

RESOLUTION NUMBER Z-95-061

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Pelican Landing Communities, Inc. has filed an application for an Amendment to the Pelican Landing CPD/RPD Resolution Z-94-014 and Master Concept Plan; and

WHEREAS, the subject property is located between US 41 and Estero Bay, north of Spring Creek to the north and south of Coconut Road; and

LEGAL DESCRIPTION: In Sections 05, 07, 08, 09, 16, 17, 18, 20, and 21, Township 47 South, Range 25 East, and Sections 13 and 24, Township 47 South, Range 24 East, Lee County, Florida:

DRI PARCEL 1

A tract or parcel of land lying in Sections 08, 09, 16, 17, 20 and 21, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

Beginning at a concrete monument marking the Northeast corner of said Section 20, run S00°35'25"E along the East line of said section for 2,659.47 feet to the Southeast corner of the Northeast Quarter (NE¼) of said section; THENCE run N88°52'49"E along the North line of the Southwest Quarter (SW¼) of said Section 21 for 2,040.41 feet; THENCE run S00°51'35"E for 801.04 feet to the waters of Spring Creek; THENCE run along Spring Creek for 3,630 feet, more or less to an intersection of the East line of said Section 20 and the approximate centerline of Spring Creek; THENCE run along said centerline the following courses:
S78°50'00"W for 181.31 feet,
N34°24'12"W for 230.22 feet,
N30°59'12"W for 174.93 feet,
N24°25'16"E for 120.83 feet,
S65°47'43"E for 219.32 feet,
N18°24'43"E for 158.11 feet,
N75°11'47"W for 351.71 feet,
N65°09'33"W for 451.88 feet,
N84°18'44"W for 351.75 feet,
N66°54'31"W for 445.79 feet,
S63°24'43"W for 134.16 feet,
S03°23'22"E for 170.29 feet,

continued...

S50°30'17"W for 220.23 feet,
 N84°49'43"W for 331.36 feet,
 S62°13'07"W for 214.71 feet,
 S22°08'36"W for 291.55 feet,
 S72°15'11"W for 131.22 feet to an intersection with the
 East line of the Southwest Quarter (SW¼) of said Section
 20;
 THENCE run N00°50'19"W along said East line for 520.00 feet
 to the Northeast corner of said fraction;
 THENCE run S89°58'37"W along the North line of said
 fraction for 290.00 feet to an intersection with the
 approximate centerline of the most Easterly branch of said
 Spring Creek;
 THENCE run along said centerline the following courses:
 N09°13'28"W for 137.34 feet,
 N29°08'22"W for 590.59 feet,
 N38°31'58"W for 278.03 feet,
 N65°16'43"W for 254.95 feet,
 N37°18'28"W for 286.01 feet,
 N32°51'05"E for 252.39 feet,
 N20°11'00"E for 236.69 feet,
 N27°23'47"W for 369.25 feet,
 N89°15'43"E for 50 feet, more or less to the Easterly shore
 of said Spring Creek;
 THENCE run along said Easterly shore for 1,220 feet, more
 or less to an intersection with the North line of said
 Section 20;
 THENCE run N89°15'13"E along said North line of said
 Section for 970 feet, more or less to a concrete monument
 marking the Northwest corner of the Northeast Quarter (NE¼)
 of said Section 20;
 THENCE run N00°31'30"E along the West line of the Southeast
 Quarter (SE¼) of said Section 17 for 2,644.38 feet to an
 intersection with the South line of Spring Creek Road as
 described in Deed Book 305 at Page 276, Lee County Records;
 THENCE run S89°58'35"E along said South line for 739.45
 feet;
 THENCE run N00°07'58"E for 30.00 feet to an intersection
 with the North line of the Southeast Quarter (SE¼) of said
 Section 17;
 THENCE run S89°58'35"E along the North line of said
 fraction for 375.91 feet to the Southeast corner of lands
 described in Official Record Book 1713 at Page 1188 of said
 Public Records;
 THENCE run N00°41'04"W for 668.20 feet to the Northeast
 corner of said lands;
 THENCE run N89°50'32"W along the North line of said lands
 for 366.38 feet to the Easterly line of said Spring Creek
 Road (50 feet wide);
 THENCE run N00°07'58"E for 2,007.04 feet to an intersection
 with the South line of the Southeast Quarter (SE¼) of said
 Section 08;

continued ...

