



CPA 2024-00006

1520 Royal Palm Square Blvd, Suite 100

Fort Myers, FL 33919

Phone: 239-433-4231

www.tdmcivilengineering.com

Certificate of Authorization # 29086

May 12, 2025

Mr. Joseph Sarracino, Planner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901



Reference: CPA2024-00006 Horizon Tamiami (2nd Re-Submittal)

Dear Mr. Sarracino,

We are in receipt of your review letter dated January 31, 2025 for the above-referenced project. The following items are submitted for your continued review per this request for additional information:

1. One (1) copy of the revised Certified Sketch and Legal Description of the ± 20.16 acres of uplands to be added to Lee Plan Map 1-C – Exhibit M7 Sketch and Legal (1) and (2);
2. One (1) copy of the FLUCCS Map – Exhibit M13; and
3. One (1) copy of the SFWMD Permit No. 36-108765-P Formal Determination of Wetlands and Surface Waters.

Responses to each individual item/comment are as follows:

Legal Review Comments:

1. Provide a legal description and sketch to accompany legal description in accordance with the requirements of Lee County LDC §34-202(a)(5). The sketch of the description must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. No state plane coordinates are included on the legal description sketch.

Response: Please see the revised Sketch and Legal Description of the ± 20.16 -acre parcel to be added to Lee Plan Map 1-C, with the correction as requested. Please note the Sketch and Legal Description of the ± 20.16 acres of "Uplands" is provided in two (2) separate documents and identified as Exhibit M7 Sketch and Legal (1) and (2).

Environmental Comments:

2. Provide 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). The FLUCCS map provided does not address this comment.

Response: Please see the attached FLUCFCS Map as requested.

3. Provide a copy of the formal wetland determination issued by South Florida Water Management District referenced in the application.

Response: Please see the attached SFWMD Permit No. 36-108765-P Formal Determination of Wetlands and Surface Waters, including all Exhibits.

Public hearings will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn. Feel free to contact planning staff at (239) 533-8984 or JSarracino@leegov.com with any questions.

This should allow for continued review and a finding of sufficiency of the Comprehensive Plan Amendment request. Your time and attention to this matter is appreciated. Should County staff require additional information or have any questions regarding this submittal, feel free to call this office.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner

SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION

(UPLAND 1)

A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 2, THENCE NORTH 89°24'36" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 56.34 FEET; THENCE SOUTH 00°32'31" EAST, A DISTANCE OF 25.23 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4600 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°36'32" EAST, ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 68.57 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE POINT OF BEGINNING;

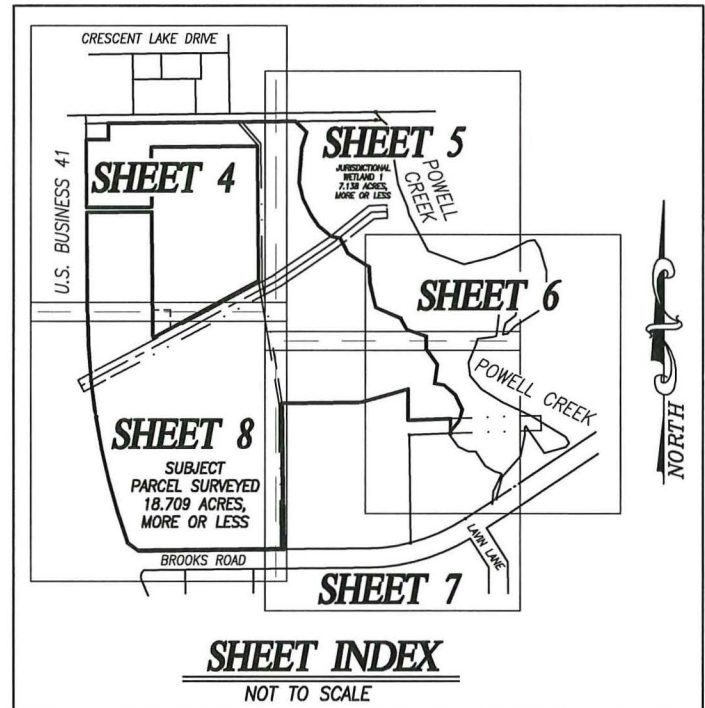
THENCE NORTH 89°22'36" EAST, A DISTANCE OF 535.52 FEET; THENCE NORTH 89°25'19" EAST, A DISTANCE OF 52.82 FEET TO THE JURISDICTIONAL WETLAND LINE; THENCE ALONG SAID WETLAND LINE THE FOLLOWING TWENTY-SIX (26) COURSES AND DISTANCES:

1. THENCE SOUTH 00°35'25" EAST, A DISTANCE OF 7.56 FEET;
2. THENCE SOUTH 46°42'18" EAST, A DISTANCE OF 36.17 FEET;
3. THENCE SOUTH 17°55'57" WEST, A DISTANCE OF 51.07 FEET;
4. THENCE SOUTH 03°47'01" WEST, A DISTANCE OF 64.98 FEET;
5. THENCE SOUTH 04°19'23" WEST, A DISTANCE OF 40.86 FEET;
6. THENCE SOUTH 13°40'41" EAST, A DISTANCE OF 55.29 FEET;
7. THENCE SOUTH 26°37'14" EAST, A DISTANCE OF 54.08 FEET;
8. THENCE SOUTH 35°07'44" EAST, A DISTANCE OF 42.36 FEET;
9. THENCE SOUTH 50°06'37" EAST, A DISTANCE OF 51.63 FEET;
10. THENCE SOUTH 77°39'45" EAST, A DISTANCE OF 27.87 FEET;
11. THENCE SOUTH 27°27'16" EAST, A DISTANCE OF 52.70 FEET;
12. THENCE SOUTH 57°28'33" EAST, A DISTANCE OF 38.79 FEET;
13. THENCE SOUTH 58°49'31" EAST, A DISTANCE OF 39.42 FEET;
14. THENCE SOUTH 02°59'05" EAST, A DISTANCE OF 52.66 FEET;
15. THENCE SOUTH 12°53'33" EAST, A DISTANCE OF 75.44 FEET;
16. THENCE SOUTH 66°47'05" EAST, A DISTANCE OF 84.51 FEET;
17. THENCE SOUTH 29°01'06" EAST, A DISTANCE OF 40.01 FEET;
18. THENCE SOUTH 71°12'26" EAST, A DISTANCE OF 63.76 FEET;
19. THENCE SOUTH 01°41'48" WEST, A DISTANCE OF 38.09 FEET;
20. THENCE SOUTH 36°08'40" EAST, A DISTANCE OF 60.87 FEET;
21. THENCE SOUTH 07°45'32" WEST, A DISTANCE OF 59.32 FEET;
22. THENCE SOUTH 79°23'10" EAST, A DISTANCE OF 30.47 FEET;
23. THENCE SOUTH 48°25'34" EAST, A DISTANCE OF 46.50 FEET;
24. THENCE SOUTH 25°46'41" EAST, A DISTANCE OF 49.36 FEET;
25. THENCE SOUTH 16°02'04" WEST, A DISTANCE OF 36.87 FEET;
26. THENCE SOUTH 39°52'04" WEST, A DISTANCE OF 39.61 FEET TO THE END OF SAID JURISDICTIONAL WETLAND LINE AND TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156; THENCE ALONG SAID LANDS THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. THENCE NORTH 01°34'33" WEST, A DISTANCE OF 36.63 FEET;
2. THENCE SOUTH 87°58'01" WEST, A DISTANCE OF 133.00 FEET;
3. THENCE NORTH 00°09'22" EAST, A DISTANCE OF 96.64 FEET;
4. THENCE SOUTH 74°22'09" WEST, A DISTANCE OF 153.92 FEET;
5. THENCE SOUTH 89°22'09" WEST, A DISTANCE OF 243.88 FEET;
6. THENCE SOUTH 00°37'10" EAST, A DISTANCE OF 452.77 FEET TO THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD; THENCE SOUTH 89°22'16" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 450.69 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739) PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516; THENCE NORTH 52°53'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 42.80 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 10°17'22", THE CHORD FOR WHICH BEARS NORTH 13°55'16" WEST, A CHORD DISTANCE OF 401.16 FEET, AN ARC DISTANCE OF 401.70 FEET TO THE END OF SAID CURVE; THENCE NORTH 79°29'59" EAST, A DISTANCE OF 0.41 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE EAST; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2818.79 FEET, A CENTRAL ANGLE OF 00°16'20", THE CHORD FOR WHICH BEARS NORTH 10°21'51" WEST, A CHORD DISTANCE OF 13.39 FEET, AN ARC DISTANCE OF 13.39 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 07°53'18", THE CHORD FOR WHICH BEARS NORTH 04°29'10" WEST, A CHORD DISTANCE OF 307.72 FEET, AN ARC DISTANCE OF 307.97 FEET TO THE END OF SAID CURVE; THENCE NORTH 00°32'31" WEST, A DISTANCE OF 313.44 FEET TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3157; THENCE ALONG SAID LANDS THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

1. THENCE NORTH 89°27'58" EAST, A DISTANCE OF 200.04 FEET;
2. THENCE SOUTH 00°31'08" EAST, A DISTANCE OF 389.41 FEET;
3. THENCE NORTH 61°51'55" EAST, A DISTANCE OF 373.64 FEET;
4. THENCE NORTH 00°34'05" WEST, A DISTANCE OF 417.56 FEET;
5. THENCE SOUTH 89°23'24" WEST, A DISTANCE OF 330.86 FEET;
6. THENCE SOUTH 00°31'47" EAST, A DISTANCE OF 185.78 FEET;
7. THENCE SOUTH 89°29'57" WEST, A DISTANCE OF 199.93 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739) PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516; THENCE NORTH 00°32'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 210.81 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4600 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°28'57" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 68.66 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°40'19" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 49.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.709 ACRES, MORE OR LESS.



