, as of the Effective Date of the Opinion of Title set forth above, is vested in Cypress Woods RV Resort Homeowners Association, Inc., a Florida non-profit corporation.

The following are all of those persons or entities holding a mortgage secured by the property:

- U.S. Small Business Administration, an agency of the government of the United States of America, recorded in the Official Records under instrument No. 2023000135312.

The following are all easements, rights of way and other exceptions affecting the property to be platted, whether recorded or unrecorded:

- Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Cypress Woods RV Resort Unit One, recorded in Plat Book 65, Page 85 through 89, of the Public Records of Lee County, Florida.
- Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Unit No. Three Cypress Woods RV Resort, recorded in Plat Book 72, Page 92

through 95, inclusive, of the Public Records of Lee County, Florida.

- Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Cypress Woods R V Resort, Unit Four, recorded in Plat Book 79, Page 68 through 71, of the Public Records of Lee County, Florida.
- Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Cypress Woods RV Resort Unit Four-B, recorded in Official Records Instrument Number 2006000358211, of the Public Records of Lee County, Florida.
- Right-of Way Agreement in favor of Florida Power & Light Company contained in instrument recorded April 25, 1956, Deed Book 255, Page 492, of the Public Records of Lee County, Florida.
- Resolution of the Board of County Commissioners of Lee County recorded in Official Records Book 1751, Page 1476.
- Resolution of the Board of County Commissioners of Lee County recorded in Official Records Book 1921, Page 4495, as affected by Notice of Vacated Master Concept Plan recorded in Official Records Book 2151, Page 656.
- Covent of Unified Control recorded in Official Records Book 2089, Page 375; Official Records Book 2107, Page 2167, and Official Records Book 2527, Page 3840, of the Public Records of Lee County, Florida.
- Terms, covenants, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration of Covenants, Conditions and Restrictions and Articles of Incorporation of Cypress Woods RV Resort, recorded December 30, 1999; in Official Records Book 3205, Page 893; amendments recorded in Official Records Book 3791, Page 4591; Official Records Book 4456, Page 2164; Official Records Book 4463, Page 2286; Official Records Book 4463, Page 2289; as affected by Assignment of Developers Rights recorded in Official Records Book 4693, Page 1202; Supplement Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 4693, Page 1207; Official Records Instrument Number 2006000012587, Amendment recorded in Official Records Instrument Number 2006000231889, Official Records Instrument Number 2006000358212, Official Records Instrument Number 2006000374671, Official Records Instrument Number 2006000381744, Official Records Instrument Number 2013000065004; and Extinguishment and Termination of Portion of First Supplement recorded in Official Records Instrument Number 2013000250738, Official Records Instrument Number 2015000083646, Official Records Instrument Number 2017000166620, Official Records Instrument Number 2018000033614, Official Records Instrument Number 2019000016679, Certificate of Amendment to Articles of Incorporation, Bylaws and Declaration of Covenants, Conditions and Restrictions recorded in instrument Number 2019000060572, and Amendment to Rules and Regulations for Cypress Woods RV Resort Homeowners Association, Inc. Official Records Instrument Number 2019000235214, and Assignment of Developer's Rights Official Records Instrument Number 2020000024855, Certificate of Amendment and Restatement of the Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions, and By-Laws of the Cypress Woods RV Resort Homeowners' Association, Inc. recorded in Official Records Instrument Number 2021000385926; Certificate of

Amendment recorded in Official Records Instrument Number 202400098998, and Certificate of Amendment recorded in Official Records Instrument Number 2024000099031, as may be subsequently amended.