THENCE continue N00°07'17"E along said East line for 343.54 feet;
 THENCE run S89°38'58"E for 10.00 feet;
 THENCE run N00°07'17"E along said East line for 849.27 feet to the Southwest corner of lands described in Official Record Book 2039 at Page 3364 said Public Records;
 THENCE run S89°21'02"E along the South line of said lands for 189.98 feet;
 THENCE run N00°07'17"E along the East line of said lands for 125.01 feet;
 THENCE run N89°21'02"W along the North line of said lands for 199.98 feet to an intersection with the Easterly line of said Spring Creek Road;
 THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of Coconut Road (50 feet wide);
 THENCE run S89°16'14"E along said South line for 1,802.38 feet to an intersection with the West line of said Section 09;
 THENCE run N00°39'58"W along said West line for 25.00 feet to a concrete monument marking the Northwest corner of the Southwest Quarter (SW¼) of said Section;
 THENCE continue along said West line N00°39'58"W for 5.00 feet to an intersection with the South line of said Coconut Road as described in Official Record Book 1738 at Page 2538, said Public Records;
 THENCE run S89°35'50"E along said South line for 3,164.37 feet to an intersection with the West line of Tamiami Trail (SR 45);
 THENCE run S00°10'56"W along said West line for 621.81 feet to a Point of Curvature;
 THENCE run Southerly and Southeasterly along said West line, along the arc of a curve to the left of radius 5,797.58 feet (chord bearing S04°57'34"E) (chord 1,039.14 feet) (delta 10°17'00") for 1,040.54 feet to a Point of Tangency;
 THENCE run S10°06'04"E along said Westerly line for 938.08 feet to an intersection with the North line of the Northeast Quarter (NE¼) of said Section 16;
 THENCE run S89°23'00"W along said North line for 708.94 feet to the Northwest corner of said Northeast Quarter (NE¼) of Section 16;
 THENCE run S00°02'54"W along said West line of the Northeast Quarter (NE¼) for 2,643.98 feet to the Southwest corner of the Northeast Quarter (NE¼) of said Section;
 THENCE run N89°10'38"E along the South line of said fraction for 538.06 feet;

continued...

THENCE run S00°06'43"E for 1,085.91 feet;
 THENCE run N89°06'43"E for 744.41 feet to an intersection
 with the West line of said Tamiami Trail;
 THENCE run Southerly along said West line, along the arc of
 a non-tangent curve to the right of radius 5,619.58 feet
 (chord bearing S00°22'05"E) (chord 50.21 feet) (delta
 00°30'42") for 50.21 feet to a Point of Tangency;
 THENCE run S00°06'43"E along said West line for 49.81 feet;
 THENCE run S89°06'43"W for 300.00 feet;
 THENCE run S00°06'43"E for 1,445.82 feet to an intersection
 with the South line of the Southeast Quarter (SE¼) of said
 Section 16;
 THENCE run S89°16'54"W along said South line of said
 fraction for 989.41 feet to the Southeast corner of the
 Southwest Quarter (SW¼) of said Section 16;
 THENCE run S88°38'34"W along said South line of said
 Southwest Quarter (SW¼) for 2,627.98 feet to the POINT OF
 BEGINNING.

ALSO

DRI PARCEL 2

A tract or parcel of land lying in Sections 07, 08, 17 and 18 which tract or parcel is described as follows:

From a railroad spike marking the Northwest corner of the
 Southwest Quarter (SW¼) of said Section 08 run S00°23'24"E
 along the West line of said fraction for 25.00 feet to an
 intersection with the South line of Coconut Road (50 feet
 wide) and the POINT OF BEGINNING.
 From said POINT OF BEGINNING run S89°16'14"E along said
 South line for 3,253.00 feet to an intersection with the
 West line of Spring Creek Road;
 THENCE run S00°07'17"W along said West line for 2,610.71
 feet to an intersection with the South line of said Section
 08;
 THENCE run S00°07'58"W along said West line for 2,646.47
 feet;
 THENCE run N89°58'35"W along the North line of Coconut Road
 for 689.04 feet to an intersection with the East line of
 the Northwest Quarter (NW¼) of said Section 17;
 THENCE run N89°59'08"W along said North line for 404.79
 feet to the Southeast corner of lands described in Official
 Record Book 411 at Page 759 of said Public Records;
 THENCE run N01°31'36"E along the East line of said lands
 for 960.34 feet;
 THENCE run N89°59'08"W along the North line of said lands
 for 2,200.77 feet to an intersection with the East line of
 the Northeast Quarter (NE¼) of said Section 18;

continued...

