

ADMINISTRATIVE APPROVAL COP2008-00011

ADMINISTRATIVE APPROVAL
CONSUMPTION ON PREMISES
LEE COUNTY, FLORIDA

WHEREAS, Jeff Gambino filed an application for administrative approval for Consumption on Premises for a 4-COP-SRX Alcoholic Beverage License on a project known as The Sandy Parrot Tiki Bar and Grill (f/k/a The Margarita Grille); and

WHEREAS, the subject property is located at 17200 S Tamiami Trail, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 46 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 07-46-25-00-00004.0020; and

WHEREAS, Ping Lee, the owner of the subject parcel, has authorized Jeff Gambino, to act as agent to pursue this application; and

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property was rezoned from Agricultural (AG) and Recreational Vehicle (RV) to Community Commercial (CC) under Resolution Number ZAB-86-11, a copy of which is included as Exhibit "B", with a special exception for consumption on premises of alcoholic beverages; and

WHEREAS, Consumption on Premises (indoor and outdoor seating) in conjunction with a Group III restaurant is a permitted use, approved by Administrative Approval or Special Exception, in the CC zoning district; and

WHEREAS, in accordance with the Land Development Code (LDC), Section 34-622, the Sandy Parrot Tiki Bar and Grill is classified as a Group III Restaurant which is a permitted use in the CC zoning district; and

WHEREAS, the subject property received administrative approval for Consumption on Premises for a 4-COP-SRX Alcoholic Beverage License in conjunction with outdoor seating in Case Number COP2003-00228 on January 30, 2004 (copy included as Exhibit "C") for a maximum of 52 seats (13 tables with four seats each); and

WHEREAS, the subject property has been approved under Case Number LDO2007-00296, as amended, for construction of an outdoor tiki bar and accessory water feature with

landscaping and under Permit Numbers POL2008-00139, COM2007-03034 and COM2007-03174; and

WHEREAS, the applicant proposes to serve beer, wine and liquor in two outdoor seating areas, comprised of eight dining tables along the south side of the restaurant and an outdoor bar with 32 seats and two dining tables along the eastern side of the restaurant as depicted on Exhibit "D";

WHEREAS, the restaurant and the outdoor bar area require a minimum of 14 parking spaces per 1,000 square feet (6,250 sf @ 14 spaces per 1,000 sf = 88 spaces) and the outdoor seating (dining tables) requires a minimum of one parking space per table (10 tables @ one space per table = 10 spaces) totaling a minimum requirement of 98 parking spaces, which are provided on site, as displayed on Exhibit "E"; and

WHEREAS, the applicant has demonstrated on a survey conducted by a Florida Registered Land Surveyor that the restaurant with outdoor seating complies with the LDC, Section 34-1264 and is not located within 500 feet of a religious facility, day care center (child), park or dwelling unit under separate ownership; and

WHEREAS, the applicant has further demonstrated that the restaurant with outdoor seating is not located within 500 feet of a school (noncommercial), specifically Rayma C. Page Elementary School, located west of the subject property as depicted on Exhibit "F"; and,

WHEREAS, the Lee County LDC provides for certain administrative approvals for Consumption on Premises; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, there will be no apparent deleterious effect of such use upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises; and

WHEREAS, the premises are suitable in regard to their location, site characteristics and intended purpose. Lighting on the permitted premises must be shuttered and shielded from surrounding properties.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for Consumption on Premises is **APPROVED**.

Approval is subject to the following conditions:

1. **The 4-COP-SRX Alcoholic Beverage License for consumption on premises, for outdoor seating, must be in conjunction with the Group III restaurant, The Sandy Parrot Tiki Bar and Grill, located at 17200 South Tamiami Trail.**

2. The approval for 4-COP-SRX Alcoholic Beverage License for consumption on premises, for outdoor seating is exclusive to the one-page site plan stamped received February 14, 2008 attached hereto as Exhibit "D". The outdoor seating area is limited to a maximum of 10 tables (40 seats); five tables on the south side of the building and five tables on the eastern side of the building and 32 seats at the outdoor bar area.
3. The hours of operation for the service of alcoholic beverages for the outdoor seating area, for consumption on premises, will be limited to the hours of 11:00 a.m. to 12:00 p.m. midnight, Monday through Sunday.
4. Outdoor music and entertainment must be limited to piped music, provided the volume is kept at or below a normal conversation level.

DULY SIGNED this 15th day of May, A.D., 2008.

BY: Pam Houck
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

- A. Legal description
- B. Copy of Resolution Number ZAB-86-11
- C. Copy of Case Number COP2003-00228
- D. Site Plan depicting location of outdoor seating
- E. Site Plan depicting parking spaces
- F. Site Plan depicting measurement to Rayma C. Page Elementary School (704.92 feet)

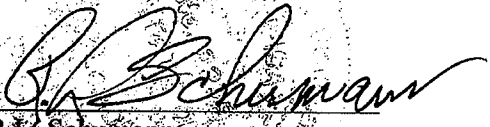
EXHIBIT A

4100 Center Pointe Drive Ste 107
Fort Myers, FL 33916
sandhlandsurvey@earthlink.net

S & H Land Survey Company, Inc.