THIS MAP PREPARED BY:
CERTIFICATE OF AUTHORIZATION NO. LB 6086
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, PSM
Professional Surveyor & Mapper, P.S., License No. 6074

COMPUTER FILED:
230750A.01a1
SURVEY DATE:
02/28/2024
SIGNATURE DATE:
05-09-2025

CHW
Professional Consultants

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www.chw-inc.com
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FLORIDA
CA-9078

DRAWN BY:
FA
CHECKED BY:
JD
FIELD BOOK:
101/58

CERTIFIED TO:
HORIZON TAMAMI LLC

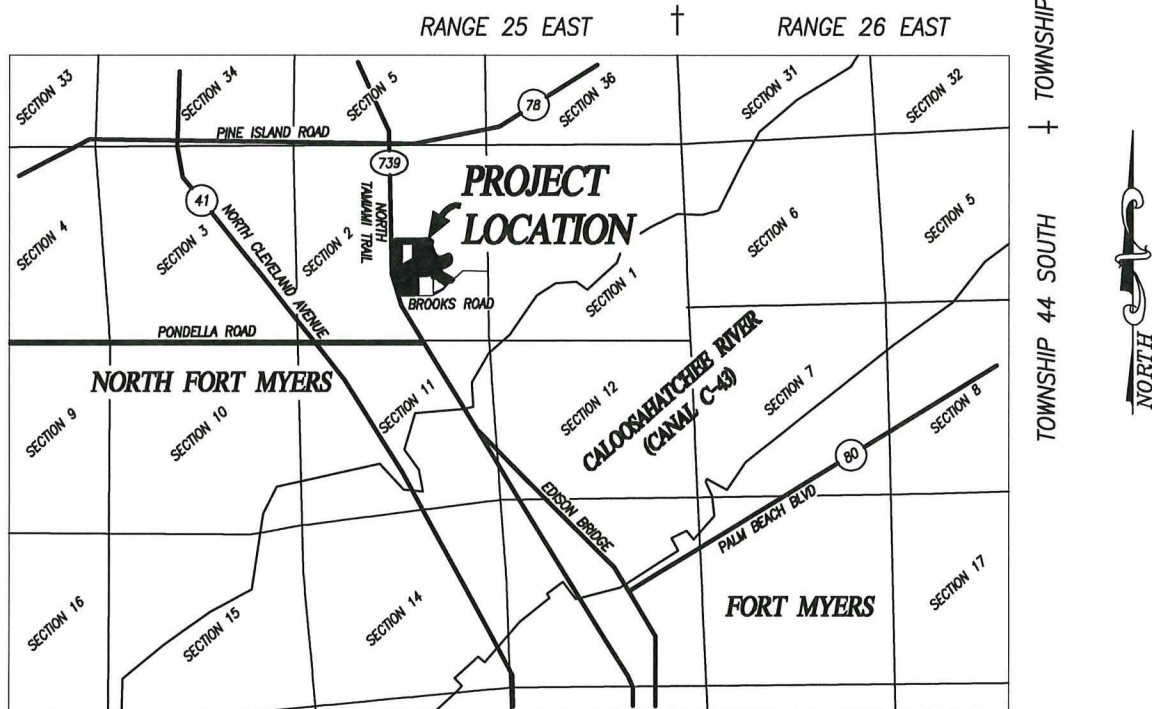


JOB NO:
22-0514
SHEET NO:
1 OF 8

SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD HAVING A BEARING OF SOUTH 89°22'16" WEST, WHICH IS STATE PLANE. COORDINATES ARE GRID, BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD 83/2011), FLORIDA WEST ZONE.
2. THE STREET ADDRESS ARE:
 1450 NORTH TAMiami TRAIL
 NORTH FORT MYERS, FLORIDA 33903
 1456 NORTH TAMiami TRAIL
 NORTH FORT MYERS, FLORIDA 33903
 1460 NORTH TAMiami TRAIL
 NORTH FORT MYERS, FLORIDA 33903
 1470 NORTH TAMiami TRAIL
 NORTH FORT MYERS, FLORIDA 33903
3. SUBJECT PARCEL CONTAINS 18.709 ACRES, MORE OR LESS.
4. JURISDICTIONAL WETLAND LINES SHOWN HEREON ARE BASED UPON FIELD LOCATED FLAGS. WETLAND DELINEATION AND WETLAND FLAGGING WAS PERFORMED UNDER THE RESPONSIBLE CHARGE OF ANDY WOODRUFF OF CHW CONSULTANTS, INC. IN FEBRUARY OF 2023.



VICINITY SKETCH
(NOT TO SCALE)

THIS IS NOT A SURVEY



THIS MAP PREPARED BY: CERTIFICATE OF AUTHORIZATION NO. LB 6086 NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	JAMES M. CONDON, PSM <i>James M. Condon</i> Professional Surveyor & Mapper Fla. License No. 6074	COMPUTER FILE: 230705.01u1 DRAWING SCALE: NOT TO SCALE REVISION BY: REVISION DATE: 05/09/2025	CHW Professional Consultants 12631 Westridge Drive, Units 5-6 Fort Myers FL 33913 2391 152-4065 www.chw-inc.com FLORIDA CA-1075	DRAWN BY: FA CHECKED BY: JC FIELD BOOK: 101/58	CERTIFIED TO: HORIZON TAMiami LLC	JOB NO.: 22-0514 SHEET NO.: 2 OF 8
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SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N79°29'59"E	0.41'
L2	N52°53'31"W	42.80'
L3	S50°30'43"E	74.18'
L4	S17°12'49"W	43.92'
L5	S83°01'33"W	5.28'
L6	N68°54'15"W	70.99'
L7	S02°36'37"W	5.05'
L8	S64°21'30"E	66.16'
L9	S26°09'19"E	4.88'
L10	S08°28'45"E	97.16'
L11	S23°21'37"E	77.36'
L12	S10°55'19"E	21.72'
L13	S27°49'37"E	128.74'
L14	S69°29'01"E	119.40'
L15	N75°39'25"E	97.39'
L16	N66°20'45"E	63.33'
L17	N63°07'19"E	51.18'
L18	N81°17'57"E	21.20'
L19	S35°18'31"E	30.24'
L20	S16°25'35"E	74.25'
L21	S00°03'56"E	32.37'
L22	S02°53'18"W	52.91'
L23	S30°17'17"W	44.99'
L24	S57°22'34"W	85.21'
L25	S45°32'21"W	34.93'
L26	S82°24'42"W	14.68'
L27	N08°35'50"E	12.96'
L28	N16°40'59"E	21.62'
L29	N52°14'55"E	39.65'
L30	N09°43'18"E	63.43'
L31	S75°56'44"W	59.86'
L32	S06°30'49"W	43.32'
L33	S06°06'13"W	65.62'
L34	S17°40'46"W	2.88'
L35	S71°00'00"W	8.69'
L36	S82°52'55"W	49.76'
L37	S16°52'50"W	23.68'
L38	S22°48'22"W	55.10'
L39	S06°07'45"E	40.65'
L40	S40°34'45"E	54.92'
L41	S58°01'48"E	75.62'
L42	S64°58'48"E	101.03'
L43	S58°41'06"E	124.44'
L44	S28°36'41"E	21.51'
L45	S38°20'18"W	16.11'
L46	S74°01'51"W	69.00'
L47	N34°56'58"W	100.61'
L48	S41°51'17"W	6.13'
L49	S01°43'42"E	22.21'
L50	S11°50'36"W	68.18'
L51	S41°50'50"W	85.65'
L52	S15°04'22"W	69.44'

LINE TABLE		
LINE	BEARING	DISTANCE
L53	N03°48'11"E	9.36'
L54	N03°48'11"E	12.58'
L55	N04°10'37"E	17.37'
L56	N25°15'50"E	35.18'
L57	N25°19'14"E	26.07'
L58	N74°58'53"W	23.34'
L59	N58°21'04"W	32.84'
L60	N34°05'09"W	54.42'
L61	N89°22'29"W	22.26'
L62	N65°31'15"W	35.16'
L63	N36°47'49"W	51.28'
L64	N39°52'04"E	12.08'
L65	S39°52'04"W	39.61'
L66	S16°02'04"W	36.87'
L67	S25°46'41"E	49.36'
L68	S48°25'34"E	46.50'
L69	S79°23'10"E	30.47'
L70	S07°45'32"W	59.32'
L71	S36°08'40"E	60.87'
L72	S01°41'48"W	38.09'
L73	S71°12'26"E	63.76'
L74	S29°01'06"E	40.01'
L75	S66°47'05"E	84.51'
L76	S12°53'33"E	75.44'
L77	S02°59'05"E	52.66'
L78	S58°49'31"E	39.42'
L79	S57°28'33"E	38.79'
L80	S27°27'16"E	52.70'
L81	S77°39'45"E	27.87'
L82	S50°06'37"E	51.63'
L83	S35°07'44"E	42.36'
L84	S26°37'14"E	54.08'
L85	S13°40'41"E	55.29'
L86	S04°19'23"W	40.86'
L87	S03°47'01"W	64.98'
L88	S17°55'57"W	51.07'
L89	S46°42'18"E	36.17'
L90	S87°30'33"W	73.47'
L91	S53°40'02"W	70.18'
L92	S55°39'00"W	43.65'
L93	N74°40'52"W	19.96'
L94	N41°43'42"E	36.75'
L95	N24°43'45"E	33.38'
L96	S81°15'58"W	30.32'
L97	N08°43'01"W	25.08'
L98	N54°21'34"E	27.21'
L99	N75°30'29"E	38.96'
L100	S22°29'08"E	28.45'
L101	N73°34'16"W	30.16'
L102	S15°56'47"W	29.16'
L103	N01°34'33"W	46.11'
L104	S00°32'31"E	15.15'

LEGEND

(D) = LEGAL DESCRIPTION DATA

CURVE TABLE				
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	18°48'41"	570.00'	187.14'	S66°27'23"W
C2	13°33'22"	570.00'	134.86'	S82°38'25"W
C3	10°17'22"	2236.83'	401.70'	N13°55'16"W
C4	0°16'20"	2818.79'	13.39'	N10°21'51"W
C5	7°53'19"	2236.83'	307.97'	N04°29'10"W

THIS IS NOT A SURVEY



THIS MAP PREPARED BY:
JAMES M. CONDON, PSM
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

Professional Surveyor & Mapper Fla. License No. 6074

COMPUTER FILE:
230756.01.d1
DRAWING SCALE:
NOT TO SCALE
REVISION DATE:
05/09/2025

CHW
Professional Consultants

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941-353-4085
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FLORIDA
CA-6078

DRAWN BY:
FA
CHECKED BY:
JC
FIELD BOOK:
197/58

CERTIFIED TO:
HORIZON TAMAMI LLC

JOB NO.:
22-0514
SHEET NO.:
3 OF 8

SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA



CRESCENT LAKE DRIVE 50' RIGHT-OF-WAY (D)

POINT OF COMMENCEMENT
FOUND P/K NAIL
AND DISK "LB3542" AT THE
NORTHWEST CORNER OF
THE SOUTHEAST 1/4

LANDS NOW OR FORMERLY OWNED BY:
SHARON HOWARD
INSTRUMENT NO. 2010000274836
STRAP NO. 02-44-24-00-00003.0000

LANDS NOW OR FORMERLY OWNED BY:
KATHLEEN DOLL, TRUSTEE
INSTRUMENT NO. 2011000265343
STRAP NO. 02-44-24-00-00002.003B

LANDS NOW OR FORMERLY OWNED BY:
KATHLEEN DOLL, TRUSTEE
INSTRUMENT NO. 2011000265343
STRAP NO. 02-44-24-00-00002.003C

PAGE 4 OF 8
PAGE 5 OF 8

POINT OF BEGINNING
N 89°24'36"E 56.34'(C)

25.23'(C)
S00°32'31"E

LANDS NOW OR FORMERLY OWNED BY:
FIFTEEN TWENTY LLC
OFFICIAL RECORDS BOOK 4322, PAGE 4600
STRAP NO. 02-44-24-03-00008.0220

68.57'
N89°36'32"E
49.95'
S00°32'31"E
49.80'
N00°40'19"W

68.66'
N89°28'57"E

N00°32'31"W 210.81'

N00°32'31"W 313.44'

S89°29'57"W 199.93'
(NOT INCLUDED)

N89°27'58"E 200.04'

UPLAND 1
CONTAINS 18.709 ACRES,
MORE OR LESS

EXISTING RIGHT OF WAY PER
FDOT SECTION 12001-2616

25' RIGHT OF WAY (P)
PLAT BOOK 1, PAGE 19
NOT OPEN / UNIMPROVED

N89°22'36"E 535.52'

4TH STREET

N89°
S00°34'
7.5'
CLOSING

UPLAND 1
CONTAINS 18.709 ACRES,
MORE OR LESS

S89°23'24"W 330.86'