THENCE continue N89°59'08"W for 1,840 feet more or less to the waters of Estero Bay;
 THENCE run Northerly along the waters of Estero Bay for 8,300 feet more or less to an intersection with the North line of the South Half (S½) of Government Lot 2 of said Section 07;
 THENCE run N89°32'15"E along the North line of said Government Lot 2 for 545 feet more or less to the Northwest corner of lands described in Official Record Book 1895 at Page 3817 of said Public Records;
 THENCE run S08°50'45"E along the West line of said lands for 199.50 feet;
 THENCE run N89°32'15"E along the South line of said lands for 247.50 feet;
 THENCE run N89°35'27"E for 666.22 feet;
 THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
 THENCE run S01°07'45"E along said West line for 488.63 feet;
 THENCE run N89°40'05"E along the South line of said Coconut Road for 24.69 feet to the POINT OF BEGINNING.

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516 of the Public Records of Lee County, Florida.

ALSO:

DRI PARCEL 3

A tract or parcel of land lying in Sections 05 and 08, Township 47 South, Range 25 East, Lee County, Florida, consisting of Lots 8B, 9B, 10B, 11B, 12B, 21B, 22B, 23B, 24B and 25B of FLORIDA GULF LAND COMPANY SUBDIVISION as recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, also Lot 8, Block 14 of ELDORADO ACRES (an Unrecorded Subdivision), as shown in Deed Book 310 at Page 183 of the Public Records of Lee County;

ALSO the East Three-quarters (E-3/4) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of said Section 05;

ALSO the East Two-thirds (E-2/3) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section 05;
 ALSO the East Two-thirds (E-2/3) of the Western Half (W½) of the Northwest Quarter (NW¼) of said Section 08; being more particularly described by metes and bounds as follows:

From the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S89°16'14"E along the North line of said Southwest Quarter (SW¼) for 422.61 feet;

continued...

THENCE run N01°05'22"W for 40.02 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING continue N01°05'22"W for 2,610.06 feet;

THENCE run N01°22'23"W for 1,304.41 feet;

THENCE run N89°56'22"W for 107.12 feet;

THENCE run N01°22'55"W for 1,303.87 feet;

THENCE run N89°34'15"E for 2,593.81 feet;

THENCE run S00°26'45"E for 2,655.42 feet;

THENCE run N88°48'50"W along the North line of said Section 08 for 322.66 feet;

THENCE run N89°25'01"W for 587.55 feet;

THENCE run S00°50'16"E for 132.58 feet;

THENCE run N89°11'54"W for 75.00 feet;

THENCE run N00°50'16"W for 132.30 feet;

THENCE run N89°25'01"W for 610.69 feet;

THENCE run S01°00'35"E for 2,612.12 feet to an intersection with the North right-of-way line of Coconut Road;

THENCE run N89°16'14"W along said North right-of-way line for 845.23 feet to the POINT OF BEGINNING.

ALSO

DRI PARCEL 4

All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07, run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;

THENCE run S89°33'42"W along the South line of said Government Lot for 1,747.82 feet to a concrete post at the waters of Estero Bay;

THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;

THENCE run N89°48'31"E along said North line for 2,575 feet more or less to the POINT OF BEGINNING.
Containing 2,409 acres, more or less.

Bearings hereinabove mentioned are based on the East boundary line of Pelican's Nest Unit No. 1 as recorded in Plat Book 41 at Pages 58 through 60 of the Public Records of Lee County, Florida.

AND

continued...

