

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

WHEREAS, Alan C. Freeman filed an application on behalf of the property owner, Paul H. Freeman, Trustee, to amend the Villages of San Carlos DRI Development Order #81-1; and

WHEREAS, a public hearing was advertised and held on April 19, 2007, before the Lee County Zoning Hearing Examiner, Diana M. Parker, who gave full consideration to the evidence in the record for Case #DCI2005-00054 and DRI2005-00005; and

WHEREAS, a second public hearing was advertised and held on August 20, 2007, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to:

- a. Consider a Notice of Proposed Change (NOPC) to the Villages of San Carlos DRI Development Order and Map H incorporating the following changes:
  - (1) Approved realignment of Three Oaks Parkway adjacent to I-75 south from San Carlos Boulevard/Three Oaks Parkway intersection to the southeast corner of the development;
  - (2) Decrease the total number of residential units from 3,300 dwelling units to 2,500 dwelling units;
  - (3) Increase the commercial development from 15.0 acres to 25.35 acres and increase the commercial uses from 125,000 square feet to 158,799 square feet;
  - (4) Modify the phasing schedule;
  - (5) Establish 2009 as the buildout date;
  - (6) Establish 2010 as the down-zoning date;
  - (7) Establish 2015 as the development order termination date;

- (8) Amend the Revised Land Use Table to reflect the changes to the plan of development and phasing schedule;
- b. Determine whether the proposed changes constitute a substantial deviation from the original development approvals warranting further Development of Regional Impact review; and
- c. Amend the Master Concept Plan and Resolution Z-91-083, to expand the Commercial Planned Development (CPD) district, reduce the acreage of the Residential Planned Development (RPD) district, and add acreage to the Community Facilities Planned Development (CFPD) district.

The applicant indicates that development of this site will include connection to public potable water and public sanitary sewer service. No blasting is being proposed.

The property is located in the Urban Community Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

#### SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the 2-page Master Concept Plan entitled "Revised Master Concept Plan for Villages of San Carlos," stamped received by Community Development on November 29, 2006, last revised May 17, 2006, and attached as Exhibit C, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

Terms and provisions of Resolutions Z-91-083, ZB-83-471, Z-81-47, Z-79-136 and Z-78-136 are codified (amended and restated) into this zoning action, and these five Resolutions are hereby deemed null and void, having been superseded by this zoning action.

2. *Commercial Planned Development Uses, Conditions and Property Development Regulations.*

- a. Permitted uses in Parcels "F" and "F-1" are limited to the following uses:

ADMINISTRATIVE OFFICES

AGRICULTURAL, See Condition B.7. below

ANIMALS: Clinic

ATM (automatic teller machine) - See Condition B.2.b(4) below

AUTO PARTS STORE, without installation facilities

AUTO REPAIR AND SERVICE: Group I

AUTOMOBILE SERVICE STATION - See Condition B.2.b(6) below

BANKS AND FINANCIAL ESTABLISHMENTS: Groups I and II  
BAR OR COCKTAIL LOUNGE  
BOATS: Boat parts store, without installation facilities  
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION  
BUILDING MATERIAL SALES  
BUSINESS SERVICES: Group I  
CAR WASH  
CLEANING AND MAINTENANCE SERVICES  
CLOTHING STORES, general  
CLUBS:  
    Commercial  
    Fraternal, membership organization  
    Private  
COMMUNICATION Facilities, wireless (See Condition B.2.b(7) below)  
CONSUMPTION ON PREMISES  
CONTRACTORS AND BUILDERS: Groups I and II  
CONVENIENCE FOOD AND BEVERAGE STORE  
DAY CARE CENTER, CHILD, ADULT  
DEPARTMENT STORE  
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE  
DRUGSTORE, PHARMACY  
EMS, FIRE OR SHERIFF'S STATION  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES: Group I  
EXCAVATION, water retention  
FENCES, WALLS  
FLEA MARKET, indoor  
FOOD STORES: Groups I and II  
FUNERAL HOME AND MORTUARY, without a crematory  
GOVERNMENT SERVICES  
HARDWARE STORE  
HEALTH CARE FACILITIES: Group III  
HOBBY, TOY AND GAME SHOPS  
HOUSEHOLD AND OFFICE FURNISHINGS: Groups I, II and III  
INSURANCE COMPANIES  
LAUNDRY OR DRY CLEANING: Group I  
LAWN AND GARDEN SUPPLY STORES  
LIBRARY  
NOVELTIES, JEWELRY, TOYS AND SIGNS MANUFACTURING: Groups I, II, and  
    III  
MEDICAL OFFICE  
NONSTORE RETAILERS: Groups I, II, and III  
PARCEL AND EXPRESS SERVICES  
PACKAGE STORE  
PAINT, GLASS AND WALLPAPER  
PARKING LOT:  
    Accessory  
    Garage, public parking

PERSONAL SERVICES: Groups I, II, III, and IV  
 PET SERVICES  
 PET SHOP  
 PHARMACY  
 PLACE OF WORSHIP  
 RECREATION FACILITIES, COMMERCIAL: Groups I and IV, with Group IV  
     limited to: any indoor cultural facility operated as a commercial  
     establishment: bowling alley, bingo hall, health club and gymnasiums  
 RELIGIOUS FACILITIES  
 RENTAL OR LEASING ESTABLISHMENT: Groups I and II  
 REPAIR SHOPS: Groups I, II, and III  
 RESEARCH AND DEVELOPMENT LABORATORIES: Group II  
 RESTAURANT, FAST FOOD  
 RESTAURANTS: Groups I, II, III, and IV  
 SCHOOLS, COMMERCIAL  
 SELF-SERVICE FUEL PUMPS  
 SIGNS - in accordance with chapter 30 of the LDC  
 SOCIAL SERVICES: Group I  
 SPECIALTY RETAIL SHOPS: Groups I, II, III, and IV  
 STORAGE, indoor and open, subject to Condition B.2.b(8) below  
 STUDIOS  
 TEMPORARY USES  
 USED MERCHANDISE STORES: Groups I, II, and III  
 VARIETY STORE

b. Conditions Specific to Commercial Planned Developments.