10' UTILITY EASEMENT
PER GRANT OF EASEMENT
INSTRUMENT NUMBER
2006000379719

N00°34'05"W 417.56'

LANDS NOW OR FORMERLY OWNED BY:
STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION
OFFICIAL RECORDS BOOK 2339, PAGE 3157
STRAP NO. 02-44-24-03-00008.0020
"FDOT WATER STORAGE AREA"
(NOT INCLUDED)

SUBJECT PARCEL CONTAINS
18.709 ACRES,
MORE OR LESS
PAGE 4 OF 8
PAGE 5 OF 8

SURVEYOR'S NOTES

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

THIS IS NOT A SURVEY

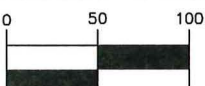
N61°51'55"E 373.64'

54.00' (D)
56.27' (D)

MEMORANDUM OF
LEASE TO
ROWSTAR, LLC

PAGE 4 OF 8
PAGE 8 OF 8

GRAPHIC SCALE



(IN FEET)

1 INCH = 100 FEET

U.S. BUSINESS 41
STATE ROAD 739
RIGHT OF WAY VARIES
PER FDOT SECTION
12001-2616

PAGE 4 OF 8
PAGE 8 OF 8

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

COMPUTER FILE:
230758.01u1

DRAWING SCALE:
1" = 100'

SURVEY DATE:
02/08/2024

REVISION DATE:
05/08/2025



12631 Woodland Drive, Suite 516
Fort Myers, FL 33913
239.333-4085
www.chw.com

FLORIDA
CA-5078

DRAWN BY:
FA

CHECKED BY:
JC

FIELD BOOK:
101/58

CERTIFIED TO:
HORIZON TAMAMI LLC

JOB NO:
22-0514

SHEET NO:
4 OF 8

SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

NE 1/4 OF
SECTION 2

LANDS NOW OR FORMERLY OWNED BY:
PHYLLIS LEMBO, ET AL.
INSTRUMENT NO. 2018000000928
STRAP NO. 02-44-24-00-00002.0000

FOUND 3"x3" CONCRETE MONUMENT
"ALD PLS 2465" AT EAST
1/4 CORNER OF SECTION 2

N89°24'36"E 2661.98'

NORTH LINE OF THE
SOUTHEAST 1/4 OF SECTION 2

N89°25'19"E
52.82'

N89°25'19"E 262.10'

N00°10'18"W
25.35'

S00°35'25"E
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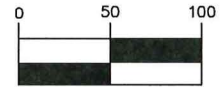
SE 1/4 OF
SECTION 2

JURISDICTIONAL
WETLAND 1
7.138 ACRES,
MORE OR LESS

MEAN HIGH-WATER LINE
ELEVATION = 0.09' (NAVD 1988)
AS LOCATED ON FEBRUARY 13, 2023

POMELL
CREEK

GRAPHIC SCALE



(IN FEET)

1 INCH = 100 FEET

MEAN HIGH-WATER LINE
ELEVATION = 0.09' (NAVD 1988)
AS LOCATED ON FEBRUARY 13, 2023

UPLAND 1
CONTAINS 18.709 ACRES,
MORE OR LESS



SURVEYOR'S NOTES

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

THIS IS NOT A SURVEY

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

CERTIFICATE OF AUTHORIZATION NO. LB 8886
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

Professional Surveyor & Mapper, P.S.M.
License No. 6074

COMPUTER FILED:
230705.01d1
SURVEY DATE:
02/28/2024
SIGNATURE DATE:
05/09/2025

DRAWING SCALE:
1" = 100'
REVISION BY:
REVISION DATE:

CHI
Professional Consultants

12031 Westlake Drive, Suite 5-5
Fort Myers, FL 33913
(239) 352-0055
www.chi-consultants.com
REG. 1000 FLORIDA
CA-5075

DRAWN BY:
FA
CHECKED BY:
JC
FIELD BOOK:
197/58

CERTIFIED TO:
HORIZON TAMAMI LLC

230 HOU
22-0514
SHEET NO.
5 OF 8

SUBJECT PARCEL CONTAINS
18.709 ACRES,
MORE OR LESS

PAGE 4 OF 8
PAGE 5 OF 8

PAGE 5 OF 8
PAGE 7 OF 8

PAGE 5 OF 8
PAGE 6 OF 8

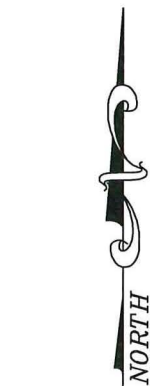
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22-0514
6 OF 8

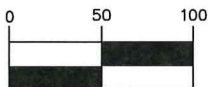
SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

PAGE 5 OF 8
PAGE 7 OF 8

UPLAND 1
CONTAINS 18.709 ACRES,
MORE OR LESS



GRAPHIC SCALE



(IN FEET)

1 INCH = 100 FEET

LANDS NOW OR FORMERLY OWNED BY:
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
OFFICIAL RECORDS BOOK 2339, PAGE 3156
STRAP NO. 02-44-24-03-00008.0030
"FDOT WATER STORAGE AREA"
(NOT INCLUDED)

UPLAND 2
(NOT INCLUDED)

MEAN HIGH-WATER LINE
ELEVATION = 0.09' (NAVD 1988)
AS LOCATED ON
FEBRUARY 13, 2023

POWELL CREEK

JURISDICTIONAL
WETLAND 1
7.138 ACRES,
MORE OR LESS

NO FLAG FOUND ON PROPERTY LINE

WETLAND FLAG 1-1
ELEV. = 1.3'

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PAGE 4 OF 8
PAGE 8 OF 8

U.S. BUSINESS 41

STATE ROAD 739
RIGHT OF WAY VARIES
PER FDOT SECTION
12001-2516

PAGE 4 OF 8
PAGE 8 OF 8

10' UTILITY EASEMENT
PER GRANT OF EASEMENT
INSTRUMENT NUMBER
2006000379719

PAGE 8 OF 8
PAGE 7 OF 8

UPLAND 1
CONTAINS 18.709 ACRES,
MORE OR LESS

SURVEYOR'S NOTES

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

THIS IS NOT A SURVEY

10' UTILITY EASEMENT
PER GRANT OF EASEMENT
INSTRUMENT NUMBER
2006000379719

PAGE 8 OF 8

JOB NO.:
22-0514

SHEET NO.:
8 OF 8

GRAPHIC SCALE

(IN FEET)
1 INCH = 100 FEET

80' WIDE PER
S89°22'16"W 450.69
(BEARING BASIS)

50' INDE PER PLAT BOOK 11, PAGE 28
BROOKS ROAD

LANDS NOW OR FORMERLY OWNED BY:
DAVE E. WESTRA, ET AL.
INSTRUMENT NO. 2008000020310
STRAP NO. 02-44-24-03-0000A.0210

LANDS NOW OR FORMERLY OWNED BY:
THOMAS A. MERE, ET AL.
INSTRUMENT NO. 2021000218046
STRAP NO. 02-44-24-03-0000A.0120

CERTIFIED TO:
HORIZON TAMiami LLC



12631 Westlinka Drive, Units 5-6
Fort Myers FL 33913
(239) 362-6085
www.dhw-inc.com

est. 1989 **FLORIDA**

DRAWN BY FA
CHECKED BY JC
FIELD BOOK 1000000000

THIS MAP PREPARED BY:
CERTIFICATE OF AUTHORIZATION NO. LB 8898
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, PSM

Professional Surveyor & Mapper Fla. License No. 6074

COMPUTER FILED:
230758.01ul
SURVEY DATE:
02/28/2024
SIGNATURE DATE:
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1	EXPANDED SCALE: 1" = 10'
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SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION

(UPLAND 2)

A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FDOT WATER STORAGE AREA AS RECORDED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE NORTH 00°39'52" WEST, A DISTANCE OF 334.25 FEET; THENCE NORTH 87°58'01" EAST, A DISTANCE OF 122.50 FEET TO A JURISDICTIONAL WETLAND LINE; THENCE ALONG SAID WETLAND LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES:

1. THENCE SOUTH 36°47'49" EAST, A DISTANCE OF 50.69 FEET;
2. THENCE SOUTH 65°31'15" EAST, A DISTANCE OF 35.16 FEET;
3. THENCE SOUTH 89°22'29" EAST, A DISTANCE OF 22.26 FEET;
4. THENCE SOUTH 34°05'09" EAST, A DISTANCE OF 54.42 FEET;
5. THENCE SOUTH 58°21'04" EAST, A DISTANCE OF 32.84 FEET;
6. THENCE SOUTH 74°58'53" EAST, A DISTANCE OF 23.34 FEET;
7. THENCE SOUTH 25°19'14" WEST, A DISTANCE OF 26.07 FEET;
8. THENCE SOUTH 25°15'50" WEST, A DISTANCE OF 35.18 FEET;
9. THENCE SOUTH 04°10'37" WEST, A DISTANCE OF 17.37 FEET;
10. THENCE SOUTH 03°48'11" WEST, A DISTANCE OF 12.58 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF BROOKS ROAD (60' RIGHT-OF-WAY);

THENCE SOUTH 57°03'03" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 101.42 FEET TO THE POINT OF CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 18°48'41", THE CHORD FOR WHICH BEARS SOUTH 66°27'23" WEST, A CHORD DISTANCE OF 186.30 FEET, AN ARC DISTANCE OF 187.14 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING.

CONTAINING 1.511 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION "FDOT WATER STORAGE AREA" HAVING A BEARING OF NORTH 00°39'52" WEST, WHICH IS STATE PLANE. COORDINATES ARE GRID, BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD 83/2011), FLORIDA WEST ZONE.
2. THE STREET ADDRESS IS:

1460 NORTH TAMiami TRAIL
NORTH FORT MYERS, FLORIDA 33903
3. SUBJECT PARCEL CONTAINS 1.511 ACRES, MORE OR LESS
4. JURISDICTIONAL WETLAND LINES SHOWN HEREON ARE BASED UPON FIELD LOCATED FLAGS. WETLAND DELINEATION AND WETLAND FLAGGING WAS PERFORMED UNDER THE RESPONSIBLE CHARGE OF ANDY WOODRUFF OF CHW CONSULTANTS, INC. IN FEBRUARY OF 2023.
5. SEE PAGE 2 OF 2 SKETCH OF DESCRIPTION.