Parcels at 17200 S Tamiami Trail, Strap# 07-46-25-00-00004.0020.

Commencing at the intersection of the centerline of Section 7, Township 46 South, Range 25 East, and the South line of the Northeast quarter of the Northwest quarter of said section; thence North 00°23'10" West, deed, North 00°07'17" West, measured, 180.98 feet to the Point of Beginning; thence North 72°44'40" West, 104.94 feet, deed, North 71°15'28" West, 105.06 feet, measured; thence North 00°23'10" West, 170.92 feet, deed, North 00°07'17" West, 170.95 feet, measured; thence South 72°44'40" East, 104.94 feet, deed, South 71°19'84" East, 105.48 feet, measured; thence South 84°25'50" East, 598.34 feet, deed, South 84°02'56" East, 598.79 feet, measured, to the Westerly right-of-way line of South Tamiami Trail, (a 200.00 feet right-of-way); thence a cord bearing of South 39°35'25" East, 241.08 feet, deed, South 39°05'46" East, 240.47 feet measured along said Westerly right-of-way line; thence North 84°25'50" West, 751.53 feet, deed, North 84°03'28" West, 751.32 feet, measured, to the Point of Beginning containing 3.03 acres more or less.


R.L. Schumann
RLS 2239

Job# 19348, Margarita Grill

(239) 481-2366 Ft. Myers
(239) 481-2437 Fax

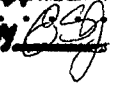
EXHIBIT PH-3.C.1.

RECEIVED
JAN 10 2008

COMMUNITY DEVELOPMENT

COP 2008-00011

Applicant's Legal Checked

by 

1/15/08

07/19/07	Boundary & Location Survey
12/27/07	Revised to show State Plane
02/21/08	Coordinates with additional legal
	Revised Notes
03/06/08	Revised distance to centerline
	of front door of referenced building
03/27/08	Revised distance to NW
	corner of Parcel 1
04/18/08	Revised distance of establishment
	to school property line

[illegible]**LEGAL DESCRIPTION:**

Subject Property Located
in FEMA Flood Zone A14 (11.0')
Panel: 125124-0456-B
Dated: 09/19/1984

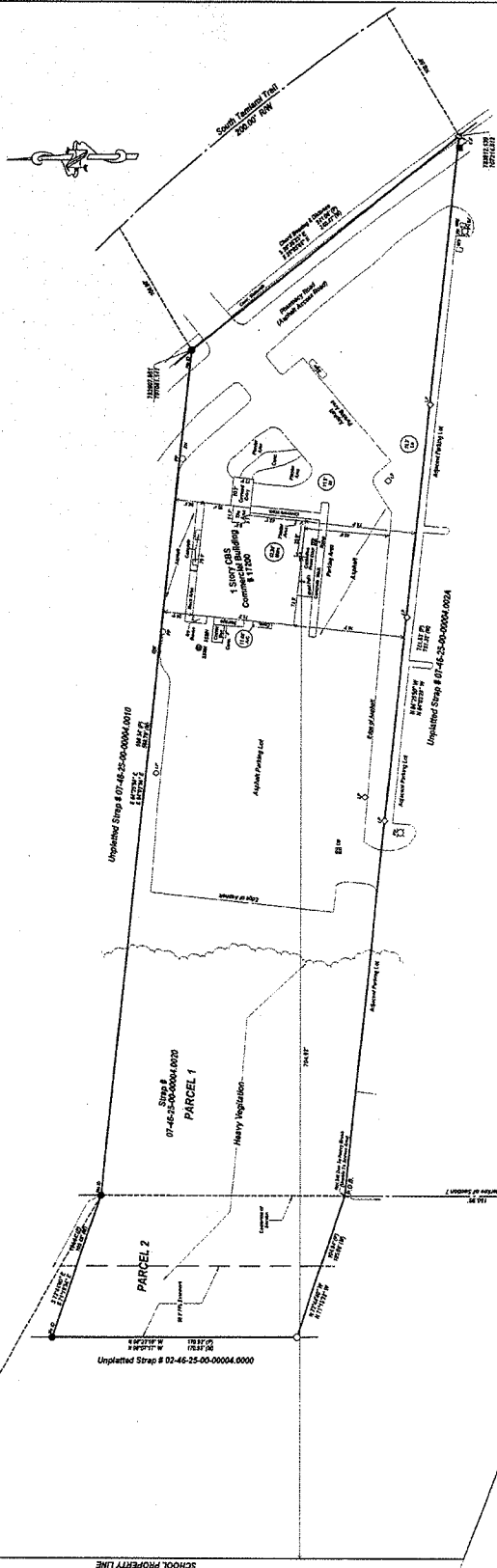
PROPERTY ADDRESS:
17200 S. Tamiami Trail
Fort Myers, FL 33908