- (1) Not more than 158,799 square feet of commercial gross floor area may be developed.
- (2) Upon completion of Three Oaks Parkway four lane improvements and development of Parcel F-1, access to Parcels F-1 and G from Three Oaks Parkway is limited to the following locations and specific stations depicted on the MCP:
  - (a) Access to Parcel F is limited to the intersection of San Carlos Boulevard and Three Oaks Parkway at Stations 1246 + 76.
  - (b) Access to Parcel F-1 is limited to the intersection of Three Oaks Parkway and Old Three Oaks Parkway at Stations 1239 + 41.
  - (c) Access to Parcel G is limited to Stations 1254 + 62, approximately 786 feet north of the center line of the intersection of Three Oaks Parkway and San Carlos Boulevard.
- (3) Each commercial out-parcel must provide its own parking in compliance with LDC §34-378(d)(3) of the LDC. There may be no shared parking with the

other tracts on this site. Shared parking between out-parcel tracts is prohibited.

- (4) Any Automatic Teller Machine (ATM) uses that are ancillary to an unrelated permitted use, e.g., an Automatic Teller Machine in a grocery store, will be required to delineate one parking space for the ATM customers.
- (5) All structures on the out-parcels must be bound by a covenant, running with the property to an architectural design compatible with and similar to the main center buildings. Signs conforming with the requirements of LDC Chapter 30 may be mounted on individual buildings for the purpose of identifying tenants. All signs in the entire development and out-parcels must be coordinated so as to give the center a fully integrated, well-designed look to comply with the architectural theme.
- (6) Full or partial service stations (limited to minor repairs only) are permitted uses.
- (7) The wireless communication facility, approved for Parcel "F," must be in compliance with the terms and conditions of the Hearing Examiner's Decision in Case # SEZ2005-00012, rendered on November 1, 2005.
- (8) Open (outdoor) storage is permitted on Parcels F and F-1, provided the storage area is located on the eastern half of these parcels (adjacent to the I-75 corridor) and is fully screened as required in LDC §34-3005.

c. Property Development Regulations

|                    |              |
|--------------------|--------------|
| Minimum lot area:  | 20,000 sq ft |
| Minimum lot width: | 100 ft       |
| Minimum lot depth: | 100 ft       |

|                                                           |       |
|-----------------------------------------------------------|-------|
| Minimum setback from public right-of-way:                 | 25 ft |
| Minimum setback from public right-of-way w/frontage road: | 65 ft |
| Minimum setback from private road:                        | 20 ft |
| Minimum side setback:                                     | 15 ft |
| Minimum rear setback:                                     | 25 ft |
| Minimum water body setback:                               | 25 ft |

|                                     |       |
|-------------------------------------|-------|
| Minimum building perimeter setback: | 15 ft |
| Maximum building height:            | 35 ft |
| Maximum lot coverage:               | 45%   |

3. *Community Facilities Planned Development District Uses and Conditions.*

a. Schedule of Uses

- (1) Permitted uses in Parcel "A" are limited to the following:

PARKING LOT, accessory

PARKS, Public: Groups I and II, with Group I limited to nature or wildlife preserves, passive and active recreational activities including but not limited to, hiking, nature trails, and similar activities which require few or no on site facilities or capital investment and which utilize the natural environment with little or no alteration of the natural landscape

SIGNS, in accordance with chapter 30 of the LDC

- (2) Permitted uses in Parcel "G" are limited to the following uses:

ADMINISTRATIVE OFFICES

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES: Groups I and II

EXCAVATION: Water retention

FENCES AND WALLS

PARKING LOT, accessory

STORAGE: Indoor and open

- (3) Permitted uses in Parcels "H" and "I" are limited to the following:

ADMINISTRATIVE OFFICES

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES: Group I

EXCAVATION: Water retention

FENCES AND WALLS

PARKING LOT: Accessory

RECREATIONAL FACILITIES: Public

SCHOOLS: Noncommercial and related facilities and activities

SIGNS, in accordance with chapter 30 of the LDC

- (4) Permitted uses in parcel "K" and "K-1" (Park Site) are limited to the following:

ADMINISTRATIVE OFFICES

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES: Group I

EXCAVATION: Water retention, including water retention on Parcel K-1 for widening of Three Oaks Parkway

FENCES AND WALLS

PARKING LOT, accessory

PARKS, Group I - limited to neighborhood parks, and Group II - limited to community parks; both groups permitted ancillary uses and associated buildings and structures

RECREATIONAL FACILITIES, public

RESTAURANTS: Group II, See Condition B.3.b(3)

SIGNS, in accordance with chapter 30 of the LDC  
SPECIALTY RETAIL SHOPS: Group I, See Condition B.3.b(3)

b. Conditions Specific to Community Facilities Planned Developments

- (1) No uses are approved on Parcel A except for boardwalks, decks, gazebos, observation towers and auxiliary descriptive signage as approved on the original Master Concept Plan. The purpose of these uses is to allow a passive, educational nature walk.
- (2) Permitted uses on Parcels H and I (the 25-acre school site) are as set forth in Condition B.3.a.(3), however, the Public Recreational Facilities use, which specifically includes a community recreation center with kitchen and athletic fields with concessions, will remain subordinate to the public school use, which is the intended principal use.
- (3) Permitted uses on Parcels K and K-1 (Park Site) must be set forth in Condition B.3.a(4), except that concession stands and the community recreation center with kitchen facilities are specifically included, while Restaurants, Group II, and Specialty Retail, Group I, are limited to ancillary uses within the principal building.

4. *Residential Planned Development District Uses, Conditions and Property Development Regulations.*

a. Schedule of Uses

- (1) Permitted uses within Eastgate, Pine Run, Cypress Chase, and Pine Glen communities are limited to the following:

ADMINISTRATIVE OFFICES  
DWELLING UNIT, Conventional single-family residence  
ENTRANCE GATES AND GATEHOUSES  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES - Group I  
EXCAVATION, water retention  
FOOD AND BEVERAGE SERVICES, Limited  
HOME CARE FACILITY  
HOME OCCUPATION  
MODELS: Model home, display center  
PARKING, accessory  
PARKS, Group I  
PLACE OF WORSHIP, existing only  
RECREATIONAL HALL  
RECREATIONAL FACILITIES, personal, private on-site  
RESIDENTIAL ACCESSORY USES  
SIGNS, in accordance with Chapter 30 of the LDC  
TEMPORARY USES

- (2) Permitted uses within Parcels "B", "C", "D", "E", "J", "L", "M-1", and "M-2" are limited to the following:

ACCESSORY APARTMENT, limited to Parcel M-2, per LDC §34-1177

ADMINISTRATIVE OFFICES

AGRICULTURAL, See Condition B.7 below

ASSISTED LIVING FACILITY

DAY CARE CENTER, Child (requires special exception approval)