DRI BEACH PARCEL

A tract or parcel of land lying in Government Lot 3, Section 13, and Government Lot 2, Section 24, Township 47 South, Range 24 East, Big Hickory Island, Lee County, Florida, which tract or parcel is described as follows:

From the center of a turnaround on SR 865 (Bonita Beach Road) being S.R.D. Station 19184.75 and N24°28'41"W along the northern prolongation of said centerline of SR 865 for 266.00 feet;

THENCE run S62°26'49"W for 98.40 feet;
THENCE run N27°33'11"W for 1,863.42 feet;
THENCE run N20°00'41"W for 1,403.30 feet;
THENCE run N65°00'00"E for 313.91 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING run N18°55'11"W for 97.51 feet, N22°26'23"W for 100.53 feet,
N23°09'50"W for 100.14 feet,
N14°51'19"W for 73.01 feet,
N27°40'10"W for 88.01 feet,
N29°33'57"W for 46.01 feet,
N22°14'53"W for 47.27 feet,
N20°39'23"W for 46.98 feet,
N11°15'38"W for 29.80 feet,
N26°10'46"W for 46.87 feet,
N09°09'45"W for 48.26 feet,
N17°35'56"W for 46.04 feet,
N12°49'07"W for 50.04 feet,
N29°20'48"W for 69.12 feet,
N20°48'58"W for 63.82 feet;
THENCE run N79°23'51"W for 247 feet more or less to an intersection with the Approximate Mean High Water Line of the Gulf of Mexico;
THENCE run Northerly and Northeasterly along said waters for 1,140 feet more or less to an intersection with the South line of lands described in Official Record Book 198 at Page 188 of the Public Records of Lee County, Florida;
THENCE run along said South line, along the arc of a curve to the right of radius 12,000.00 feet for 783 feet to an intersection with the Waters of New Pass;
THENCE run Southerly, Easterly, Southwesterly and Southerly along said waters for 4,080 feet more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet more or less to the POINT OF BEGINNING.

AND

From said POINT OF BEGINNING run S13°03'59"E for 94.16 feet;

continued...

THENCE run S19°13'48"E for 50.64 feet;
THENCE run S04°34'15"E for 54.63 feet;
THENCE run S24°53'12"E for 50.09 feet;
THENCE run S27°10'29"E for 50.01 feet;
THENCE run S31°01'44"E for 42.51 feet to an intersection
with the South line of lands described in Official Record
Book 2246 at Page 4413 of the Lee County Records;
THENCE run N65°00'00"E along said South line for 134 feet,
more or less to the waters of Estero Bay;
THENCE Northerly along said waters for 358 feet, more or
less to an intersection with a line bearing N65°00'00"E and
passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet, more or less to the
POINT OF BEGINNING.

Bearings hereinabove mentioned are Plane Coordinate for the
Florida West Zone.

PELICAN LANDING RPD PARCEL 1

Tracts or parcels lying in Section 05 and Section 08,
Township 47 South, Range 25 East, Lee County, Florida,
being more particularly described as follows and all
consisting of 203.85 acres, more or less.

Parcels in Section 5:

Lots 8B, 9B, 10B, 11B, 12B, and Lots 21B, 22B, 23B, 24B,
and 25B of Florida Gulf Land Company's Subdivision, all in
Section 05, Lee County, Florida (recorded in Plat Book 1 at
Page 59), consisting of 100 acres more or less.

ALSO:

The East Three-Quarters (E-3/4) of the Northwest Quarter
(NW¼) of the Southwest Quarter (SW¼), of said Section 05,
consisting of 30 acres, more or less.

ALSO:

The East Two-Thirds (E-2/3) of the Southwest Quarter (SW¼)
of the Southwest Quarter (SW¼), of said Section 05,
consisting of 26.67 acres, more or less.

Parcels in Section 8:

The East Two-Thirds (E-2/3) of the West Half (W½) of the
Northwest Quarter (NW¼) of said Section 08, consisting of
approximately 53.55 acres, more or less, less the Southerly
40.00 feet for the right-of-way of Coconut Road.

ALSO:

Lot 8, Block 14 of El Dorado Acres, an unrecorded subdivi-
sion shown in Deed Book 310 at page 183 of the Public
Records of Lee County, Florida.

continued...

PELICAN LANDING RPD PARCEL 2

All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07 run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;

THENCE run S89°33'42"W along the South line of said Government Lot 1 for 1,747.82 feet to a concrete post at the waters of Estero Bay;

THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;

THENCE run N89°48'31"E along said North line for 2,575 feet, more or less to the POINT OF BEGINNING.
Containing 60 acres, more or less.