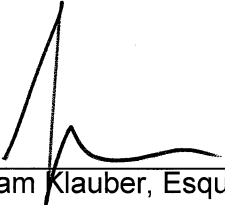
- Easement to Florida Power & Light Company, recorded in Official Records Book 3211, Page 2824, of the Public Records of Lee County, Florida.
- Deed of Conservation Easement to South Florida Water Management District recorded in Official Records Book 3793, Page 2637, of the Public Records of Lee County, Florida.
- Notice of Development Order Approval recorded in Official Records Book 4216, Page 3157 Public Records of Lee County, Florida.
- Easement granted to Florida Power & Light Company recorded in Official Records Book 4259, Page 972, Public Records of Lee County, Florida.
- Easement Agreement in favor of Kenora Land, LLC recorded in Official Records Book 4315, Page 3112 and subordination agreement recorded in Official Records Book 4325, page 4053, of the Public Records of Lee County, Florida.
- Agreement for Easements and Shared Use of Facilities recorded in Instrument Number 2007000290300, Public Records of Lee County, Florida.
- Easement to Comcast of California XIZ, LLC, recorded in Official Records Book 2007000311232, of the Public Records of Lee County, Florida.
- Amended and Restated Agreement for Cross Easements for Emergency Access recorded in Official Records Instrument Number 2012000112224 and Notice of Future Owners as recorded in Official Records Instrument Number 2012000193403, Public Records of Lee County, Florida.
- Easement Agreement as recorded in Official Records Instrument Number 2012000193405 and Official Records Instrument Number 2012000274643, Assignment and Assumption of Easement Agreement recorded in Official Records Instrument Number 2023000277708, Public Records of Lee County, Florida.
- Grant of Perpetual Public utility easement as recorded in Official Records Instrument Number 2014000022224, of the Public Records of Lee County, Florida.
- Notice of Development Order Approval recorded in Official Records Instrument Number 2021000030711, Public Records of Lee County, Florida.
- Drainage Easement and Maintenance Agreement recorded in Official Records Instrument Number 2023000135780, Public Records of Lee County, Florida.
- Lee County Ordinance No. 86-14 providing for mandatory solid waste collection and the imposition of special assessments for said collection services recorded November 30, 1990 in Official Records Book 2189, page 3281 and amended by Ordinances No. 86-38 recorded in Official Records Book 2189, Page 3334, Ordinance 08-10, Ordinance 11-03 and Ordinance 11-27. The special assessments for the current tax year are payable with

the ad valorem taxes.

I have made legal and factual determinations as I have deemed pertinent or necessary for the purpose of rendering this opinion letter. I have assumed the genuineness of all signatures and the conformity to all original instruments of all copies of documents, records and other instruments furnished to me as part of the Search.

The opinions expressed in this document are qualified by the following: (1) my opinions are limited to the laws of the State of Florida as they exist on the date of this opinion, and I express no opinion as to the laws of any other jurisdiction; (2) I have assumed that any documents executed in the presence of anyone other than me have been properly executed and notarized where required; and (3) I disclaim any responsibility for advising the Board of any changes in the law.

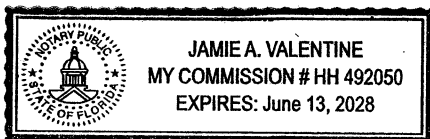
The opinions expressed in this document are given solely for the benefit of the Board in connection with the granting of the approval of a zoning amendment and related modifications to the applicable development regulations and may not be relied upon, in whole or in part, by the Board for any other purpose or relied upon by any other person, firm or corporation for any purpose, without my express prior written consent.

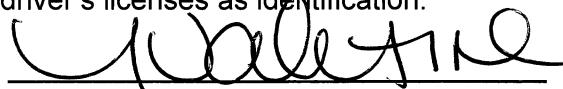

Adam Klauber, Esquire

State of Florida
County of Broward

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9 day of September, 2024 by Adam Klauber who ☒ is personally known or ☐ have produced a _____ driver's licenses as identification.

[Seal]





Notary Public

Print Name: Jamie Valentine

My Commission Expires: June 13, 2028

Exhibit "A"

Property Description

Tracts A through J, Cypress Woods RV Resort Unit One, a subdivision, located in Section 11, Township 44 South, Range 25 East, according to the Plat thereof on file and recorded in Plat Book 65, Pages 85 through 89, of the Public Records of Lee County, Florida.

AND

Tracts A through J, Cypress Woods RV Resort Unit Three, a subdivision, located in Section 11, Township 44 South, Range 25 East, according to the Plat thereof on file and recorded in Plat Book 72, Pages 92 through 95, of the Public Records of Lee County, Florida.

AND

Tracts A through J, Cypress Woods RV Resort Unit Four, a subdivision, located in Section 11, Township 44 South, Range 25 East, according to the Plat thereof on file and recorded in Plat Book 79, Pages 69 through 71, of the Public Records of Lee County, Florida.

AND

Tracts A through C, Cypress Woods RV Resort Unit Four-B, a subdivision, located in Section 11, Township 44 South, Range 25 East, according to the Plat thereof on file and recorded in Official Records Instrument Number 2006000358211, of the Public Records of Lee County, Florida.