DWELLING UNIT:

conventional single family residence

duplex

multiple family buildings, including condominiums

townhouse

two-family attached

zero lot line or patio home

ENTRANCE GATES AND GATEHOUSES

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES - Group I

EXCAVATION, water retention

FENCES AND WALLS

FOOD AND BEVERAGE SERVICES, Limited

MODEL:

Homes

Units

Display Center

HOME CARE FACILITY

HOME OCCUPATION, no outside help

PARKING, accessory

PARKS, Group I

PERSONAL SERVICES Groups I and II, ancillary use only

PLACE OF WORSHIP, existing only

REAL ESTATE SALES OFFICE, for lots or units within the development only

RECREATION Hall

RECREATIONAL FACILITIES, Personal and private on-site

RESIDENTIAL ACCESSORY USES

SIGNS, in accordance with Chapter 30 of the LDC

SPECIALTY RETAIL SHOPS Group I, ancillary use only

TEMPORARY USES, See Condition B.4.b(4) below

TIMESHARE UNITS

b. Conditions Specific to Residential Planned Developments

- (1) The single family residential areas, being platted as Eastgate, Pine Run, Cypress Chase, and Pine Glen, are limited to a maximum density of four units per acre, pursuant to the original DRI Development Order. In no case, however, may the number of units in the RPD area (375.4 acres) exceed 2,500 units.

- (2) All commercial uses in the RPD must be in compliance with LDC §34-937.
- (3) The Recreational Facilities, commercial use is hereby approved for Group III-Outdoor Facilities (pools; tennis courts, and other similar outdoor activities not: grouped elsewhere, only); and Group IV-Indoor Facilities (racquetball, handball, squash, tennis courts, health clubs and swimming pool, only); subject to the following conditions. The location must meet site location standards for Minor Commercial under the Lee Plan. The building area must be limited to a maximum of 30,000 square feet per §34-937 of the LDC. The buffer must be of type "D" width with double the vegetative requirements. Outdoor lighting must be directed toward the interior of the site. There must be a common architectural theme, style and signage. The use must be provided for in deed restrictions or homeowner documents for the neighborhood within which it is located. Hours of operation for outdoor uses must be limited to 8:00 in the morning to 10:00 at night.
- (4) A temporary sales trailer and/or construction trailer are permitted on Parcels M-2, B, C, D and E for a maximum of three years from the time of Certificate of Occupancy. The developer must obtain approval through an administrative approval action in order to extend the time period for the use of the temporary sales trailer and/or construction trailer.

c. Property Development Regulations.

(1) SINGLE FAMILY DETACHED (Standard)

|                                                                            |                            |
|----------------------------------------------------------------------------|----------------------------|
| Minimum lot area:                                                          | 7500 sq ft.                |
| Minimum lot dimension:                                                     | 75 ft wide x 100 ft deep   |
| Corner lot dimension:                                                      | 82.5 ft wide x 100 ft deep |
| Front Setback from local right-of-way line to building wall:               | 25 ft                      |
| Rear Setback from property line to building wall:                          | 20 ft                      |
| Rear Setback (adjacent to open space) from property line to building wall: | 10 ft                      |
| Rear Setback from property line to pool deck/enclosures:                   | 10 ft                      |
| Water Setback from water to building wall:                                 | 20 ft                      |
| Side Setback from property line to building wall:                          | 7.5 ft                     |
| Side Setback from local right-of-way to building wall:                     | 15 ft                      |
| Maximum Lot Coverage                                                       | 40%                        |

(2) ZERO LOT LINE OR PATIO HOMES:

|                                                              |                           |
|--------------------------------------------------------------|---------------------------|
| Minimum lot area:                                            | 4275 sq ft                |
| Minimum lot dimension:                                       | 45 ft wide x 95 ft deep   |
| Corner lot dimension:                                        | 52.5 ft wide x 95 ft deep |
| Front Setback from local right-of-way line to building wall: | 20 ft                     |

|                                                                |        |
|----------------------------------------------------------------|--------|
| Rear Setback from property line to building wall:              | 10 ft  |
| Rear Setback from property line to pool deck/enclosures:       | 10 ft  |
| Water Setback from water to building wall:                     | 20 ft  |
| Side Setback from property line to building wall (One side):   | 7.5 ft |
| Side Setback from property line to building wall (Other side): | 0.0 ft |
| Side Setback from local right-of-way to building wall:         | 15 ft  |
| Side Setback from property line to courtyard wall:             | 0.0 ft |
| Rear Setback from property line to courtyard wall:             | 0.0 ft |
| Front Setback from property line to courtyard wall:            | 10 ft  |
| Maximum Lot Coverage                                           | 45%    |

(3) TOWNHOMES:

|                                                    |                         |
|----------------------------------------------------|-------------------------|
| Minimum lot area:                                  | 900 sf                  |
| Minimum lot dimension:                             | 18 ft wide x 45 ft deep |
| Front Setback from property line to building wall: | 0.0 ft                  |
| Rear Setback from property line to building wall:  | 0.0 ft                  |
| Water Setback from water to building wall:         | 20 ft                   |
| Side Setback from property line to building wall:  | 0.0 ft                  |
| Maximum lot coverage:                              | 100%                    |

(4) CONDOMINIUMS or MULTIPLE-FAMILY:

|                                                  |                        |
|--------------------------------------------------|------------------------|
| Minimum unit area (2 story):                     | 900 sq ft              |
| Minimum unit area (3 to 6 story):                | 750 sq ft              |
| Minimum unit area (7 & 8 story):                 | 550 sq ft              |
| Setback from any property line to building wall: | 25 feet <sup>(1)</sup> |
| Side setback from interior row to building wall: | 15 feet <sup>(1)</sup> |
| Water setback from water to building wall:       | 20 feet                |
| Minimum building separation                      | 15 feet                |
| Maximum Lot Coverage:                            | 45 percent             |

Footnote:

- (1) The side setback and building separation only apply to Parcels B, C, D, E and M-2.