PELICAN LANDING RPD PARCEL 3

A tract or parcel of land lying in Sections 07, 08, 17 and 18, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) to the POINT OF BEGINNING;

THENCE run S89°16'14"E along said South line for 3,253.00 feet to an intersection with the West line of Spring Creek Road as described in County Commissioners Minute Book 6 at page 210, Public Records, Lee County, Florida;

THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;

THENCE run S00°07'58"W along said West line for 1,612.27 feet;

THENCE run N89°52'02"W for 5.00 feet to a Point on a curve; THENCE along the arc of a non-tangent curve to the right of radius 1,070.00 feet (delta 91°03'07") (chord bearing S45°39'32"W) (chord 1,527.04 feet) for 1,700.40 feet;

THENCE run N01°31'36"E for 33.48 feet to the Southeast corner of lands described in Official Record Book 411 at page 759 of said Public Records;

THENCE continue N01°31'36"E along the East line of said lands for 960.34 feet;

continued...

THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE¼) of said Section 18;
 THENCE continue N89°59'08"W for 1,840 feet, more or less to the waters of Estero Bay;
 THENCE run Northerly along the waters of Estero Bay for 6,490 feet, more or less to an intersection with the South line of Government Lot 2 of said Section 07;
 THENCE run N89°40'05"E along said South line for 745 feet, more or less;
 THENCE run S00°19'55"E for 650.00 feet;
 THENCE run N89°40'05"E for 1,107.21 feet to an intersection with the West line of said Section 08;
 THENCE run N00°23'24"W along the West line of said Section for 625.00 feet to an intersection with the South line of said Coconut road and said POINT OF BEGINNING;
 Containing 547.4 acres, more or less.

PELICAN LANDING RPD PARCEL 4

A tract or parcel of land lying in Sections 08 and 17, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a concrete monument marking the Northwest corner of the Southwest Quarter (SW¼) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, run S00°41'48"E along the West line of said Section 09 for 5.00 feet to an intersection with the South line of Coconut Road (50 feet wide) as described in Official Record Book 1738 at Page 2538, Public Records, Lee County, Florida, and the POINT OF BEGINNING.

From said POINT OF BEGINNING run S00°39'58"E continuing along said West line for 2,606.06 feet to the Southwest corner of said Section 09;
 THENCE run S00°41'04"E along the West line of Section 16, Township 47 South, Range 25 East, Lee County, Florida, for 504.83 feet to a point on a curve;
 THENCE run along the arc of a curve to the right of radius 2,760.00 feet (delta 21°21'52") (chord bearing S75°03'10"W) (chord 1,023.20 feet) for 1,029.15 feet;
 THENCE N20°00'00"W for 580.12 feet;
 THENCE N89°52'02"W for 657.66 feet to an intersection with the East line of Spring Creek Road as described in County Commissioners Minute Book 6 at Page 210, Public Records, Lee County, Florida;
 THENCE run N00°07'58"E along said East line for 240.32 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 08;
 THENCE continue N00°07'17"E along said East line for 343.49 feet;

continued...

THENCE run S89°38'58"E for 10.00 feet;
 THENCE run N00°07'17"E along said East line for 499.94 feet
 to the Southwest corner of lands described in Official
 Record Book 428 at Page 349, said public records;
 THENCE run S89°21'02"E along the South line of said lands
 for 536.00 feet;
 THENCE run N00°07'17"E along the East line of said lands
 for 474.33 feet;
 THENCE run N89°21'02"W along the North line of said lands
 for 546.00 feet to an intersection with the Easterly line
 of said Spring Creek Road;
 THENCE run N00°07'17"E along said East line for 1,292.76
 feet to an intersection with the South line of said Coconut
 Road;
 THENCE run S89°16'14"E along the South line of said Coconut
 Road 1,802.38 feet to an intersection with the West line of
 said Section 09 and the POINT OF BEGINNING.
 Containing 124.18 acres, more or less.