CERTIFIED TO:
Chris Michaels

NOTES:

1. Descriptions as furnished by Client. No search of the Public Records was conducted by this firm.
2. Elevations as shown are based on M.G.V. 1929 Datum unless otherwise Stated.
3. The Survey is based on the Survey of 1929.
4. Encroachments are based on Plat.
5. There may be other easements and shown hereafter recorded in the Public Record.
6. The Governing County has been determined to be within this firm's Survey limits liability only up to the coast of the Survey.
7. Superior limits liability only to the coast of the Survey.
8. This Survey is prepared by Copyright and All Rights are Reserved.
9. This Sketch Does Not Relieve or Determine Ownership. This Sketch is Not an ALTA/ACSM Land Title Survey. Photocopying Prohibited. Copyrighted Material. No copies shall be made without written A.L.P. Authorization. Possession of any such document does not constitute A.L.P. Authorization. A.L.P. is not responsible for 415 F.M. & H.145; Florida Statutes. Authorization by copy and sealed letter is required prior to possession of any Copyrighted documents. Failure to do so will result in a civil suit for damages.
10. Survey valid for 90 days from last field update.
11. Survey valid for 90 days from last field update.
12. Survey valid for 90 days from last field update.
13. S.F.H Land Title Company has determined the straight line distance from the property corner to the first 1/4 section corner is 100 feet per the plat. Page 10 of 10

Date: 07/19/07
Scale: 1" = 40'
Job #: 19348



LEGEND

- [illegible]

RECEIVED

COMMUNITY DEVELOPMENT

11000-8002

Applicant's Survey Checked
by ASJ 4/23/08

E & H Land Survey Company, Inc.
1100 Center Pointe Dr., Suite 107
Fort Myers, Florida 33916
BB: 1057
Phone: (239) 481-2366
Fax: (239) 481-2437

Date of Signature: 04/18/08

EXHIBIT B

RESOLUTION NUMBER ZAB-86-11

2101149

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDARECORD VERIFIED - CHARLIE GREEN, CLERK
BY: H. FERNSTROM, D.C.

OFF 1848 PG 1533

WHEREAS, Jock Lee, has properly filed an application in the AG and RV districts for:

- a) District boundary change to CC; and
- b) Special exception for consumption on premises of alcoholic beverages (Section 614.C).

The subject property is located on a piece of property just south of the U.S. 41 and Alico Road intersection, on the west side of U.S. 41, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 46 South, Range 25 East, Lee County, Florida.

PARCEL 1: Commencing at the Southwest Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 46 South, Range 25 East; thence run N 0°23'10"W along the West line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$ for 180.98 feet to the POINT OF BEGINNING; thence continue N 0°23'10"W along the West line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$ for 170.92 feet; thence S 84°25'50" E (parallel to and 350 feet perpendicular with the South line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$) for 598.34 feet to the West right-of-way line of the Tamiami Trail (State Road #45); thence Southeasterly along the arc of a curve to the right for 241.40 feet (cord bearing S 39°35'25"E 241.08 feet; delta 10°08'14" and radius of 1364.40 feet) along the west right-of-way line of Tamiami Trail; thence N 84°25'50"W (parallel to and 180 feet perpendicular with the South line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$) for 751.53 feet to the POINT OF BEGINNING.

PARCEL 2: Commencing at the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, Township 46 South, Range 25 East; thence run N 0°23'10" W along the East line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for 180.98 feet to the POINT OF BEGINNING; thence continue N 0°23'10"W along the East line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for 170.92 feet; thence N 72°44'40"W (parallel to and 350 feet perpendicular to the South line of the said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$) for 104.94 feet; thence S 0°23'10"E (parallel to and 100 feet perpendicular to the East line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$) for 170.92 feet; thence S 72°44'40"E (parallel to and 180 feet perpendicular with the South line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$) for 104.94 feet to the POINT OF BEGINNING.

WHEREAS, proper authorization has been given to Humphrey, Jones, Myers, P.A., by Jock Lee, the owner of the subject parcel, to act as agents to pursue this zoning application;

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Zoning Board, with full consideration of all the evidence available to the Zoning Board; and

RESOLUTION NUMBER ZAB-86-11

HEARING NUMBER 86-1-11

Page 1 of 3

(17432)

WHEREAS, the Lee County Zoning Board fully reviewed the matter and recommended approval, with conditions on the special exception, based on the analysis contained in the Staff Report of January 17, 1986 and the testimony given at the January 27, 1986 Zoning Board Hearing; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the Staff, the Local Planning Agency, the Zoning Board, the documents on file with the County, and the testimony of all interested persons:

LEGISLATIVE HISTORY:

The requested district boundary change from AG to CC meets the site location standards of the Lee Plan, as this parcel is within one-quarter of a mile of the intersection of US 41 and Alico Road (two arterial roads). An on-site inspection of the area would suggest that the requested uses might constitute premature strip development, which is contrary to Policy III.D.8. of the Lee Plan. However, recent re-zoning approvals in this area make such an interpretation appear incorrect. These cases are: 83-4-26 (European Investments, Inc.), 83-6-30 DCI (Chitwood and Marsh), 83-11-12(b) (Harborage), 85-2-1 DCI (Ronald Francisco), and 85-3-9 (Granada Lakes). These recent cases, along with other previous re-zonings in this area, and given the parcel's location within one quarter of a mile of an arterial intersection, were the basis for staff's recommendation for approval of the requested district boundary change to CC. Staff recommended approval with conditions of the special exception for consumption on premises of alcoholic beverages. The Local Planning Agency found the request consistent with the Lee County Comprehensive Plan, and the Zoning Board concurred with staff and recommended approval, with conditions on the special exception. The Board did not concur with the recommended conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS AS THE ZONING APPEALS BOARD, that the Zoning Appeals Board does hereby grant in the AG and RV districts:

- a) District boundary change to CC; and
- b) Special exception for consumption on premises of alcoholic beverages (Section 614.C).

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Wallace, and seconded by Commissioner Eastwood and, upon being put to a vote, was as follows:

Porter J. Goss	Aye
Roland Eastwood	Aye
Mary Ann Wallace	Aye
Bill Fussell	Nay
Donald D. Slisher	Abstained, as his engineering company does considerable work for the applicant

DULY PASSED AND ADOPTED this 10th day of March, A.D., 1986.

ATTEST:
CHARLIE GREEN, CLERK

BY: Jim L. Price, Jr.
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
Chairman

Approved as to form by:

Charles J. Bunker
County Attorney's Office

REC 1848PG1535

RECORDED AND RECORDED VERIFIED
CLERK CIRCUIT COURT
LEE COUNTY FLA
MAY 29 1 55 PM '86

ZONE NOTES QUERY REPORT

ZONE NOTES ID: ZONE:CC:001071

ZONING: CC

STRAP: 07-46-25-00-00004.0020

COP2003-00228, 30JAN04, APRVL FOR 4COP-SRX, GROUP III REASTARAUNT; CONDS.
RESOL ZAB-86-11. FM AG & RV TO CC & SPEC EX FOR COP. HEAR #86-1-11.
(AG-2 & RV-3, AS CONVERTED)

EXHIBIT C

ADMINISTRATIVE APPROVAL COP2003-00228

ADMINISTRATIVE APPROVAL CONSUMPTION ON PREMISES LEE COUNTY, FLORIDA

WHEREAS, Chris Michael o/b/o Pelagos, Inc. filed an application for administrative approval for Consumption on Premises for a 4-COP SRX Alcoholic Beverage License with outdoor seating on a project known as Margarita Grille; and

WHEREAS, the subject property is located at 17200 So. Tamiami Trail, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 46 South, Range 25 East, Lee County, Florida:

SEE Exhibit "A"

WHEREAS, the applicant has indicated the property's current STRAP number is 07-46-25-00-00004.0020; and

WHEREAS, Jack & Ping Lee, the owner of the subject parcel, has authorized Robert Burandt, Esq, to act as agent to pursue this application; and

WHEREAS, the Group III restaurant is zoned CC (Community Commercial) under zoning resolution ZAB-86-11; and

WHEREAS, a Group III restaurant is a permitted use in the CC zoning district; and

WHEREAS, Consumption on Premises, (Indoors and Outdoors) in conjunction with a Group III restaurant, is a permitted use in the CC zoning district; and

WHEREAS, the application proposes to serve beer, wine and liquor in two outdoor seating areas shown on Exhibit "B". The area along the south side of the restaurant will have 5 tables with 20 seats and the area to the east side of the restaurant will have 8 tables with 32 seats; and

WHEREAS, there are no religious facilities, schools, day care centers, parks, dwelling units, or another establishment primarily engaged in the sale of alcohol for consumption on premises within 500 feet of Margarita Grill restaurant; and

WHEREAS, the Lee County Land Development Code provides for certain administrative approvals for Consumption on Premises; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, there will be no apparent deleterious effect of such use upon surrounding properties and the immediate neighborhood as represented by property owners within 500 feet of the premises; and

WHEREAS, the premises are suitable in regard to their location, site characteristics and intended purpose. Lighting on the permitted premises must be shuttered and shielded from surrounding properties.

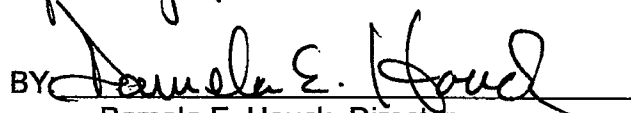
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Administrative Approval for Consumption on Premises is **APPROVED**.