THIS IS NOT A SURVEY



THIS MAP PREPARED BY:
CERTIFICATE OF AUTHORIZATION NO. LB 6886
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, PSM
James M. Condon
Professional Surveyor & Mapper Fla. License No. 6074

COMPUTER FILED:
230756.01u2
DRAWING SCALE:
NOT TO SCALE
REVISION BY:
REVISION DATE:
SIGNATURE DATE:
05-09-2023

CHW
Professional Consultants

12631 WestGolf Drive, Suite 8-6
Fort Myers, FL 33913
941.353.4085
www.chw-fl.com
FLORIDA
CA-6075

DRAWN BY:
FA
CHECKED BY:
JD
FIELD BOOK:
101/58

CERTIFIED TO:
HORIZON TAMiami LLC

JOB NO.:
22-0514
SHEET NO.:
1 OF 2

SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

UPLAND 1
(NOT INCLUDED)

POWELL CREEK

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	18°48'41"	570.00'	187.14'	S66°27'23"W	186.30'
C2	13°33'22"	570.00'	134.86'	S82°38'25"W	134.55'

LANDS NOW OR FORMERLY OWNED BY:
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
OFFICIAL RECORDS BOOK 2339, PAGE 3156
STRAP NO. 02-44-24-03-0000B.0030
"FDOT WATER STORAGE AREA"
(NOT INCLUDED)

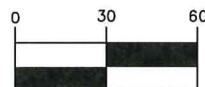
EAST LINE OF STATE OF
FLORIDA DEPARTMENT OF TRANSPORTATION
FDOT WATER STORAGE AREA PER
OFFICIAL RECORDS BOOK 2339, PAGE 3156

LINE TABLE		
LINE	BEARING	DISTANCE
L53	S03°48'11"W	9.36'
L54	S03°48'11"W	12.58'
L55	S04°10'37"W	17.37'
L56	S25°15'50"W	35.18'
L57	S25°19'14"W	26.07'
L58	S74°58'53"E	23.34'
L59	S58°21'04"E	32.84'
L60	S34°05'09"E	54.42'
L61	S89°22'29"E	22.26'
L62	S65°31'15"E	35.16'
L63	S36°47'49"E	51.28'
L64	N39°52'04"E	12.08'
L65	N39°52'04"E	39.61'

N00°39'52"W 334.25'
(BEARING BASIS)

UPLAND 2
CONTAINS
1.511 ACRES,
MORE OR LESS

GRAPHIC SCALE



(IN FEET)
1 INCH = 60 FEET

NORTHWESTERLY
RIGHT-OF-WAY LINE
BROOKS ROAD

POINT OF
BEGINNING
SOUTHEASTERLY CORNER OF
STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION
FDOT WATER STORAGE AREA PER
OFFICIAL RECORDS BOOK 2339, PAGE 3156
N = 849638.425
E = 695405.015



S57°03'03"W
101.42'
114.22'

60' WIDE PER
OFFICIAL RECORDS BOOK 74, PAGE 690
50' WIDE PER PLAT BOOK 11, PAGE 26
BROOKS ROAD

LAWN LANE
80' RIGHT-OF-WAY (D)

SURVEYOR'S NOTES

1. SEE PAGE 1 OF 2 LEGAL DESCRIPTION AND SURVEYOR'S NOTES.

THIS IS NOT A SURVEY

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

CERTIFICATE OF AUTHORIZATION NO. LB 8898
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

Professional Surveyor & Mapper Fla. License No. 6074

COMPUTER FILE:
230705.01u2
DRAWING SCALE:
1" = 60'
SURVEY DATE:
02/28/2024
REVISION BY:
REVISION DATE:
05/09/2025

CHW
Professional Consultants

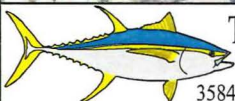
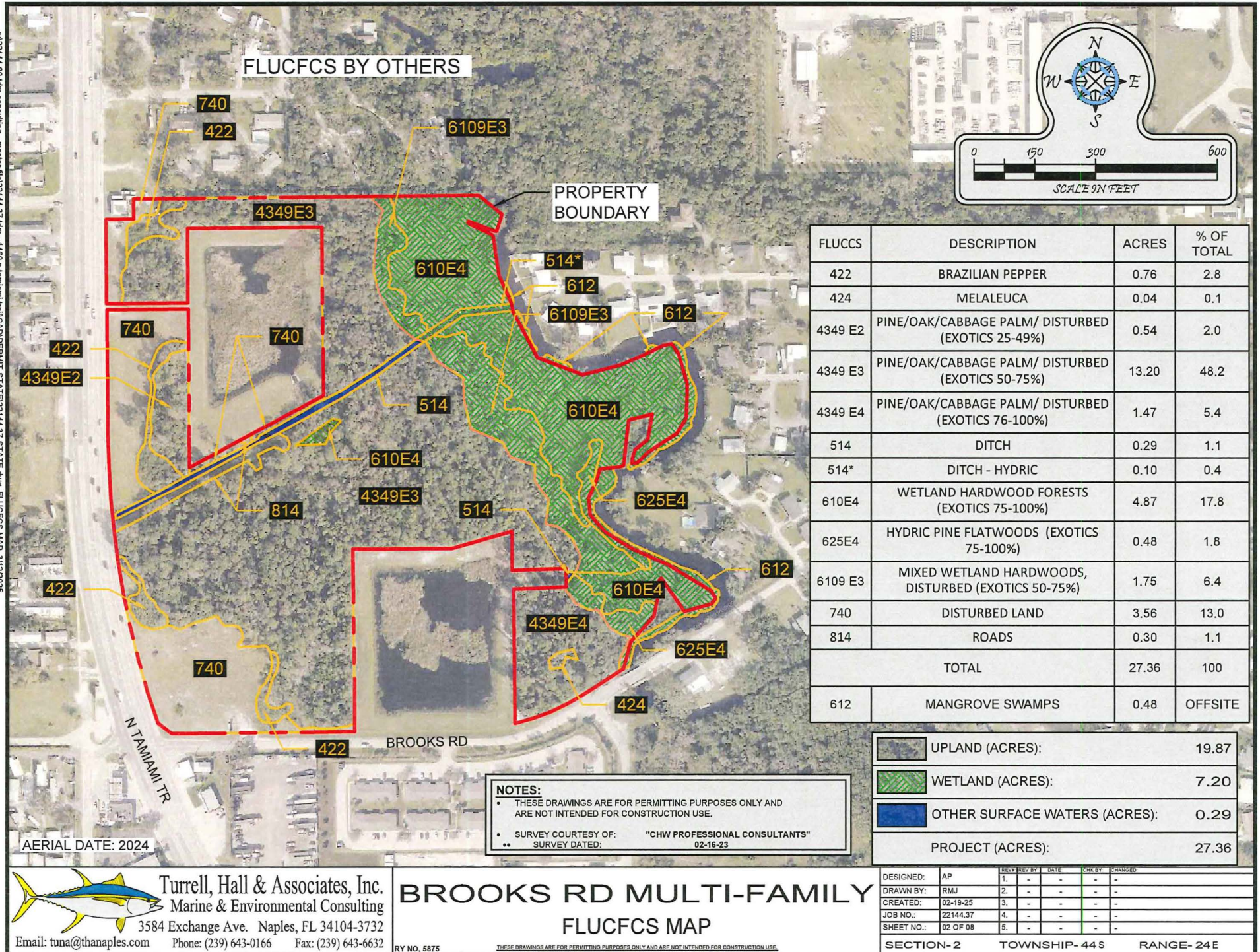
12831 Westlinka Drive, Suite 5-8
Fort Myers FL 33913
(239) 352-6088
www.chwinc.com
REG. 1008 FLORIDA
CA-5073

DRAWN BY:
FA
CHECKED BY:
JC
FIELD BOOK:
197/58

CERTIFIED TO:
HORIZON TAMAMI LLC

JOB NO:
22-0514
SHEET NO:
2 OF 2

p:\22144.00\dm consulting - master file\22144.37\dm - 1460 n tamiami trail\CAD\PERMIT-STATE\22144.37-STATE.dwg FLUCFCS MAP 3/12/2025



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732

Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

BROOKS RD MULTI-FAMILY FLUCFCS MAP

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

May 2, 2023

** Delivered via email*

Randall Henderson *
Tad M Yeatter Trust and Randall P Henderson Jr Trust For Yeatter-henderson Br
2310 First Street Suite 210B
Fort Myers, FL 33901

Subject: North Fort Myers Parcel
Petition for Formal Determination of Wetlands and Surface Waters
Permit No. 36-108765-P
Application No. 230421-38378
Lee County

Your petition for a formal determination of wetlands and other surface waters is approved. This action is taken based on Chapter 373, Part IV of Florida Statutes (F.S.) and the rules in Chapters 62-330 and 62-340, Florida Administrative Code (F.A.C.). Please read this entire agency action thoroughly and understand its contents.

This action is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- All referenced Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance to the "Notice of Rights", we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I hereby certify that this Formal Wetland Determination and Notice of Rights have been mailed or electronically submitted to the addressee (and the persons listed on the attached distribution list) on May 1, 2023 in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website (www.sfwmd.gov/ePermitting).

Sincerely,

A handwritten signature in blue ink, appearing to read "Rich Batowell, III".

Rich Batowell, III, P.E.
Section Administrator

**South Florida Water Management District
Formal Wetland Determination Permit No. 36-108765-P
Date Issued: May 2, 2023**

Project Name: North Fort Myers Parcel

Petitioner: Randall Henderson
Tad M Yeatter Trust and Randall P Henderson Jr Trust For Yeatter-henderson
Br
2310 First Street Suite 210B
Fort Myers, FL 33901

Application No. 230421-38378

Location: Lee County, See Exhibit 1

Acres: 27.36

**Expiration
Date:** May 2, 2028

Type: Certified Survey

Project Summary

This application is for a formal determination of the landward extent of wetlands and other surface waters (OSW), pursuant to Rule 62-330.201, Florida Administrative Code (F.A.C.), for a 27.36-acre property known as North Fort Myers Parcel. The methodology used for the determination is consistent with Chapter 62-340, F.A.C.

Project Site Description

The 27.36-acre property is located in Section 2, Township 44 South, Range 24 East, Lee County, Florida. More specifically, the property lies north of Brooks Road, east of U.S. 41 (North Tamiami Trail), in North Fort Myers, Florida. A Location Map is attached as Exhibit No. 1.0. The property is surrounded by low-density single family homes to the north; Powell Creek to the east; commercial and retail development and single family homes to the south; and U.S.41 (North Tamiami Trail) to the west. The property is an undeveloped parcel of land that consists of upland and wetland forests adjacent to Powell Creek. A detailed description of the on-site wetlands is below. An aerial photograph depicting the inspection boundary is attached as Exhibit No. 2.0.

Formal Determination of Wetlands and Other Surface Waters

On April 21, 2023, the District received a request for a formal determination of the boundary of wetlands and OSW on a 27.36-acre property known as North Fort Myers Parcel. The landward extent of wetlands and OSW was established by Andy Woodruff with CHW Consultants and verified by Certified Wetland Evaluator (CWE) Matt Brosious on August 18, 2022.

The wetlands and OSW were first delineated under Application No. 220708-35104, which was submitted July 8, 2022. The application was withdrawn; however, the wetland and OSW boundaries have not changed.

Wetlands and other surface waters (OSW), as defined by Subsection 373.019(27), F.S. and Chapter 62-340, F.A.C., were identified on the property. Wetlands on the property were delineated

using the methods established in Chapter 62-340, F.A.C.; more specifically, the wetlands were delineated using the wetland definition and the B and D tests. Wetlands delineated on the property totaled 7.20 acres and OSW totaled 0.29 acres. A wetland and OSW survey is attached as Exhibit No. 3.0. Wetland data forms and representative photographs of the wetlands and upland areas can be found in the permit file. Wetland delineation data forms were filled out by District staff on August 18, 2022.

Wetland and OSW Description:

The wetlands identified on the property totaled 7.20 acres (Exhibit No. 3.0). The wetland canopy generally consisted of laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), slash pine (*Pinus elliottii*), and melaleuca (*Melaleuca quinquenervia*). The sub-canopy was similar to the canopy except for myrsine (*Myrsine guianensis*) and Brazilian pepper (*Schinus terebinthifolius*). The ground cover was mostly open, but did contain swamp fern (*Blechnum serrulatum*). The wetlands were delineated using the B and D tests.