(5) MULTIPLE-FAMILY or MULTIPLE FAMILY CONDOMINIUMS  
(TIMBERWALK SOUTH - PARCEL M-2)

|                    |                           |
|--------------------|---------------------------|
| Minimum lot area:  | 550 sq ft. <sup>(1)</sup> |
| Minimum lot width: | 18 ft <sup>(1)</sup>      |
| Minimum lot depth: | 20 ft <sup>(1)</sup>      |

|                                         |                       |
|-----------------------------------------|-----------------------|
| Minimum street/front setback            | 20 ft <sup>(1)</sup>  |
| Minimum side setback                    | 0.0 ft <sup>(1)</sup> |
| Minimum side/street setback             | 10 ft <sup>(1)</sup>  |
| Minimum rear setback                    | 0.0 ft <sup>(1)</sup> |
| Minimum waterbody setback               | 25 ft                 |
| Minimum perimeter property line setback | 20 ft <sup>(3)</sup>  |
| Minimum accessory structure setback     | 0.0 ft <sup>(2)</sup> |
| Minimum building separation             | 15 ft                 |
| Maximum building height                 | 35 ft/2 stories       |
| Maximum lot coverage                    | 100%                  |

Footnotes:

- (1) Please see Exhibit E, Triplex Lot (Parcel M-2 only).
- (2) No enclosed structures are allowed beyond the principal building envelope.
- (3) Rear patio and air conditioning pads located outside the primary building envelope (i.e., platted lot owned in fee simple) must be set back a minimum of 19 feet from the project's perimeter boundary line, and must be in compliance with Condition B.15 below.

(6) Special Conditions to Parcel M-2:

- (a) Each building lot contains three dwelling units. The first unit (lot "A") will be above the garages. It will own the footprint of the garages for all three units. A use easement will allow the use of one garage by each of the two other unit owners. The other two units (lot "B" and lot "C") will be two story dwellings and will own the footprint of their units (minus the garage).
- (b) All other parts of this development beside the footprint of the buildings will be considered common area, including the driveways.
- (c) Each unit will have a one car garage and one parking space in the driveway.
- (d) The proposed development for Parcel M-2 must be in substantial compliance with the site plan attached hereto as Exhibit "D".
- (e) Should development of Parcel M-2 not proceed under the property development regulations for Multiple-family (Timberwalk South - Parcel M-2), then Parcel M-2 may be developed for multi-family uses using the property development regulations for the Condominiums or Multiple-family category.

5. *Height.* The height for structures in this development is limited to 35 feet, unless in compliance with LDC §34-2174(a) for increases in side, rear and street setback wherever

the use is not abutting a similar structure, e.g., condominium area abutting single family home area.

6. *Traffic Impacts.* This zoning approval does not signify that this project's traffic impacts have been mitigated. Additional conditions to mitigate traffic may be required before issuance of a local development order, per the requirements of the Lee County LDC, or per the DRI Development Order.
7. *Agricultural.* The developer is entitled to continue bona fide agricultural uses that are now in existence on Parcels M-2, F-1, B, C, D, or E. However, no development activity of any kind may occur on these parcels or the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural use existed on the property. The purpose of this condition is to eliminate any exemptions or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.

Bona fide agricultural uses that were in existence on Parcels M-2, F-1, B, C, D, or E at the time the application for this project was filed may continue until approval of a local development order for the area of the project containing those uses.

8. *Listed Species Survey.* A Listed Species Survey must be submitted with any preliminary development order application for this project. If occupied habitat is located on the project, the site plan must be revised to protect the occupied habitat and habitat buffer in accordance with the Lee County LDC.
9. *Environmental Conditions.*

For the multi-family area depicted as Parcels "B," "C," "D," and "E" on the Master Concept Plan, prior to local development order approval:

- a. An indigenous management plan including a gopher tortoise management plan must be submitted for the Division of Environmental Sciences' staff review and approval for the gopher tortoise preserve area. The management plan must meet the requirements of LDC §10-415(b)(4); and
- b. The plans must include a building setback of 30 feet from the gopher tortoise preserve area; and
- c. The Notice of Violation, dated May 3, 2001, must be abated through one of the following options, or by some combination of the following options acceptable to Environmental Staff and the applicant:
  - (1) designate an area on the development order plans in addition to the gopher tortoise preserve area that contains a minimum of 176 existing south Florida slash pine with a minimum 4-inch caliper dbh in lieu of replanting; or

- (2) designate an area on the development order plans to replant 528 south Florida slash pine minimum 6-foot height and 1-inch caliper; or
  - (3) pay \$36,960 into the tree fund (528 trees x \$70 per tree installed).
- 10. *Accessory Uses.* Except as provided for in Condition B.4.c(5) footnote (3) and attached as Exhibit E, accessory uses, including accessory parking, must be located on the same tract, lot, parcel or out-parcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, lot, parcel or out-parcel.
- 11. *Building Separation.* Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-935(e)(4).
- 12. *Traffic Impacts.* Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
- 13. *Concurrency.* Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
- 14. *LDC Requirements.* This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
- 15. *Pads.* Rear patio pads and air conditioning pads. No enclosed structures are allowed beyond the principal building envelope (i.e., platted lot owned in fee simple). However, air conditioning pads with small walls (not exceeding 42 inches in height) to screen air conditioning units and unenclosed patio pads may encroach into the common areas subject to the following conditions:
  - a. The South Florida Water Management District (SFWMD) permit for the project must specifically address and permit the total number and square footage of individual patio and air conditioning pads that are permitted in the development and articulate the maximum size of each.
  - b. The individual pads and maximum size must be specifically shown on and be approved as part of the Lee County development order.
  - c. Patio and air conditioning pads are the only structures allowed within the common area beyond the principal building envelope.
  - d. Patio and air conditioning pads are allowed in the common area subject to a properly executed easement from the property owner's association. The easement document must clearly articulate what rights the easement holder has, with respect

to the use of the pads. Use of the pads must be in accordance with the zoning approvals.

- e. No vertical construction is permitted on the pads except for a small wall to hide the air conditioning unit. The wall may not exceed a height of 42 inches.
- f. Property Owner's Association (POA) documents must clearly state:
  - (1) The power and authority for the POA to grant the easement;
  - (2) The limitation as to size and use of the patio and air conditioning pads by the homeowner; and
  - (3) The inability of the POA to grant greater rights to the easement holder with respect to use of the patio and air conditioning pads, absent a prior public hearing amendment to the zoning resolution establishing the expanded rights.
- g. As a condition of development order approval allowing construction of condominium units, or prior to recording a subdivision plat, the developer/owner must record, in the Lee County Public Records, a separate notice to all property owners regarding the patio and air conditioning pad easements that may be granted in conjunction with the sale of dwelling units and the constraints on the use of the improvements. Specifically, the notice must make it clear that the pads may not be used to construct vertical improvements, except for the 42-inch-high wall to screen an air conditioning unit. The notice must also state that the improvements erected without appropriate County approval are subject to removal at the property owner's expense. The notice must be approved by the County prior to recording. A separate rider/document including the text of the recorded notice should be executed in conjunction with each sale of the dwelling unit.