Approval is subject to the following conditions:

1. The consumption on premises (4-COP-SRX), for the outdoor seating area, must be in conjunction with the existing Group III Restaurant, The Margarita Grille located at 17200 South Tamiami Trail.
2. The approval for consumption on premises (4-COP-SRX), which includes the outdoor seating area, is based on the one page site plan dated December 15, 2003 by the Permit Counter attached hereto as Exhibit "B". The outdoor seating area is limited to a maximum of 5 tables with 20 seats along the south side of the building and 8 tables with 32 seats along the east side of the building.
3. The hours of operation for the service of alcoholic beverages for the outdoor seating area, for consumption on premises, will be limited to the hours of 11:00 am to 12:00 p.m. midnight, Monday through Sunday.
4. Outdoor music and entertainment shall be limited to piped music, provided the volume is kept at or below a normal conversation level.

DULY SIGNED this 30th day of January, A.D., 2004.

BY



Pamela E. Houck, Director

Division of Zoning

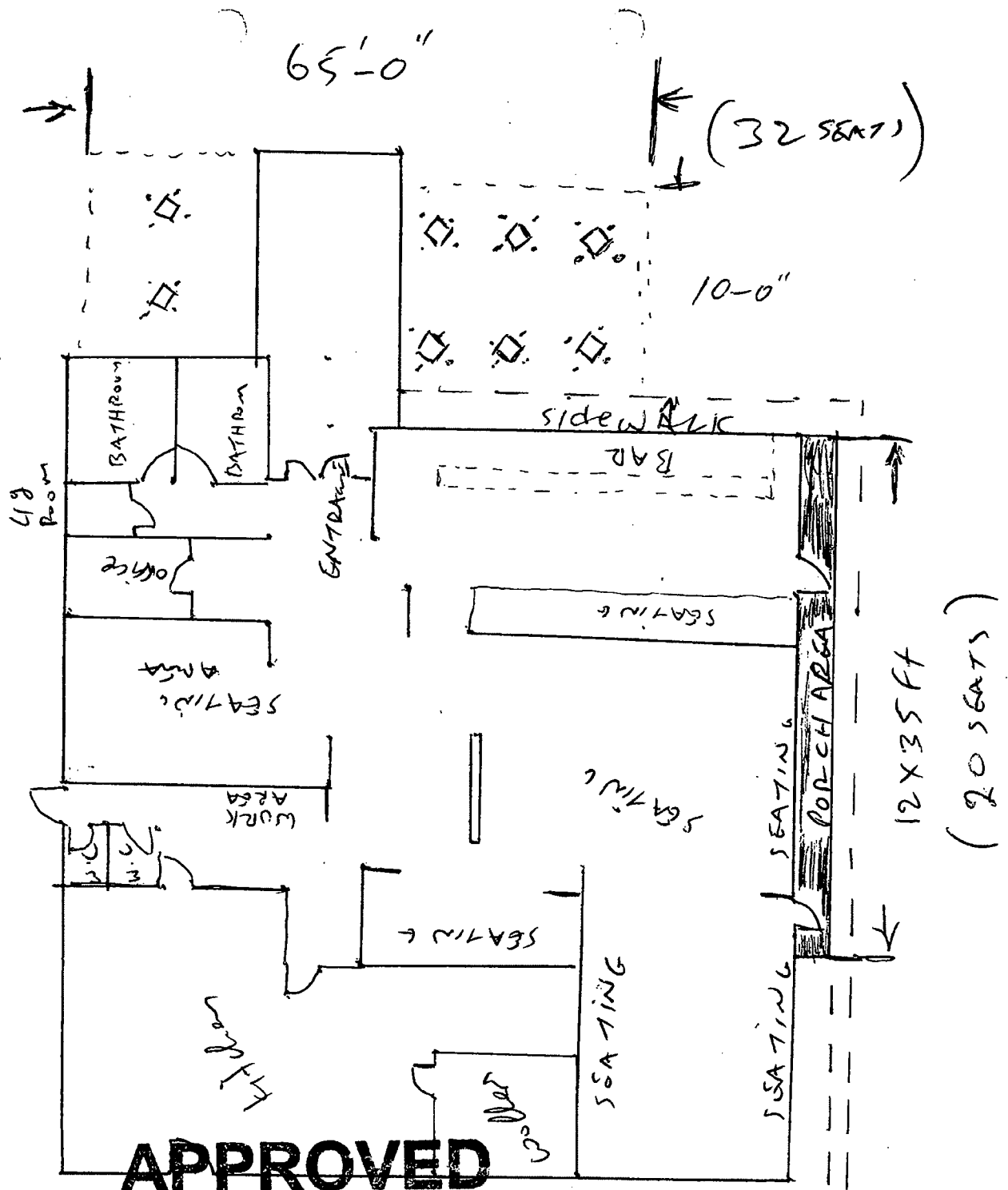
Department of Community Development

COP2003-00228

PROPERTY DESCRIPTION
EXHIBIT "A"