The OSW identified on the property totaled 0.29 acres (Exhibit No. 3.0). The OSW are man-made ditches. The Mean High Water line of Powell Creek forms the eastern property boundary, but is not within the property boundary.

Based on the National Resource Conservation Service (NRCS) data, the property contains three (3) historically mapped hydric soils. The mapped hydric soils on the property are Kesson Fine Sand, Tidal (Map Unit 24), Isles Fine Sand, Frequently Poned (Map Unit 39) and Brynwood Fine Sand, Wet Urban Land Complex (Map Unit 64). A soils map is attached as Exhibit No. 4.0. Soil pit data is included within the wetland delineation data forms, which were filled out during the August 18, 2022 inspection.

Hydrologic Indicators observed during the delineation included hydric soil indicator Muck Presence (A8), which is a stand-alone D test indicator. Hydrologic indicator data is included within the wetland delineation data forms, which were filled out during the August 18, 2022 inspection.

This Formal Determination of Wetlands and Other Surface Waters is the District's determination of the landward extent (boundaries) of wetlands and OSW within the property based on the documentation submitted by the Petitioner and field application of Chapter 62-340, F.A.C. This action does not authorize any construction activities or constitute conceptual approval of any anticipated projects or activities in wetlands or other surface waters. It does not in any way establish boundaries of sovereign submerged lands, high water elevations or other elevations/ boundaries.

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

Distribution List

Andy Woodruff, Chw, Inc *

Joseph Bonora, Catalyst Asset Management, Inc *

Florida Department of Environmental Protection SLERC *

Lee County Property Appraiser *

Florida Department of Environmental Protection - Environmental Administrator *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 230421-38378.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 2.0 Aerial With Inspection Boundary](#)

[Exhibit No. 3.0 Wetland And OSW Survey](#)

[Exhibit No. 4.0 Soils Map](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

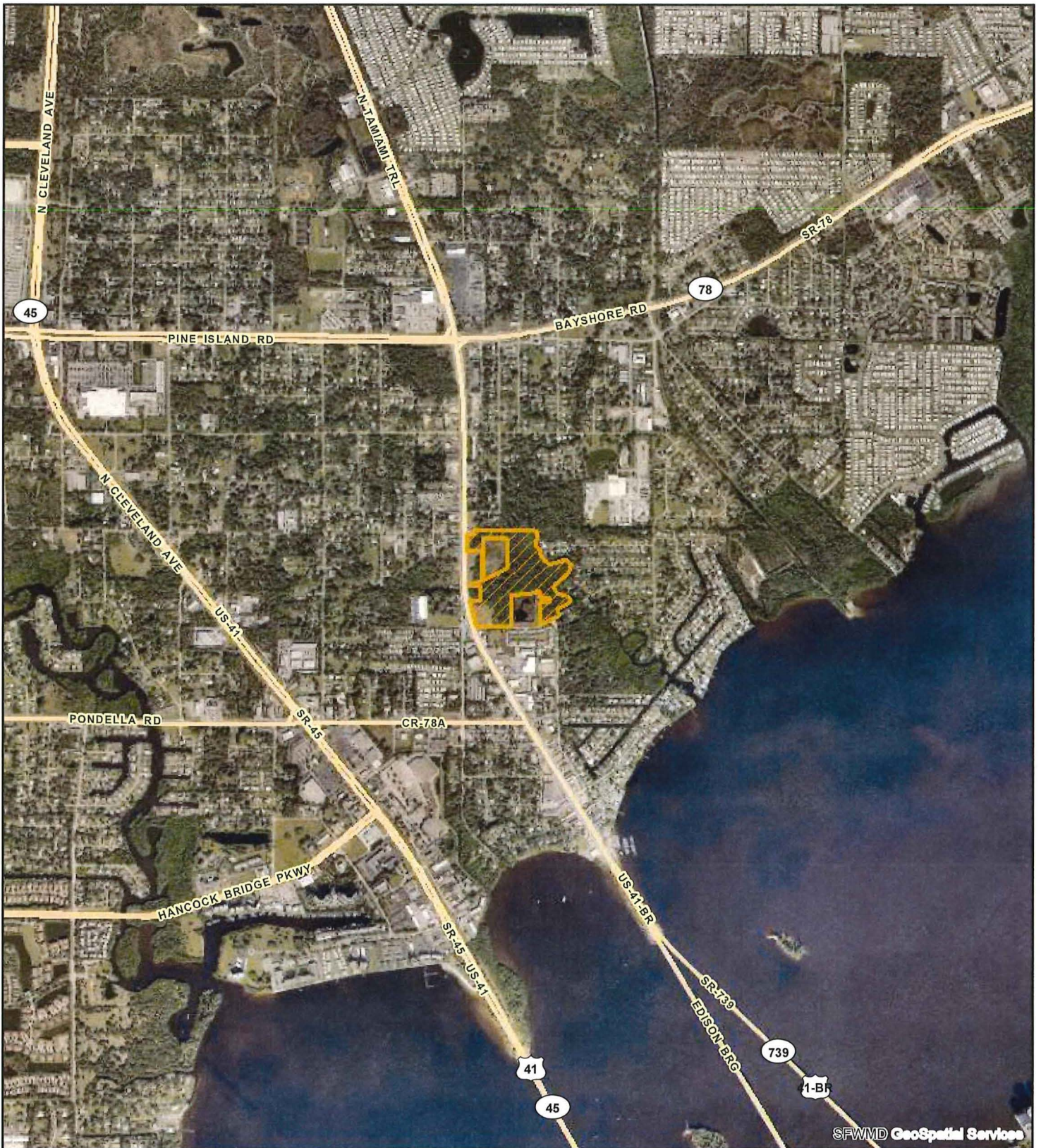
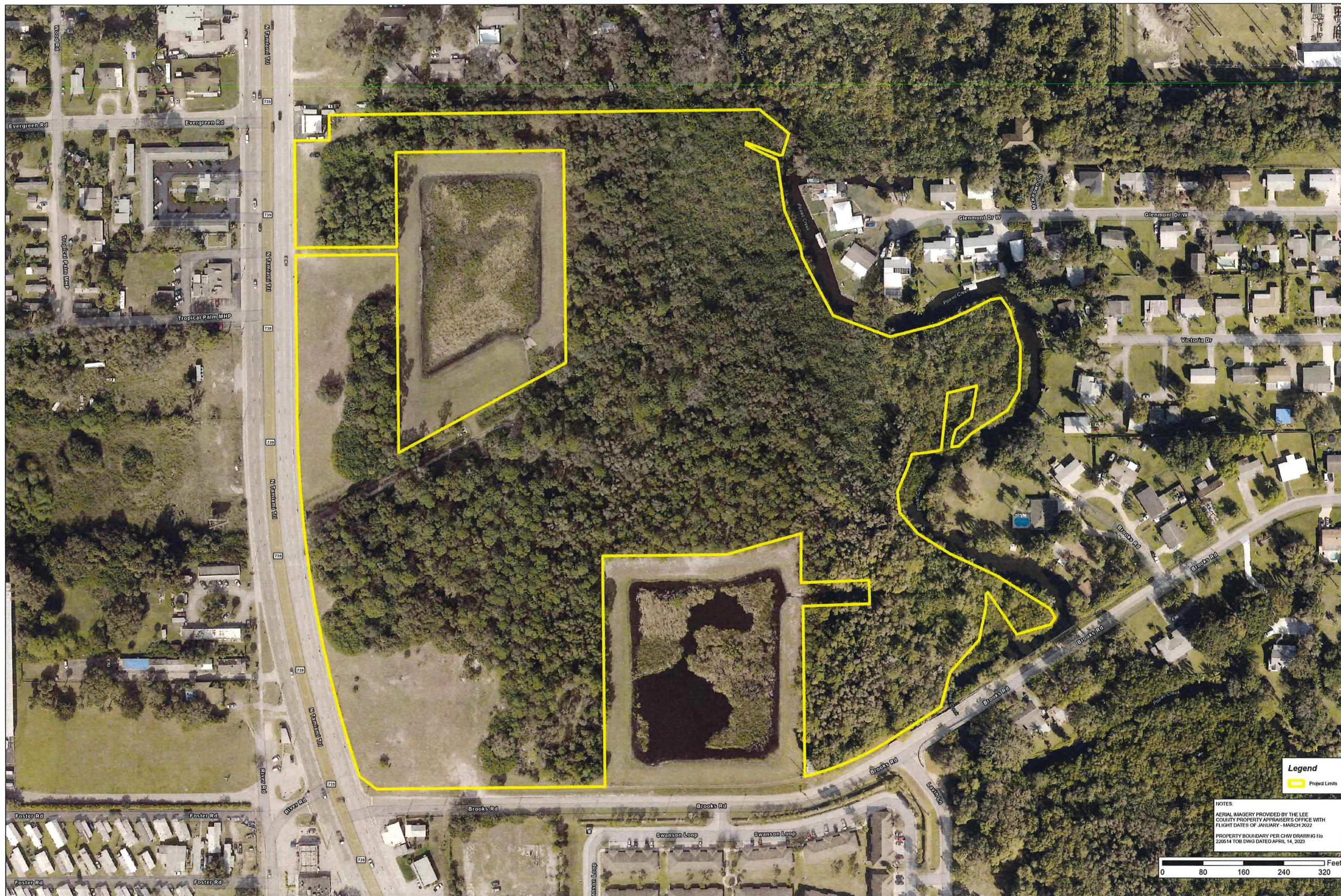


Exhibit No:1.0	Exhibit Created On: 2022-07-12	LEE COUNTY, FL	<div data-bbox="987 1717 1071 1764" data-label="Image"> </div> <div data-bbox="1112 1722 1242 1759" data-label="Text"> <p>Application</p> </div> <div data-bbox="1388 1711 1485 1879" data-label="Image"> </div> <div data-bbox="954 1858 1339 1890" data-label="Text"> <p>Application Number: 230421-38378</p> </div> <div data-bbox="1128 1911 1315 1942" data-label="Text"> <p>sfwmd.gov</p> </div> <div data-bbox="1128 1953 1347 1978" data-label="Text"> <p>Created by IT GIS Section</p> </div> <div data-bbox="1015 1978 1453 2011" data-label="Text"> <p>South Florida Water Management District</p> </div>
<div data-bbox="357 1785 730 1822" data-label="Section-Header"> <p>REGULATION DIVISION</p> </div> <div data-bbox="276 1827 730 1864" data-label="Text"> <p>Project Name: North Fort Myers Parcel</p> </div> <div data-bbox="154 1885 251 1984" data-label="Image"> </div> <div data-bbox="341 1942 755 2011" data-label="Figure"> </div> <div data-bbox="836 1879 893 1995" data-label="Image"> </div>			



North Fort Myers Parcel Aerial with Boundary

Legend

Project Limits

NOTES:
AERIAL IMAGERY PROVIDED BY THE LEE COUNTY PROPERTY APPRAISERS OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2022
PROPERTY BOUNDARY PER CHW DRAWING 110 220514 TOB DWG DATED APRIL 14, 2023