PELICAN LANDING RPD/CPD PARCEL 1

A tract or parcel of land lying in Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northeast corner of the
 Southeast Quarter (SE $\frac{1}{4}$) of said Section 07 run S00°23'24"E
 along the East line of said fraction for 25.00 feet to an
 intersection with the South line of Coconut Road (50 feet
 wide) and the POINT OF BEGINNING.
 From said POINT OF BEGINNING run S00°23'24"E along the East
 line of Section 07 for 625.00 feet;
 THENCE run S89°40'05"W for 1,107.21 feet;
 THENCE run N00°19'55"W for 650.00 feet to an intersection
 with the South line of Government Lot 2 of said Section 07;
 THENCE run S89°40'05"W along said South line for 745 feet,
 more or less to an intersection with the waters of Estero
 Bay;
 THENCE run along the waters of Estero Bay for 1,810 feet,
 more or less to a Point which intersects the North line of
 the South One-Half (S $\frac{1}{2}$) of said Government Lot 2;
 THENCE run N89°32'15"E along said North line of the South
 One-Half (S $\frac{1}{2}$) of said Government Lot 2 for 545 feet, more
 or less to the Northwest corner of lands described in
 Official Record Book 1895 at Page 3817, Public Records, Lee
 County, Florida;
 THENCE S08°50'45"E along the West line of said lands for
 199.50 feet;
 THENCE N89°32'15"E along the South line of said lands for
 247.50 feet;
 THENCE run N89°35'27"E for 666.22 feet;

continued...

THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet to an intersection with the South line of said Coconut Road;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.55 feet to the POINT OF BEGINNING.

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516, Public Records, Lee County, Florida. Containing 39.1 acres, more or less.

PELICAN LANDING RPD/CPD PARCEL 2

A tract or parcel of land lying in the South Half (S½) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:
From the Northwest corner of the Southwest Quarter (SW¼) of said Section 09 run N00°41'48"W for 5.00 feet to the South right-of-way line of Coconut Road (50 foot right-of-way);
THENCE run S89°35'50"E for 1,863.14 feet to the centerline of a certain Florida Power and Light transmission line easement (100 feet wide) as described in Deed Book 229 at Page 48, Public Records, Lee County, Florida, and the POINT OF BEGINNING.

From said POINT OF BEGINNING continue S89°35'50"E along said South right-of-way line for 1,301.22 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a Point of Curvature;
THENCE run along the arc of a curve to the left of radius 5,797.58 feet (delta 10°17'00") (chord bearing S04°57'34"E) (chord 1,039.14 feet) for 1,040.54 feet to a Point of Tangency;
THENCE run S10°06'04"E along said Westerly line for 230.98 feet;
THENCE run S79°53'56"W for 70.57 feet to a Point of Curvature;
THENCE run along the arc of a curve to the right of radius 650.00 feet (delta 49°49'26") (chord bearing N75°11'21"W) (chord 547.59 feet) for 565.23 feet to a Point of Reverse CURVATURE;
THENCE along the arc of a curve to the left of radius 840.00 feet (delta 22°49'21") (chord bearing N61°41'18"W) (chord 332.39 feet) for 334.60 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 180.00 feet (delta 27°59'03") (chord bearing N06°54'21"W) (chord 87.04 feet) for 87.91 feet to a Point of Tangency on the western line of said Florida Power and Light easement;

continued...

THENCE run N20°53'52"W along said Western easement line for 721.03 feet to a Point of Curvature;
THENCE along the arc of a curve to the left of radius 330.00 feet (delta 68°41'58") (chord bearing N55°14'51"W) (chord 372.40 feet) for 395.68 feet to a Point of Cusp;
THENCE run S89°35'50"E for 56.51 feet to a Point of Curvature;
THENCE run along the arc of a curve to the right of radius 530.00 feet (delta 27°42'00") (chord bearing S75°44'50"E) (chord 253.74 feet) for 256.23 feet to an intersection with said centerline of said easement;
THENCE run N20°53'52"W along said centerline for 748.16 feet to an intersection with the South line of said Coconut Road and the POINT OF BEGINNING.
Containing 42.44 acres, more or less.

PELICAN LANDING CPD PARCEL 3

A tract or parcel of land lying in the Southeast Quarter (SE¼) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter (SE¼) of said Section 09 run N01°00'24"W along the West line of said Southeast Quarter (SE¼) for 587.77 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 850.00 feet (delta 39°04'25") (chord bearing S80°33'52"E) (chord 568.50 feet) for 579.67 feet to a Point of Tangency;
THENCE run N79°53'56"E for 70.57 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S10°06'04"E along said West line for 507.09 feet to an intersection with the South line of said Section 09;
THENCE run S89°23'00"W along said South line for 708.94 feet to the POINT OF BEGINNING.
Containing 7.73 acres, more or less.