#### SECTION C. DEVIATIONS:

Deviations (1) through (14) were originally approved in Resolution Z-91-083 and are carried forward by this zoning action. No additional deviations are requested as part of this zoning action.

Staff has updated the deviations to show current LDC citations and made note where other deviations have been moved in the document or are no longer applicable due to changes in the LDC.

#### All Districts

- 1. Deviation (1) is a request to deviate from the requirement that an access road (frontage road) be required along arterial or collector roads (i.e., Three Oaks Parkway), under LDC §§10-283 and 10-291, to delete the requirement to provide an access road (frontage road) and restrict access to approved access points along arterial or collector roads. All rights-of-way or easements through adjacent parcels to accommodate access will be the developer's

responsibility. This deviation is APPROVED in the RPD district without conditions; and, is APPROVED in the CPD district, SUBJECT TO the following conditions:

- a. Internal streets must be considered frontage roads that will be designed to local street standards; and
- b. No out-parcels may have direct access to any collector or arterial road.

#### All Districts

2. Deviation (2) is a request to deviate from the requirement that streets provide access to adjoining property and be coordinated with the street system in the area, (LDC §§10-294 and 10-295), to limit access as shown on the Master Concept Plan for adjacent property. It is the developer's responsibility to provide roadway access between internal tracts where necessary. This deviation is APPROVED, SUBJECT TO the condition that the accesses are consistent with property intersection separation and control requirements, and emergency accesses are provided between adjacent parcels. Furthermore, the adequate number of accesses provided to adjoining property should be interconnected to improve the traffic movement throughout the development.

#### All Districts

3. Deviation (3) is a request to deviate from the road requirements, (LDC §10-296 (a) and 10-296 Table 4), to allow paver block concrete surfaces within "private" local streets. This deviation is APPROVED, SUBJECT TO the condition that the developer execute and record a "Hold Harmless and Maintenance Agreement" prior to local development order approval. This agreement must include a clause stipulating that the developer is responsible for maintenance at the developer's expense, with no costs to be incurred by Lee County. This agreement must be binding on all successors, heirs and assigns and is subject to the review and approval of the County Attorney, Department of Transportation and Engineering and the Division of Development Services.

#### RPD Only

4. Deviation (4) is a request to deviate from the zoning open space requirement (LDC §34-935(g)) for 40% common open space (or one-quarter acre per fifty-five dwelling units for a conventional subdivision) to allow the common open space (lakes, preserve areas, and county park site) shown on the Master Concept Plan to fulfill this requirement for the development as a whole, provided that: the individual tracts, when developed, meet the Lee County LDC open space requirements. This deviation is APPROVED.

#### All Districts

5. Deviation (5) is a request to deviate from excavation depth for water retention from 12 feet (LDC §10-329), to the confining layer or 25 feet, whichever is more restrictive. This deviation is APPROVED, SUBJECT TO the following conditions:

- a. Littoral plantings must be required for the lake (excavation). A littoral planting plan must be submitted to the Division of Environmental Sciences for review and approval prior to local development order approval for any phase of development. The planting plan must, at the minimum, meet the requirements of the Stormwater Management Systems and Planting Guidelines, as amended or adopted.
  - b. An aeration system, which will provide adequate aeration for the lake, taking into account lake size, depth and volume, must be installed prior to Certificate of Compliance for this project. The specifications on the type, size, location and number of pumps necessary to obtain adequate aeration is subject to the Division of Environmental Sciences approval prior to installation. The aeration system must be used to provide for proper oxygenation and de-stratification of the lake.
  - c. Chemical control methods may not be used in the lake unless prior written approval is granted by the Division of Environmental Sciences.
6. *Note:* The Property Development Regulations previously contained in approved Deviation (6) have been moved to Section B.4.c. above and were deleted from the Deviation section.
7. Deviation (7) is a request to deviate from the provisions of LDC §30-152 pertaining to Permanent signs in residential areas, which requires signs to be set back a minimum of fifteen feet from the edge of the street right-of-way or easement to:
- a. Five feet at internal R/W (local) intersections,
  - b. Ten feet at intersections, with collector, or arterial roads (i.e., Three Oaks Parkway),
  - c. Zero feet across from the “tee” intersections or where no intersections occur, where such locations do not restrict acceptable standards for intersection sight distances.

This deviation is hereby APPROVED with the following conditions:

- 1. All site distances must be computed using nationally accepted standards; and
- 2. All sign structures must be designed to conform with nationally accepted breakaway and/or yielding standards.

#### All Districts

- 8. Deviation (8) is a request to deviate from the LDC §10-329(d)(1)3. requirement that a four foot fence may be required, at the discretion of the director, to be placed around excavations when located less than 100 feet from any property under separate ownership (Section 10-329(d)(1)3.), to delete the fence requirement, provided that lake bank slopes are maintained no greater than 6(H) : 1(V) to a water depth of four feet, below dry season water table. This deviation is hereby APPROVED, SUBJECT TO THE CONDITION that the four foot high fence must be provided in any location where a lake is within 100 feet of a road right-of-way.

#### All Districts

9. Deviation (9) is a request to deviate from LDC §10-416(d)(4) requirement to provide a 20-foot buffer along Three Oaks Parkway, to allow a 10-foot buffer. This deviation is hereby APPROVED.

#### All Districts

10. Deviation (10) is a request to deviate from the LDC §10-296 provisions establishing standards for pavement widths for local County maintained streets, (LDC Chapter 10, Table 4, (2)(c)2.c.) to allow 20-foot pavement with swale drainage or valley gutter drainage, or 24 pavement with curb and gutter drainage. This deviation is hereby APPROVED for only those roads contained within the Three Oaks Bath & Tennis Club and Pine Glen Unit 2 developments.

#### RPD Only

11. Deviation (11) is a request to deviate from the LDC §34-1954(c)(2) requirement that no real estate sales, except those incidental to the sale of model homes, are to be conducted in a model home, to allow sales offices within model homes and units located throughout the development. This deviation is hereby APPROVED with the condition that the use must be in compliance with LDC §34-937.

#### All Districts

12. Deviation (12) is a request to deviate from the LDC §34-2015(2)(d) requirement that all parking lot spaces be provided with sufficient maneuvering room to enable exiting vehicles to leave the parking lot in a forward motion, to allow back-out parking for zero lot line or patio homes, similar to that allowed for single-family and two-family developments. This deviation is hereby APPROVED.