Scale: 0 80 160 240 320 Feet

CHW
Professional Consultants
11022023-0514 Adams & International
Document Path: I:\032023-0514 Adams & International\CHW\Drawings\11022023-0514 Adams & International\North Fort Myers Parcel.dwg

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD HAVING A BEARING OF SOUTH 89°22'16" WEST, WHICH IS ASSUMED.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. THIS PARCEL LIES IN FLOOD ZONE "AE" BASED ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071C02670, DATED NOVEMBER 17, 2022. THIS PARCEL HAS A BASE FLOOD ELEVATION OF 9.0' (NAVD 88) AND 10.0' (NAVD 1988). PORTIONS OF THIS PROPERTY LIE WITHIN A FEMA DESIGNATED FLOODWAY, FLOOD ZONE LINES AND FLOODWAY LINES SHOWN HEREON WERE SCALE FROM SAID FLOOD INSURANCE RATE MAP.
4. BOUNDARY SURVEY IS BASED UPON AMERICAN LAND TITLE ASSOCIATION COMMITMENT FOR TITLE INSURANCE ISSUED WITH FLORIDA MODIFICATIONS ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT FILE NO. 21096231 KJ, WITH AN EFFECTIVE DATE OF FEBRUARY 16, 2023 AT 11:00 PM AND A REVISED DATE OF MARCH 9, 2023 AT 10:48 AM.
5. THE STREET ADDRESS ARE:

1450 NORTH TAMAMI TRAIL
NORTH FORT MYERS, FLORIDA 33903

1456 NORTH TAMAMI TRAIL
NORTH FORT MYERS, FLORIDA 33903

1460 NORTH TAMAMI TRAIL
NORTH FORT MYERS, FLORIDA 33903

1470 NORTH TAMAMI TRAIL
NORTH FORT MYERS, FLORIDA 33903

6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). ELEVATIONS ARE BASED UPON TIES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) REAL-TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) CONTROL NETWORK.

7. PARCEL SURVEYED CONTAINS 27.357 ACRES, MORE OR LESS.

8. THE MEAN HIGH WATER (MHW) LINE DEPICTED HEREON IS BASED UPON A MEAN HIGH WATER ELEVATION OF 0.01' (NAVD 1988). SAID ELEVATION IS BASED ON A DETERMINATION PROVIDED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ON FEBRUARY 13, 2023 AND SIGNED BY M. KEVIN NEARS, PSM.

9. JURISDICTIONAL WETLAND LINES SHOWN HEREON ARE BASED UPON FIELD LOCATED FLAGS. WETLAND DELINEATION AND WETLAND FLAGGING WAS PERFORMED UNDER THE RESPONSIBLE CHARGE OF ANDY WOODRUFF OF CHW CONSULTANTS, INC. IN FEBRUARY OF 2023. JURISDICTIONAL WETLAND AREAS SHOWN HEREON ARE INCLUDED IN THE TOTAL AREA OF THE PARCELS SURVEYED.

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 2, THENCE NORTH 89°24'36" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 56.34 FEET, THENCE SOUTH 00°32'31" EAST, A DISTANCE OF 25.23 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4800 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°36'32" EAST, ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 68.57 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE POINT OF BEGINNING;

THENCE NORTH 89°22'36" EAST, A DISTANCE OF 535.52 FEET; THENCE NORTH 89°25'19" EAST, A DISTANCE OF 314.92 FEET TO THE MEAN HIGH-WATER LINE OF POWELL CREEK; THENCE ALONG SAID MEAN HIGH-WATER LINE THE FOLLOWING FIFTY (50) COURSES AND DISTANCES:

1. THENCE SOUTH 50°30'43" EAST, A DISTANCE OF 74.18 FEET;
2. THENCE SOUTH 17°12'49" WEST, A DISTANCE OF 43.92 FEET;
3. THENCE SOUTH 83°01'33" WEST, A DISTANCE OF 5.28 FEET;
4. THENCE NORTH 68°54'15" WEST, A DISTANCE OF 70.99 FEET;
5. THENCE SOUTH 02°36'37" WEST, A DISTANCE OF 5.05 FEET;
6. THENCE SOUTH 64°21'30" EAST, A DISTANCE OF 66.14 FEET;
7. THENCE SOUTH 26°09'19" EAST, A DISTANCE OF 4.88 FEET;
8. THENCE SOUTH 08°28'45" EAST, A DISTANCE OF 97.16 FEET;
9. THENCE SOUTH 23°21'57" EAST, A DISTANCE OF 77.36 FEET;
10. THENCE SOUTH 10°55'17" EAST, A DISTANCE OF 21.72 FEET;
11. THENCE SOUTH 27°49'37" EAST, A DISTANCE OF 128.74 FEET;
12. THENCE SOUTH 69°29'01" EAST, A DISTANCE OF 119.40 FEET;
13. THENCE NORTH 75°39'25" EAST, A DISTANCE OF 97.39 FEET;
14. THENCE NORTH 46°20'45" EAST, A DISTANCE OF 63.33 FEET;
15. THENCE NORTH 63°07'19" EAST, A DISTANCE OF 51.18 FEET;
16. THENCE NORTH 81°17'57" EAST, A DISTANCE OF 21.20 FEET;
17. THENCE SOUTH 35°16'31" EAST, A DISTANCE OF 30.24 FEET;
18. THENCE SOUTH 16°25'55" EAST, A DISTANCE OF 74.25 FEET;
19. THENCE SOUTH 00°03'58" EAST, A DISTANCE OF 32.37 FEET;
20. THENCE SOUTH 02°53'18" WEST, A DISTANCE OF 52.91 FEET;
21. THENCE SOUTH 30°17'17" WEST, A DISTANCE OF 44.99 FEET;
22. THENCE SOUTH 57°22'34" WEST, A DISTANCE OF 65.21 FEET;
23. THENCE SOUTH 45°32'21" WEST, A DISTANCE OF 34.93 FEET;
24. THENCE SOUTH 82°24'42" WEST, A DISTANCE OF 14.68 FEET;
25. THENCE NORTH 04°35'50" EAST, A DISTANCE OF 12.96 FEET;
26. THENCE NORTH 16°40'50" EAST, A DISTANCE OF 21.62 FEET;
27. THENCE NORTH 52°14'55" EAST, A DISTANCE OF 39.65 FEET;
28. THENCE NORTH 09°43'18" EAST, A DISTANCE OF 63.43 FEET;
29. THENCE SOUTH 75°56'44" WEST, A DISTANCE OF 39.86 FEET;
30. THENCE SOUTH 06°30'49" EAST, A DISTANCE OF 43.33 FEET;
31. THENCE SOUTH 06°06'13" WEST, A DISTANCE OF 65.62 FEET;
32. THENCE SOUTH 17°40'46" WEST, A DISTANCE OF 2.88 FEET;
33. THENCE SOUTH 71°00'00" WEST, A DISTANCE OF 6.89 FEET;
34. THENCE SOUTH 82°52'55" WEST, A DISTANCE OF 46.76 FEET;
35. THENCE SOUTH 16°52'50" WEST, A DISTANCE OF 23.68 FEET;
36. THENCE SOUTH 22°48'22" WEST, A DISTANCE OF 55.10 FEET;
37. THENCE SOUTH 06°07'45" EAST, A DISTANCE OF 40.65 FEET;
38. THENCE SOUTH 40°34'45" EAST, A DISTANCE OF 54.92 FEET;
39. THENCE SOUTH 58°01'48" EAST, A DISTANCE OF 75.62 FEET;
40. THENCE SOUTH 64°58'48" EAST, A DISTANCE OF 101.03 FEET;
41. THENCE SOUTH 58°41'06" EAST, A DISTANCE OF 124.44 FEET;
42. THENCE SOUTH 28°36'41" EAST, A DISTANCE OF 21.51 FEET;
43. THENCE SOUTH 58°20'14" WEST, A DISTANCE OF 16.11 FEET;
44. THENCE SOUTH 74°01'51" WEST, A DISTANCE OF 69.00 FEET;
45. THENCE NORTH 34°56'58" WEST, A DISTANCE OF 100.61 FEET;
46. THENCE SOUTH 41°51'17" WEST, A DISTANCE OF 61.13 FEET;
47. THENCE SOUTH 01°43'42" EAST, A DISTANCE OF 22.21 FEET;
48. THENCE SOUTH 11°50'36" WEST, A DISTANCE OF 68.18 FEET;
49. THENCE SOUTH 41°50'50" WEST, A DISTANCE OF 85.65 FEET;
50. THENCE SOUTH 15°04'22" WEST, A DISTANCE OF 69.44 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF BROOKS ROAD (60' RIGHT OF WAY PER OFFICIAL RECORDS BOOK 74, PAGE 690).

THENCE SOUTH 57°03'03" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 114.22 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 18°48'40", THE CHORD FOR WHICH BEARS SOUTH 66°27'23" WEST, A CHORD DISTANCE OF 186.30 FEET, AN ARC DISTANCE OF 187.14 FEET TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156 AND THE END OF SAID CURVE; THENCE ALONG SAID LANDS THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

1. THENCE NORTH 00°39'52" WEST, A DISTANCE OF 334.25 FEET;
2. THENCE NORTH 87°58'01" EAST, A DISTANCE OF 130.15 FEET;
3. THENCE NORTH 01°34'33" WEST, A DISTANCE OF 46.11 FEET;
4. THENCE SOUTH 87°58'01" WEST, A DISTANCE OF 133.00 FEET;
5. THENCE NORTH 00°09'22" EAST, A DISTANCE OF 96.64 FEET;
6. THENCE SOUTH 74°22'09" WEST, A DISTANCE OF 153.92 FEET;
7. THENCE SOUTH 89°22'09" WEST, A DISTANCE OF 243.89 FEET;
8. THENCE SOUTH 00°37'10" EAST, A DISTANCE OF 452.77 FEET TO THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD;

THENCE SOUTH 89°22'16" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 450.69 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739) PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516; THENCE NORTH 52°53'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 42.80 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 10°17'22", THE CHORD FOR WHICH BEARS NORTH 1°35'16" WEST, A CHORD DISTANCE OF 401.16 FEET, AN ARC DISTANCE OF 401.70 FEET TO THE END OF SAID CURVE; THENCE NORTH 79°22'50" EAST, A DISTANCE OF 0.41 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE EAST; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2818.79 FEET, A CENTRAL ANGLE OF 00°16'20", THE CHORD FOR WHICH BEARS NORTH 10°21'51" WEST, A CHORD DISTANCE OF 13.39 FEET, AN ARC DISTANCE OF 13.39 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 07°53'18", THE CHORD FOR WHICH BEARS NORTH 04°29'10" WEST, A CHORD DISTANCE OF 307.72 FEET, AN ARC DISTANCE OF 307.97 FEET TO THE END OF SAID CURVE; THENCE NORTH 00°32'31" WEST, A DISTANCE OF 313.44 FEET TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3157;