COMMENCING AT THE SOUTHWEST CORNER OF THE NW1/4 OF THE NE1/4 OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE RUN N.00°23'10"W. ALONG THE WEST LINE OF SAID NW1/4 OF NE1/4 FOR 180.98 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.00°23'10"W. ALONG THE WEST LINE OF SAID NW1/4 OF NE1/4 FOR 170.92 FEET; THENCE S.84°25'50"E. (PARALLEL TO AND 350 FEET PERPENDICULAR WITH THE SOUTH LINE OF SAID NW1/4 OF NE1/4) FOR 598.34 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE TAMIAMI TRAIL (STATE ROAD #45); THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT FOR 241.40 FEET (CHORD BEARING S.39°35'25"E. 241.08 FEET; DELTA 10°08'14" AND RADIUS OF 1364.40 FEET) ALONG THE WEST RIGHT-OF-WAY LINE OF TAMIAMI TRAIL; THENCE N.84°25'50"W. (PARALLEL TO AND 180 FEET PERPENDICULAR WITH THE SOUTH LINE OF SAID NW1/4 OF NE1/4) FOR 751.53 FEET TO THE **POINT OF BEGINNING**.

Applicant's Legal Checked
by *Amy* 14 JAN 04



APPROVED
Plan

Subject to Case # COP2003-00228

Date 1/30/04

RECEIVED
DEC 15 2003

PERMIT COUNTER

COP2003-00228

FURNISH SCHEDULE		FLOOR		BASE		WALLS		CEILING		REMARKS
NO.	ROOM	MATERIAL		MATERIAL		MATERIAL	FINISH	MATERIAL	FINISH	
799	PAINT	TILE		TILE		DRW	PAINT	LAY-IN		
101	WASH. CUB	TILE		TILE		DRW	PAINT	EXPOSED		
101	HID. DR. CUB	TILE		TILE		DRW	PAINT	EXIST. DRW	PAINT	
793	WASH. CUB	CONC. - PATTERED		NONE		NONE	---	EXPOSED		
104	WASH. CUB	CONC. - PATTERED		---		---	---	---		
105	WASH. CUB	EXIST. TILE		EXIST. TILE		EXIST. DRW	PAINT	EXIST. LAY-IN		
106	SH. DR.	EXIST. TILE		EXIST. TILE		EXIST. DRW	PAINT	EXIST. DRW		
107	WASH. CUB	TILE		TILE		DRW	PAINT	LAY-IN		WASH. PAINT
108	WASH. CUB	TILE		TILE		DRW	PAINT	LAY-IN		WASH. PAINT
101	WASH. CUB	TILE		TILE		DRW	PAINT	DRW		
110	OFFICE	EXIST. TILE		EXIST. TILE		EXIST. DRW	PAINT	EXIST. LAY-IN		
111	KITCHEN	EXIST. TILE		EXIST. TILE		EXIST. FRP OVER DRW	FRP.	EXIST. DRW	EXIST.	WASH. PAINT
112	WASH. CUB	EXIST. TILE		EXIST. TILE		DRW	PAINT	EXPOSED		
113	WASH. CUB	TRF. FAB.		---		---	---	---		EXIST.
114	WASH. CUB	TRF. FAB.		---		---	---	---		EXIST.
115	WASH. CUB	TRF. FAB.		---		---	---	---		EXIST.
116	WASH. CUB	CONC. SEALED		---		---	---	---		EXIST.
117	WASH. CUB	CONC. SEALED		---		---	---	---		EXIST.
118	WASH. CUB	CONC. SEALED		---		---	---	---		EXIST.

**Gersdorff &
Gersdorff, Inc.
Architects**

660 PRESIDENTIAL COURT
SUITE 2
FT. MYERS, FLORIDA 33919
PHONE 339-437-1560
FAX 339-437-1901

AA 020129

RENOVATION TO: MARGARITA GRILLE 17200 SOUTH TAMiami TRAIL FT. MYERS, FLORIDA	JOB: _____ DATE: <u>Jan. 4, 2008</u> DWN: <u>KTB</u> CKD: _____	REVISION 1-21-08
---	--	------------------

FLOOR PLAN

N.T.S.