WHEREAS, a public hearing was properly advertised and held on August 15, 1995, before the Lee County Hearing Examiner who gave full consideration of all the evidence available; and

WHEREAS, a public hearing was properly advertised and held on September 13, 1995, before the Board of County Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board APPROVES with conditions, an Amendment to Pelican Landing CPD/RPD Resolution Z-94-014 and Master Concept Plan as follows:

SECTION A. CONDITIONS:

The zoning Amendment and Master Concept Plan are subject to the following conditions:

1. The development of this project will be in accordance with the one-page Master Concept Plan entitled "Pelican Landing RPD/CPD" stamped received May 24, 1995, and the Pelican Landing DRI Development Order #1-9293-121 and DRI Map H.
2. All deviations and conditions approved by Resolution Z-94-014, except as specifically modified herein and by the amended Master Concept Plan, will remain in full force and effect.
3. RPD Areas A and C are hereby DELETED.
4. The remaining RPD areas, B, D, E, and F are limited to a maximum of 2,266 dwelling units.
5. The indigenous open space in preserve areas must be provided as follows (also enumerated on MCP):

Upland Preserve	86.43+ acres
Wetland Preserve	342.89+ acres

SECTION B. DEVIATIONS:

No additional deviations have been requested.

SECTION C. MASTER CONCEPT PLAN:

A one-page reduced copy of the Pelican Landing RPD/CPD Master Concept Plan is attached to and incorporated into this Resolution by reference.

SECTION D. FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested zoning:

2. The RPD zoning, as conditioned:
 - a. will not have an adverse impact on the intent of the Land Development Code;
 - b. is consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities, and general uses set forth for the proposed use;
 - c. meets or exceeds all performance and locational standards set forth for the proposed use;

- d. will protect, conserve and preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other County development regulations;
 - e. will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property; and
 - f. will not place an undue burden upon existing transportation or other services and facilities. The development will be served by streets with the capacity to carry traffic generated by the development.
- 3. There is no ambiguity on the Official Zoning Map which must be corrected.
 - 6. Changed or changing conditions exist which make the approval of the request appropriate.
 - 7. The requests were previously found to be consistent with the goals, objectives, policies and intent of the Lee Plan, in particular Policies 1.1.4, 1.1.6, 1.5.1, 1.5.2, and 1.7.6 and Goals 5, 6, 8, 12, 13, 92 and 98. As proposed, the requests remain consistent with the foregoing goals, objectives, policies and intent of the Lee Plan.
 - 8. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve this development.
 - 9. The Master Concept Plan is consistent with the densities, intensities and general uses set forth in the Lee Plan for the Urban Community, Outlying Suburban, RPA and TZ land use categories.

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

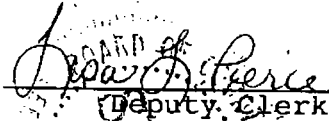
John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

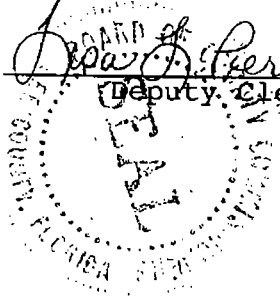
DULY PASSED AND ADOPTED this 13th day of September, A.D., 1995.

ATTEST:
CHARLIE GREEN, CLERK

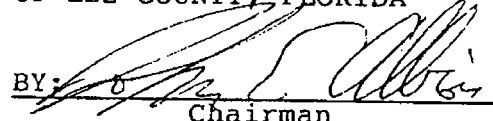
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:

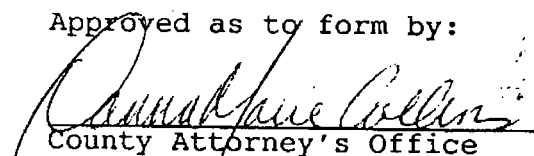

Deputy Clerk



BY:

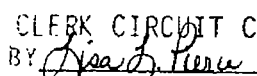

Chairman

Approved as to form by:


County Attorney's Office

FILED

SEP 20 1995

CLERK CIRCUIT COURT
BY  D.C.

CASE NO. 95-01-050.04Z 03.01
ZON5597

RESOLUTION NUMBER Z-95-061
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