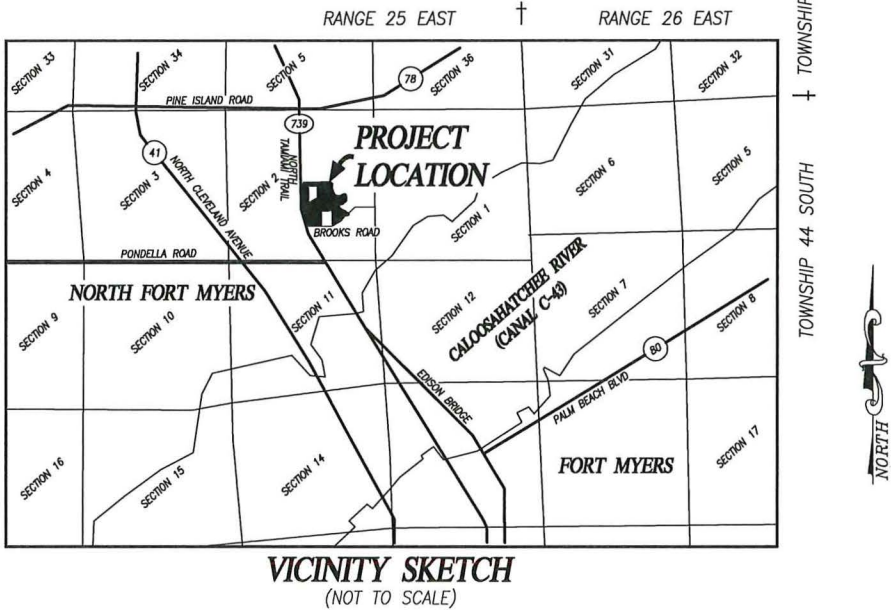
THENCE ALONG SAID LANDS THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

1. THENCE NORTH 89°27'58" EAST, A DISTANCE OF 200.04 FEET;
2. THENCE SOUTH 00°31'01" EAST, A DISTANCE OF 389.41 FEET;
3. THENCE NORTH 61°51'55" EAST, A DISTANCE OF 373.64 FEET;
4. THENCE NORTH 00°34'05" WEST, A DISTANCE OF 417.56 FEET;
5. THENCE SOUTH 89°23'24" WEST, A DISTANCE OF 330.86 FEET;
6. THENCE SOUTH 00°31'47" EAST, A DISTANCE OF 185.78 FEET;
7. THENCE SOUTH 89°28'57" WEST, A DISTANCE OF 198.83 FEET THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739) PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516;

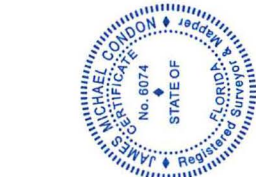
THENCE NORTH 00°32'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 210.81 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4800 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°28'57" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 68.66 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°40'19" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 49.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.357 ACRES, MORE OR LESS.

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA



VICINITY SKETCH
(NOT TO SCALE)



JOB NO.: 220514
SHEET NO.: 1 OF 3

CERTIFIED TO:
1. BROOKS ROAD COZE, LLC, A FLORIDA LIMITED LIABILITY COMPANY
2. HENDERSON, FRANKLIN, STARNES & HOLT, P.A.
3. YEATER-HENDERSON BROOKS ROAD TRUST
4. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

DRAWN BY: FA
CHECKED BY: JC
FIELD BOOK: 197/058

1087 Bonita Beach Road SE
Bonita Springs, FL 34135
www.chw-inc.com
est. 1988 FLORIDA
CA-5075

CHW
Professional Consultants

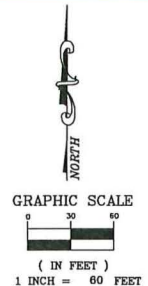
DRAWING SCALES:
NOT TO SCALE
REVISION DATE:
REVISION BY:

COURTESY FILE:
220514 TOB
SURVEY DATE:
02/16/2023
SIGNATURE DATE:
04/16/2023

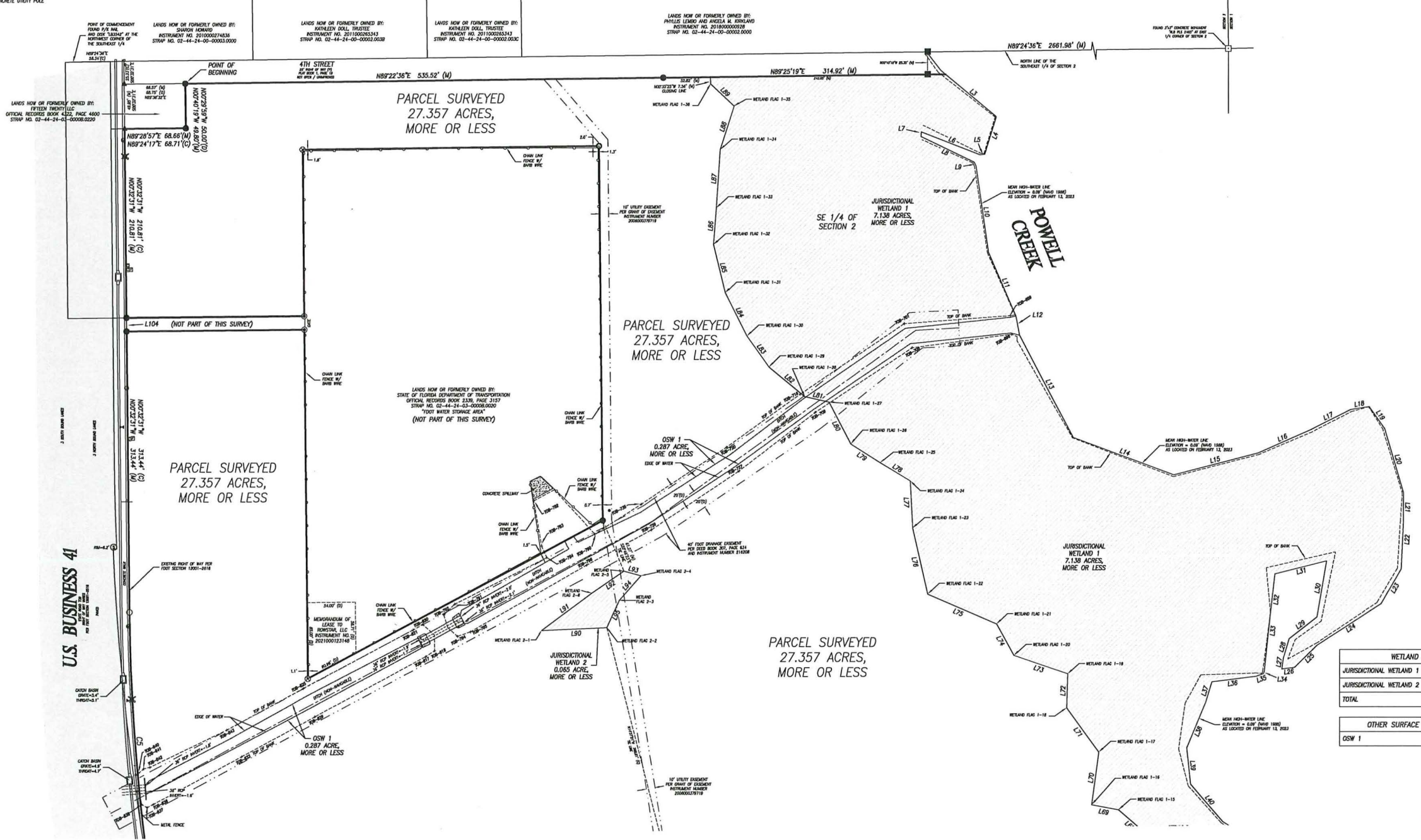
James M. Condon, PSM
Professional Surveyor & Mapper
Lic. License No. 6074

This map prepared by:
James M. Condon, PSM
NOT VALID WITHOUT THE SIGNATURE
AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

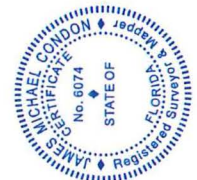


NE 1/4 OF
SECTION 2



WETLAND AREA	
JURISDICTIONAL WETLAND 1	7.138 ACRES
JURISDICTIONAL WETLAND 2	0.065 ACRE
TOTAL	7.203 ACRES

OTHER SURFACE WATER AREA	
OSW 1	0.287 ACRE



LINE	NORTHING	EASTING
T08-689	850678.57	695389.22
T08-690	850678.81	695390.56
T08-691	850689.74	695399.88
T08-692	850642.86	695378.79
T08-693	850570.88	695170.22
T08-694	850591.44	695153.77
T08-695	850532.16	695071.68
T08-696	850505.53	695085.50
T08-697	850440.25	694987.87
T08-698	850468.74	694976.10
T08-699	850472.69	694855.18
T08-700	850422.22	694864.02
T08-701	850409.33	694869.84
T08-702	850435.63	694923.73
T08-703	850357.50	694766.96
T08-704	850345.74	694754.93
T08-705	850321.71	694776.13

LINE	NORTHING	EASTING
T08-706	850428.77	694784.50
T08-707	850400.91	694914.47
T08-708	850299.09	694734.79
T08-709	850305.64	694744.69
T08-710	850335.01	694731.54
T08-711	850328.83	694720.68
T08-712	850232.13	694611.26
T08-713	850187.75	694528.90
T08-714	850134.51	694429.22
T08-715	850131.07	694422.39
T08-716	850134.50	694416.16
T08-717	850169.65	694412.76
T08-718	850174.33	694416.60
T08-719	850176.01	694425.58
T08-720	850212.42	694511.85

- LEGEND**
- BENCHMARK, SET PK NAIL AND DOW - "TOW IN" LB 3015"
 - FOUND PK NAIL AND DOW - "TOW IN" LB 3015"
 - FOUND PK NAIL - NO IDENTIFICATION
 - FOUND DRILL HOLE IN CONCRETE FENCE POST
 - FOUND 5/8" REBAR - NO IDENTIFICATION
 - SET 5/8" REBAR AND CAP - "TOW IN" LB 3015"
 - FOUND 5/8" REBAR AND CAP - "TOW IN" LB 3015"
 - FOUND 5/8" REBAR WITH CAP - "TOW IN" LB 3015"
 - FOUND 3" x 3" CONCRETE MONUMENT WITH CAP "TOW IN" LB 3015"
 - FOUND 3" x 3" CONCRETE MONUMENT WITH CAP "TOW IN" LB 3015"
 - CALCULATED DATA
 - LEGAL DESCRIPTION DATA
 - FIELD MEASURED DATA
 - RECORD PLAT DATA
 - REINFORCED CONCRETE PIPE
 - SPOT ELEVATION, NAVD 1983
 - WOOD UTILITY POLE
 - CITY ANCHOR
 - WATER METER
 - WATER VALVE
 - BACKFLOW PREVENTER
 - FIRE HYDRANT
 - SANITARY SEWER CLEAN-OUT
 - SANITARY SEWER OR STORM WATER MANHOLE
 - WORKING WELL LOCATION
 - CONCRETE UTILITY BOX
 - CHAIN BURN WITH GRATE RAIL
 - TELEPHONE PEDESTAL
 - CABLE PEDESTAL
 - ELECTRIC BOX OR TRANSFORMER
 - TRAFFIC SIGNAL BOX
 - METAL LIGHT POLE
 - BURIED FIBER OPTIC MARKER
 - STREET SIGN
 - BOLLARD LOCATION
 - CONCRETE UTILITY POLE