EXHIBIT
C

A1

APPROVED
Plan

Subject to Case # CoP 2008-00011
Date 5/15/2008

RECEIVED
FEB 14 2008

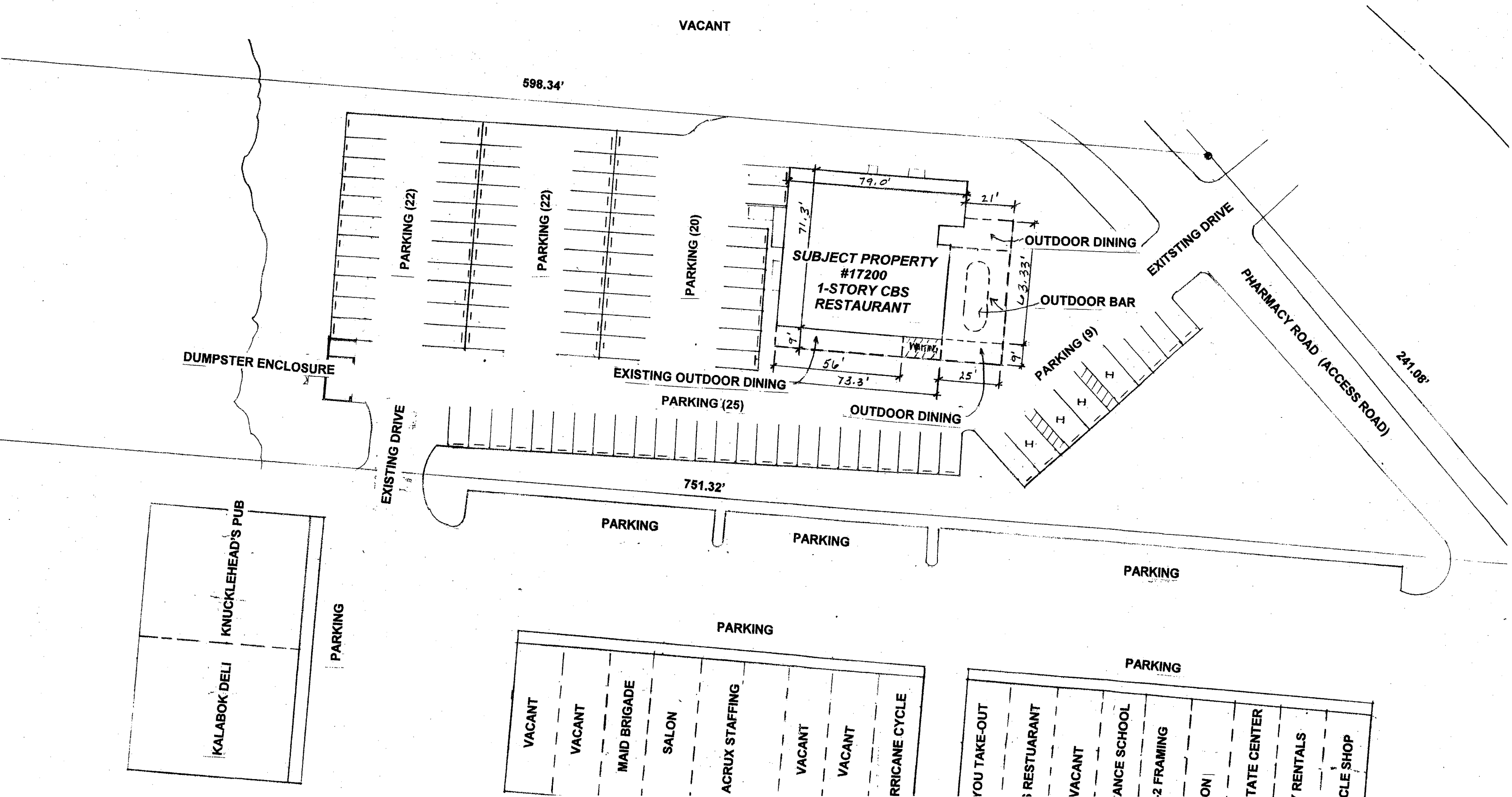
~~COMMUNITY DEVELOPMENT~~

COP 2008-00011

GREGORY W. GERSDORF
ARCHITECT
FLORIDA REG. #AR0010597

2-13-08

TOTAL REQUIRED PARKING SPACES = 98 SPACES
98 PARKING SPACES PROVIDED - SEE SITE PLAN



LEGAL DESCRIPTION:

Parcel 1: The North 170.00 feet of the South 350.00 feet measured along a line perpendicular to the South line of the Northwest quarter (NW ¼) of the Northeast quarter (NE ¼) of the Northwest quarter (NW ¼) of the Northeast quarter (NE ¼) of Section 7, Township 46 South, Range 25 East, lying Westerly of Tamiami Trail (State Road #45).

Parcel 2: The North 170.00 feet of the East 100.00 feet of the Northeast quarter (NE ¼) of the Northwest quarter (NW ¼) of said Section 7, lying Southerly of the following described line: Beginning at the Northwest corner of the hereinabove described parcel 170.00 feet wide, run Northwesterly parallel with the South line of the said Northeast quarter (NE ¼) of the Northwest quarter (NW ¼) to a point 100.00 feet West of the East line of said Northeast quarter (NE ¼) of the Northwest quarter (NW ¼); Subject to the Florida Power and Light Company Transmission line easement over and across the West 50.00 feet of the East 100.00 feet to said quarter-quarter.