#### All Districts

13. Deviation (13) is withdrawn.

#### Specific Locations

14. Deviation (14) is a request to deviate from the LDC §10-285 requirement that intersections of streets with an arterial street may not be less than 660 feet apart, using a centerline measurement, to allow connection separation of not less than 511 feet apart, using a centerline measurement for the two "tee" intersections immediately south of the San Carlos Boulevard/Three Oaks Parkway intersection. This deviation is hereby APPROVED.

#### SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Site Plan for Parcel M-2
- Exhibit E: Triplex Lot - Parcel M-2
- Exhibit F: Second DRI DO Amendment

The applicant has indicated that the STRAP numbers for the subject property are: 10-46-25-00-00001.2000, 10-46-25-00-00001.2030, 15-46-25-00-00005.00CE, 15-46-25-00-00005.1000, 15-46-25-00-00005.1020, 15-46-25-00-00005.102A, 15-46-25-00-00005.1030, 15-46-25-00-00005.1050, 15-46-25-00-00005.1070

#### SECTION E. FINDINGS AND CONCLUSIONS:

1. The DRI Development Order Amendment and the Master Concept Plan resulting from this action is a recodification and restatement of the terms and conditions of the previously approved DRI Development Orders and zoning actions, and supersedes those previous approvals. The terms and conditions of the previous approvals remain in force and effect as set forth herein. Upon adoption of this Resolution and DRI Development Order Amendment, the previously approved Development Orders, Development Order Amendments and Zoning Resolutions will be superceded and no longer have any force or effect.
2. The applicant has proven entitlement to these requested DRI amendment and MCP revisions, as conditioned, by demonstrating compliance with the Section 380.06, Florida Statutes, the Lee Plan, the LDC, and other applicable codes or regulations.
3. The requested DRI and MCP revisions, as approved:
  - a. meet or exceed all performance and locational standards set forth for the potential uses allowed in the DRI Development Order and MCP; and,
  - b. are consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
  - c. are compatible with existing or planned uses in the surrounding area; and,
  - d. approval of the requested revisions, particularly the realignment of Three Oaks Parkway, as conditioned, will help alleviate traffic conditions already being experienced in the area and will increase the capacity of the streets serving the DRI communities; and

- e. will not place an undue burden on other planned infrastructure or facilities in the area; and,
  - f. will not adversely affect environmentally critical areas or natural resources, but will appropriately resolve an outstanding code violation on the subject property arising from the 2001 regarding unpermitted removal of 176 South Florida Slash Pines.
4. The requested DRI and MCP revisions satisfy the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location; and
  - b. the recommended conditions to the master concept plan and DRI Development Order are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
5. No new Deviations were requested with these changes, and the Deviations being recommended for approval herein are restatements of the conditioned Deviations previously approved for this project. The restated Deviations, as conditioned, comply with the approval criteria set forth in LDC §34-377.
6. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
7. The requested revision to the DRI Development Order and Map H, as conditioned, do not create new or additional unreviewed regional impacts, and do not constitute a Substantial Deviation under Section 380.06(19), Florida Statutes.

Commissioner Judah made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

|                 |        |
|-----------------|--------|
| Robert P. Janes | Aye    |
| Brian Bigelow   | Aye    |
| Ray Judah       | Aye    |
| Tammara Hall    | Absent |
| Frank Mann      | Aye    |

DULY PASSED AND ADOPTED this 20<sup>th</sup> day of August 2007.

ATTEST:  
CHARLIE GREEN, CLERK

BY: *Anna J. Purie*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: *Robert P. Janes*  
Robert P. Janes  
Chair

Approved as to form by:

*Dawn E. Perry-Lehnert*  
Dawn E. Perry-Lehnert  
County Attorney's Office



RECEIVED  
MINUTES OFFICE

2007 SEP 13 PM 12:38

# ZONING SKETCH OF PART OF SECTIONS 10, 15, 22 & 23 TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!

## ZONING SKETCH NOTES:

1. BASIS OF BEARINGS SHOWN HEREON TAKEN FROM THE WEST LINE OF THE N.E.1/4 OF SECTION 22-46-25, AS BEING N.00°38'30"W.
2. FIELD NOTES IN SECTION 10-46-25.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS ZONING SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D.).

FLOOD ZONE: "B"  
ELEVATION: N/A N.G.V.D.  
COMMUNITY # 125124  
PANEL # 0475  
SUFFIX --- C  
REVISION DATE: 5/5/03

THIS ZONING SKETCH IS CERTIFIED TO:  
PAUL H. FREEMAN  
ALAN C. FREEMAN  
NEIL D. FREEMAN  
ATTORNEYS' TITLE INSURANCE FUND, INC.  
HERITAGE NATIONAL BANK

COORDINATES ARE FLORIDA WEST ZONE (COMPUTED).