LINE	BEARING (D)	DISTANCE (D)
L1	N75°29'58"E	0.41'
L2	S52°33'31"W	42.80'
L3	S52°30'41"W	74.18'
L4	S17°12'49"W	43.59'
L5	S81°01'31"W	5.28'
L6	N68°54'15"W	70.39'
L7	S02°30'17"W	5.09'
L8	S64°21'30"E	66.16'
L9	S26°09'19"E	4.88'
L10	S08°28'45"E	97.18'
L11	S23°21'31"E	77.38'
L12	S10°35'19"E	21.72'
L13	S27°49'37"E	128.74'
L14	S08°29'31"E	118.40'
L15	N75°39'25"E	97.39'
L16	N68°20'45"E	63.33'
L17	N63°07'19"E	51.18'
L18	N61°12'51"E	71.20'
L19	S35°18'31"E	30.24'
L20	S16°25'35"E	74.25'
L21	S00°03'36"E	32.37'
L22	S02°33'16"W	59.81'
L23	S30°17'17"W	44.89'
L24	S37°22'34"W	85.21'
L25	S45°32'21"W	24.81'
L26	S82°24'42"W	14.68'
L27	N08°35'50"E	12.86'
L28	N18°40'58"E	21.62'
L29	N57°14'52"E	39.65'
L30	N09°43'18"E	63.43'
L31	S72°58'44"W	59.86'
L32	S08°30'49"W	43.39'
L33	S08°08'17"W	65.62'
L34	S17°40'46"W	2.88'
L35	S71°00'00"W	8.69'
L36	S82°32'35"W	49.28'
L37	S18°32'30"W	23.68'
L38	S22°48'22"W	55.10'
L39	S06°07'45"E	40.65'
L40	S42°24'45"E	54.82'
L41	S38°01'48"E	75.62'
L42	S64°58'48"E	101.63'
L43	S38°41'56"E	124.44'
L44	S38°20'18"E	16.11'
L45	S38°20'18"E	16.11'
L46	S74°01'51"W	69.00'
L47	N34°58'36"W	100.81'
L48	S41°31'17"W	6.11'
L49	S01°43'42"E	22.21'
L50	S11°50'36"W	68.18'
L51	S41°50'36"W	85.85'
L52	S15°04'52"E	69.44'
L53	N02°48'11"E	9.36'
L54	N02°48'11"E	12.58'
L55	N04°10'21"E	12.37'
L56	N25°15'50"E	35.18'
L57	N25°19'14"E	76.67'
L58	N14°58'53"W	23.24'
L59	N38°21'04"W	32.84'
L60	N34°05'09"W	54.42'
L61	N89°22'29"W	22.26'
L62	N62°31'15"W	35.18'
L63	N38°47'46"W	51.28'
L64	N38°52'04"E	12.08'
L65	N38°52'04"E	39.61'
L66	N18°02'34"E	36.87'
L67	N25°46'11"W	49.38'
L68	N48°25'34"W	46.50'
L69	N72°23'10"W	30.47'
L70	N02°45'32"E	59.22'
L71	N35°08'40"W	60.87'
L72	N01°41'48"E	38.09'
L73	N71°12'26"W	63.28'
L74	N29°01'06"W	40.01'
L75	N66°47'05"W	84.51'
L76	N12°53'33"W	75.44'
L77	N02°59'55"W	52.66'
L78	N38°49'31"W	38.42'
L79	N57°28'33"W	38.79'
L80	N27°27'16"W	52.70'
L81	N77°39'45"W	27.87'
L82	N50°06'37"W	51.63'
L83	N35°07'44"W	42.36'
L84	N28°37'14"W	54.08'
L85	N12°40'41"W	55.39'
L86	N04°19'23"E	40.68'
L87	N03°47'01"E	64.88'
L88	N17°55'57"E	51.07'
L89	N48°42'16"W	36.17'
L90	N87°30'33"E	73.42'
L91	S53°40'02"W	70.18'
L92	S53°39'30"W	43.65'
L93	N74°40'30"W	19.86'
L94	N41°43'42"E	36.75'
L95	N24°43'45"E	33.38'
L96	S11°53'36"W	30.32'
L97	N08°43'01"W	25.08'
L98	N54°21'34"E	22.21'
L99	N72°30'29"E	38.96'
L100	S22°29'28"E	28.45'
L101	N12°34'16"W	30.18'
L102	S15°56'47"W	29.18'
L103	S01°34'31"E	46.11'
L104	S00°32'31"E	15.15'

LINE	BEARING (D)	DISTANCE (D)
L1	N75°29'58"E	0.41'
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L19	S35°18'31"E	30.24'
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L34	S17°40'46"W	2.88'
L35	S71°00'00"W	8.69'
L36	S82°32'35"W	49.28'
L37	S18°32'30"W	23.68'
L38	S22°48'22"W	55.10'
L39	S06°07'45"E	40.65'
L40	S42°24'45"E	54.82'
L41	S38°01'48"E	75.62'
L42	S64°58'48"E	101.63'
L43	S38°41'56"E	124.44'
L44	S38°20'18"E	16.11'
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L49	S01°43'42"E	22.21'
L50	S11°50'36"W	68.18'
L51	S41°50'36"W	85.85'
L52	S15°04'52"E	69.44'
L53	N02°48'11"E	9.36'
L54	N02°48'11"E	12.58'
L55	N04°10'21"E	12.37'
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L63	N38°47'46"W	51.28'
L64	N38°52'04"E	12.08'
L65	N38°52'04"E	39.61'
L66	N18°02'34"E	36.87'
L67	N25°46'11"W	49.38'
L68	N48°25'34"W	46.50'
L69	N72°23'10"W	30.47'
L70	N02°45'32"E	59.22'
L71	N35°08'40"W	60.87'
L72	N01°41'48"E	38.09'
L73	N71°12'26"W	63.28'
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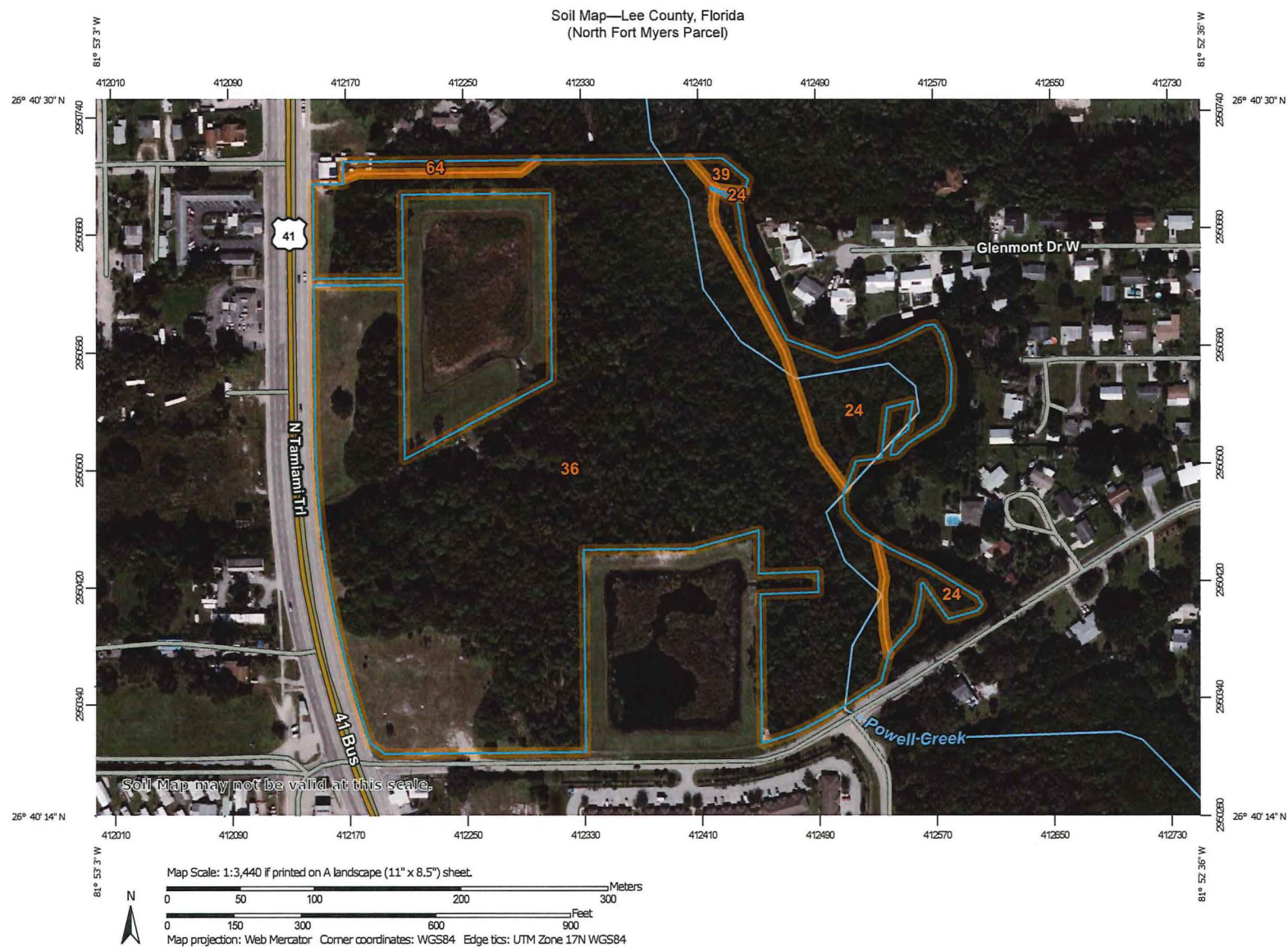
CURVE	DELTA (D)	RADIUS (D)	ARC (D)	CHORD BEARING (D)	CHORD (D)
C1	18°48'41"	570.00'	187.14'	S86°27'23"W	186.30'
C2	13°33'22"	570.00'	134.88'	S82°36'36"W	134.11'
C3	10°17'22"	2236.83'	401.70'	S17°55'16"E	401.16'
C4	0°16'20"	2818.79'	13.39'	N10°21'48"W	13.49'
C5	7°53'19"	2236.83'	307.87'	N04°29'10"W	307.73'

CURVE	DELTA (D)	RADIUS (D)	ARC (D)	CHORD BEARING (D)	CHORD (D)
C1	18°48'41"	570.00'	187.14'	S86°27'23"W	186.30'
C2	13°33'22"	570.00'	134.88'	S82°36'36"W	134.11'
C3	10°17'22"	2236.83'	401.70'	S17°55'16"E	401.16'
C4	0°16'20"	2818.79'	13.39'	N10°21'48"W	13.49'
C5	7°53'19"	2236.83'	307.87'	N04°29'10"W	307.73'

SEE SHEET 2 OF 3

SEE SHEET 2 OF 3

NOTE:
SEE SHEET 1 OF 3 FOR SURVEYOR'S
NOTES AND LEGAL DESCRIPTION



USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey


4/25/2023
Page 1 of 3

Exhibit No. 4.0
Permit No. 36-108765-P
Page 1 of 3

Soil Map—Lee County, Florida
(North Fort Myers Parcel)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Lee County, Florida

Survey Area Data: Version 20, Sep 1, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 14, 2021—Nov 23, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
24	Kesson fine sand, tidal, 0 to 1 percent slopes	2.6	9.4%
36	Immokalee sand-Urban land complex, 0 to 2 percent slopes	24.4	89.1%
39	Isles fine sand, frequently ponded, 0 to 1 percent slopes	0.1	0.5%
64	Brynwood fine sand, wet-Urban land complex, 0 to 2 percent slopes	0.3	1.0%
Totals for Area of Interest		27.4	100.0%