Parcels at 17200 S Tamiami Trail, Strap# 07-46-25-00-00004.0020.

Commencing at the intersection of the centerline of Section 7, Township 46 South, Range 25 East, and the South line of the Northeast quarter of the Northwest quarter of said section; thence North 00°23'10" West, deed, North 00°07'17" West, measured, 180.98 feet to the Point of Beginning; thence North 72°44'40" West, 104.94 feet, deed, North 71°15'28" West, 105.06 feet, measured; thence North 00°23'10" West, 170.92 feet, deed, North 00°07'17" West, 170.95 feet, measured; thence South 72°44'40" East, 104.94 feet, deed, South 71°19'34" East, 105.48 feet, measured; thence South 84°25'50" East, 598.34 feet, deed, South 84°02'56" East, 598.79 feet, measured to the Westerly right-of-way line of South Tamiami Trail, (a 200.00 feet right-of-way); thence a cord bearing of South 39°35'25" East, 241.08 feet, deed, South 39°05'46" East, 240.47 feet, measured along said Westerly right-of-way line; thence North 84°25'50" West, 751.53 feet, deed, North 84°03'28" West, 751.32 feet, measured to the Point of Beginning containing 3.03 acres more or less.

Boundary & Location Survey	07/19/07
Revised to show State Plane	
Coordinates with additional legal	12/27/07
Revised Notes	02/21/08
Revised distance to centerline	
of front door of referenced building	03/06/08
Revised distance to NW	
corner of Parcel 1	03/27/08
Revised distance of establishment	
to school property line	04/18/08

Subject Property Located
in FEMA Flood Zone A14 (11.0')
Panel: 125124-0455-B
Dated: 09/19/1984

PROPERTY ADDRESS:
17200 S. Tamiami Trail
Fort Myers, FL 33908

CERTIFIED TO:
Chris Michaels

NOTES:

1. Description as furnished by Client. No search of the Public Records was Conducted by this Firm.
2. Elevations as shown are based on N.G.V.D. 1929 Datum unless otherwise Stated.
3. Bearings are based on Plat or Deed.
4. Encroachments are based on Plat.
5. There may be other easements not shown hereon recorded in the Public Record of Governing County.
6. No Determination of Hazardous Waste Materials have been made by this Firm.
7. Signor limits liability only up to the cost of the Survey.
8. This Survey is protected by Copyright and All Rights Are Reserved.
9. Not Valid without signature and Raised Seal.
10. This Sketch Does Not Reflect or Determine Ownership. This Sketch is Not an ALTA/ACSM Land Title Survey. Photocopying Forbidden, Copyrighted Material.
11. No copies shall be made without written Authorization. Possession of any such document is an offense against Intellectual Property as outlined within Chapter 815.04 & 815.045, Florida Statutes. Authorization by signed and sealed letter is required prior to possession of any Copyrighted documents. Failure to do so could result, if convicted, in a felony record.
12. Survey valid for 90 days from last field update.
13. S & H Land Survey Company has determined the straight line distance from the NW property corner of Parcel 1 to the nearest point on the Rayma C. Page Elementary School Building is 500.00 feet more or less.

Date: 07/19/07

Scale: 1" = 40'

Job #: 19348

R. L. Schumann
Registered Land Surveyor
#2239 - State of Florida

Date of Signature: 04/18/08

LEGEND

A/C = Air Conditioning Unit	PC = Point of Curve
BM = Benchmark	PL = Property Line
C = Calculated	PP = Power Pole
C.B.S. = Concrete Block Stucco	PT = Point of Tangent
Conc. = Concrete	P.O.B. = Point of Beginning
CR = Cable Riser	P.O.C. = Point of Commencement
D = Deed	P.O.I. = Point of Intersection
DE = Drainage Easement	P.U.E. = Public Utility Easement
DI = Drop Inlet	R/W = Right of Way
D/W = Driveway	SSMH = Sanitary Man Hole
E.O.P. = Edge of Pavement	S/W = Sidewalk
FH = Fire Hydrant	TF = Transformer
FV = Fire Valve	T.Ped = Telephone Pedestal
GW = Guy Wire & Anchor	UTR = Utility Riser
Irr. WM = Irrigation Water Meter	WM = Water Meter
LP = Light Pole	WV = Water Valve
M = Measured	○ = 1/2" Iron Pin/Cap Set
Main = Main Floor	● = 1/2" Iron Rod Found
MFSS = Man Hole Sanitary Sewer	△ = PK & Tin Tab Set
NGVD = National Geodetic Vertical Datum (1929)	▲ = PK & Tin Tab Found
P = Plat	■ = Concrete Monument Found
— = Centerline of RW	
— = Chainlink Fence	
— W — = Edge of Water	
— = Overhead Powerline	
— = Top of Bank	
0000.000 0000.000	= State Plane Coordinates

RECEIVED
APR 21 2008

COMMUNITY DEVELOPMENT

60P 2008-00011

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