## LEGEND:

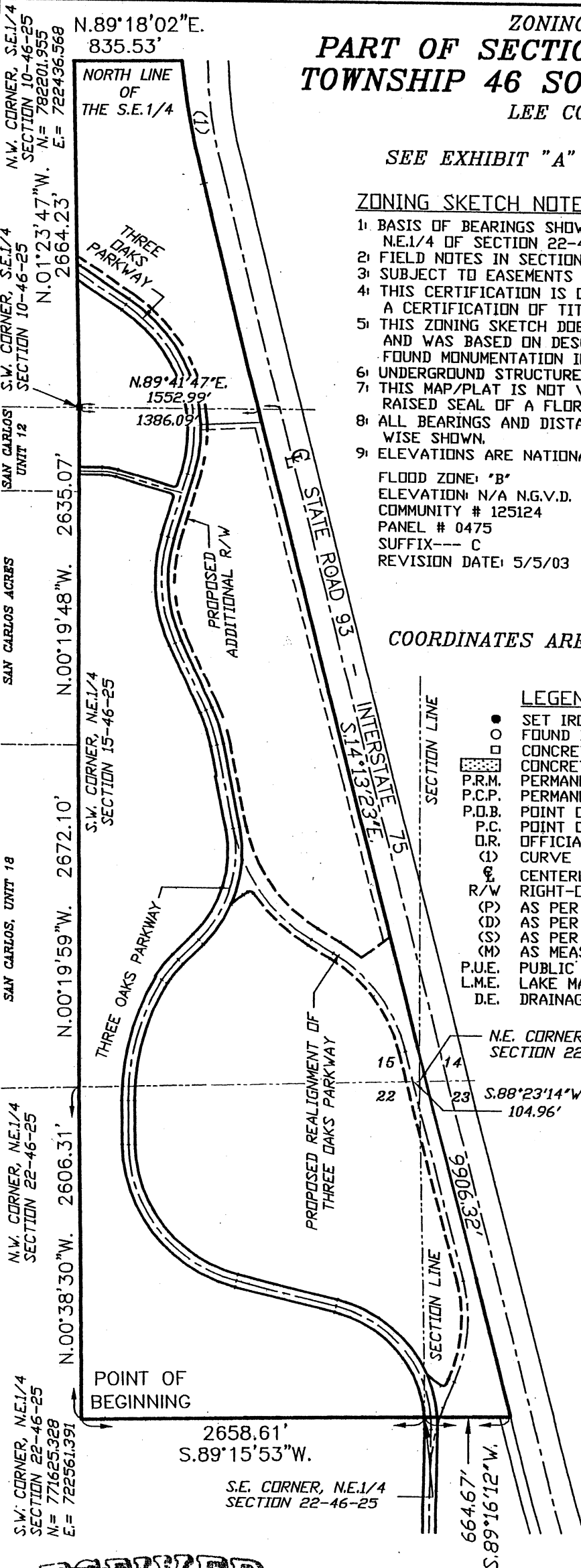
- SET IRON PIN (CAP #4631)
- FOUND IRON PIN (I.R.)
- CONCRETE MONUMENT (C.M.)
- ▨ CONCRETE (CONC.)
- P.R.M. PERMANENT REFERENCE MONUMENT
- P.C.P. PERMANENT CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.C. POINT OF CURVATURE
- O.R. OFFICIAL RECORDS BOOK
- (1) CURVE NUMBER
- ⊕ CENTERLINE
- R/W RIGHT-OF-WAY
- (P) AS PER PLAT
- (D) AS PER DEED
- (S) AS PER SURVEY
- (M) AS MEASURED
- P.U.E. PUBLIC UTILITY EASEMENT
- L.M.E. LAKE MAINTENANCE EASEMENT
- D.E. DRAINAGE EASEMENT

Curve number 1

Radius= 5823.58'  
Delta= 09°26'23"  
Arc= 959.46'  
Chord= 958.37'  
Chord Brg.= S.10°43'39"E.

500 0 500 1000 1500  
SCALE IN FEET

|                                                                                                                                 |              |                |
|---------------------------------------------------------------------------------------------------------------------------------|--------------|----------------|
| <br><b>AUGUST 19, 2004</b><br>JOHN B. HARRIS, PSM<br>FLORIDA LAND SURVEYOR #4631                                                |              |                |
| HARRIS, JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |              |                |
| REVISED:                                                                                                                        | DESCRIPTION: | BY             |
|                                                                                                                                 |              |                |
|                                                                                                                                 |              |                |
|                                                                                                                                 |              |                |
| DRAWN:                                                                                                                          | SCALE:       | PROJ. #        |
| FBH                                                                                                                             | 1"=1000'     | THREE OAKS R-W |
| SKETCH DATE                                                                                                                     | FILE NO.     | SHEET- 1       |
| 8/17/05                                                                                                                         | 46-25-10     | OF - 1         |
| FLORIDA CERTIFICATE OF AUTHORIZATION # LB 6921                                                                                  |              |                |



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A SURVEY!

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DCI 2005-00054

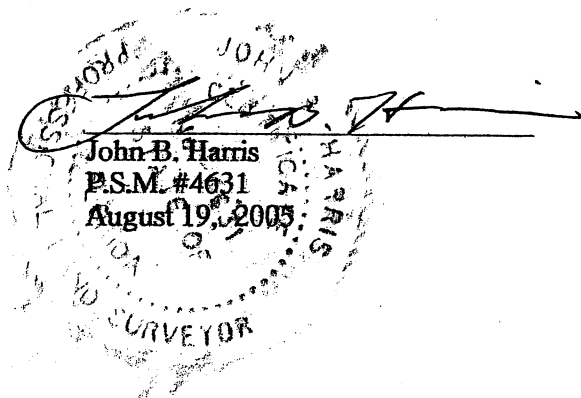
EXHIBIT A  
Page 1 of 31

# EXHIBIT "A"

## DESCRIPTION:

Beginning at the Southwest corner of the Northeast Quarter (N.E.1/4) of Section 22, Township 46 South, Range 25 East, Lee County, Florida; thence run N.00°38'30"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 22 for 2606.31 feet to the Northwest corner of the Northeast Quarter (N.E.1/4) of said Section 22; thence run N.00°19'59"W. along the West line of the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida, to the Southwest corner of the Northeast Quarter (N.E.1/4) of said Section 15; thence run N.00°19'48"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 15 for 2635.07 feet to the Southwest corner of the Southeast Quarter (S.E.1/4) of Section 10, Township 46 South, Range 25 East, Lee County, Florida; thence run N.01°23'47"W. along the West line of the Southeast Quarter (S.E.1/4) of said Section 10 for 2664.23 feet to the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 10; thence run N.89°18'02"E. along the North line of the Southeast Quarter (S.E.1/4) of said Section 10 for 835.53 feet to a point on a curve on the Westerly right-of-way line of Interstate Highway # 75; thence run Southeasterly along said Westerly right-of-way line for 959.46 feet along the arc of a curve concave Northeasterly, with a radius of 5823.58 feet, a delta of 09°26'23", a chord bearing of S.10°43'39"E. and a chord distance of 958.37 feet; thence run S.14°13'23"E. along said Westerly right-of-way line for 9906.32 feet to a point on the South line of the Northwest Quarter (N.W.1/4) of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence run S.89°16'12"W. along the South line of said Northwest Quarter (N.W.1/4) for 664.67 feet to the Southeast corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°15'53"W. along the South line of Northeast Quarter of said Section 22 for 2658.61 feet to the point of beginning.

Said tract contains 494.77 acres, more or less.



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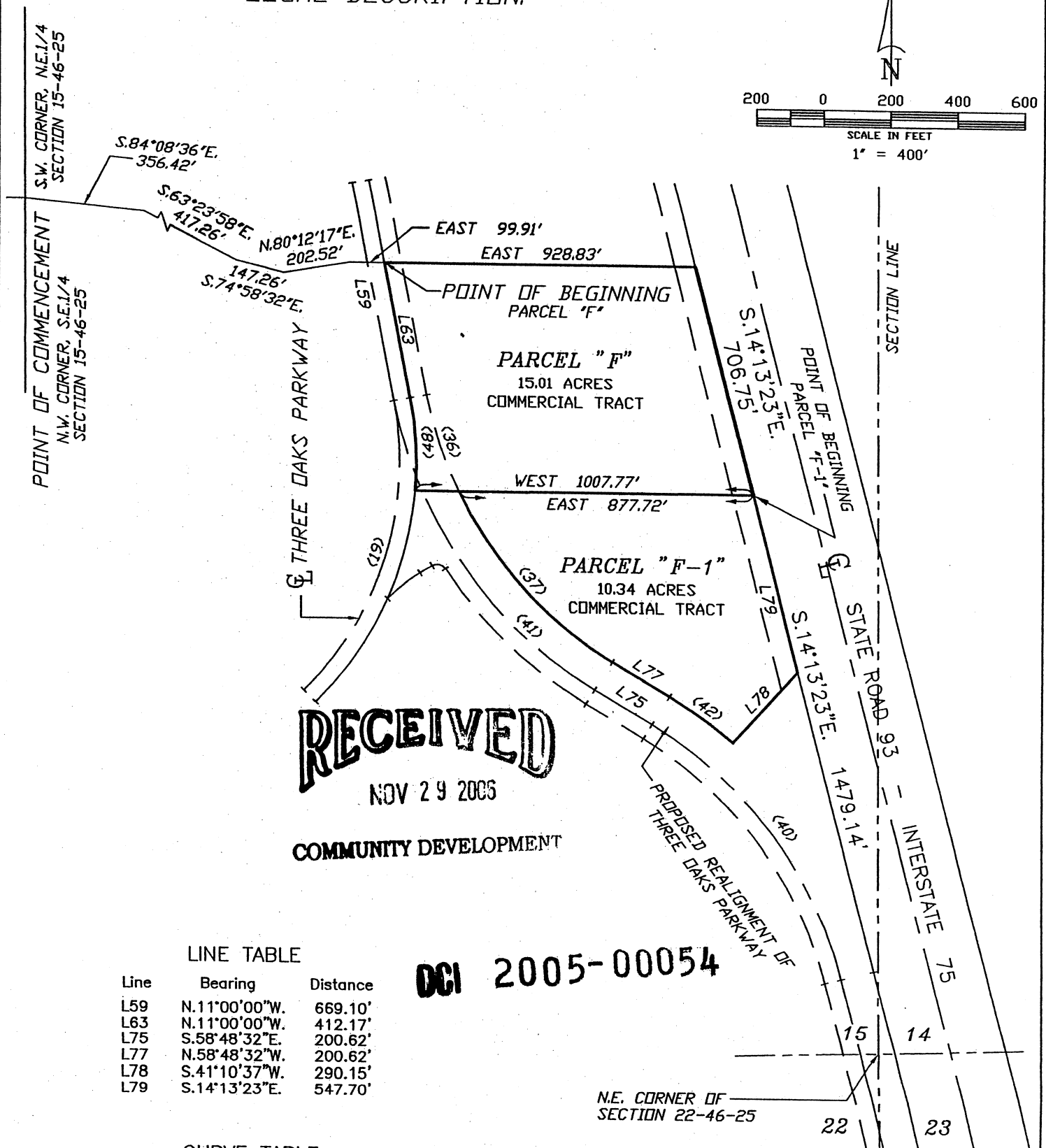
**DCI 2005-00054**

**CPD**  
**SHEET 1 OF 2**  
**ZONING SKETCH OF**  
**PART OF SECTION 15**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS R/W 9                                                                                                       |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 5/2/06                                                                                                              |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |

THIS IS NOT A SURVEY.

SEE SHEET 2 OF 2 FOR  
LEGAL DESCRIPTION.



*John B. Harris*

JOHN B. HARRIS, PSM  
 FLORIDA LAND SURVEYOR #4631  
 FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

CPD  
SHEET 2 OF 2

DESCRIPTION: (Parcel "F")

A tract or land lying in the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 202.52 feet; thence run East for 99.91 feet to the point of beginning; thence continue East for 928.83 feet to a point on the Westerly right-of-way line of Highway I-75; thence run S.14°13'23"E. for 706.75 feet; thence run West for 1008.33 feet; thence run Northwesterly for 281.80 feet along the arc of a curve concave Southwesterly having a radius of 1030.00 feet, chord bearing N.03°09'44"W. and a chord distance of 280.92 feet; thence run N.11°00'00"W. for 412.17 feet to the point of beginning.

Tract herein described contains 15.01 acres.

TOGETHER WITH:

DESCRIPTION: (Parcel "F" - 1")

A tract of land lying in the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 202.52 feet; thence run East for 99.91 feet; thence continue East for 928.83 feet to a point on the Westerly right-of-way line of Highway I - 75; thence run S.14°13'23"E. along said Westerly right-of-way line for 706.75 feet to the point of beginning; thence continue S.14°13'23"E. along said Westerly right-of-way line for 547.70 feet; thence run S.41°10'37"W. for 290.15 feet to a point on a curve; thence run Northwesterly for 235.17 feet along the arc of a curve concave Southwesterly, with a radius of 1350.00 feet, a delta of 09°58'51", a chord bearing of N.53°49'06"W. and a chord distance of 234.87 feet to a point of tangency; thence run N.58°48'32"W. for 200.62 feet to a point of curvature; thence run Northwesterly for 694.32 feet along the arc of a curve concave Northeasterly, with a radius of 1200.00 feet, a delta of 33°09'05", a chord bearing of N.42°13'59"W. and a chord distance of 684.68 feet; thence run East for 877.82 feet to the point of beginning.

Tract herein described contains 10.34 acres.

DCI 2005-00054

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COMMUNITY DEVELOPMENT

CFPD  
SHEET 1 OF 6  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, & 22  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

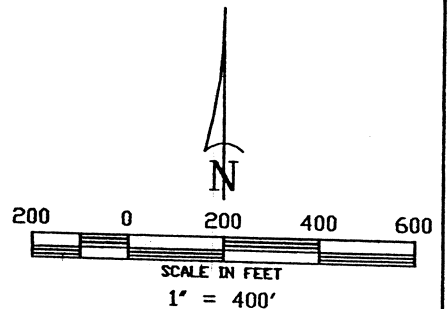
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LINE TABLE

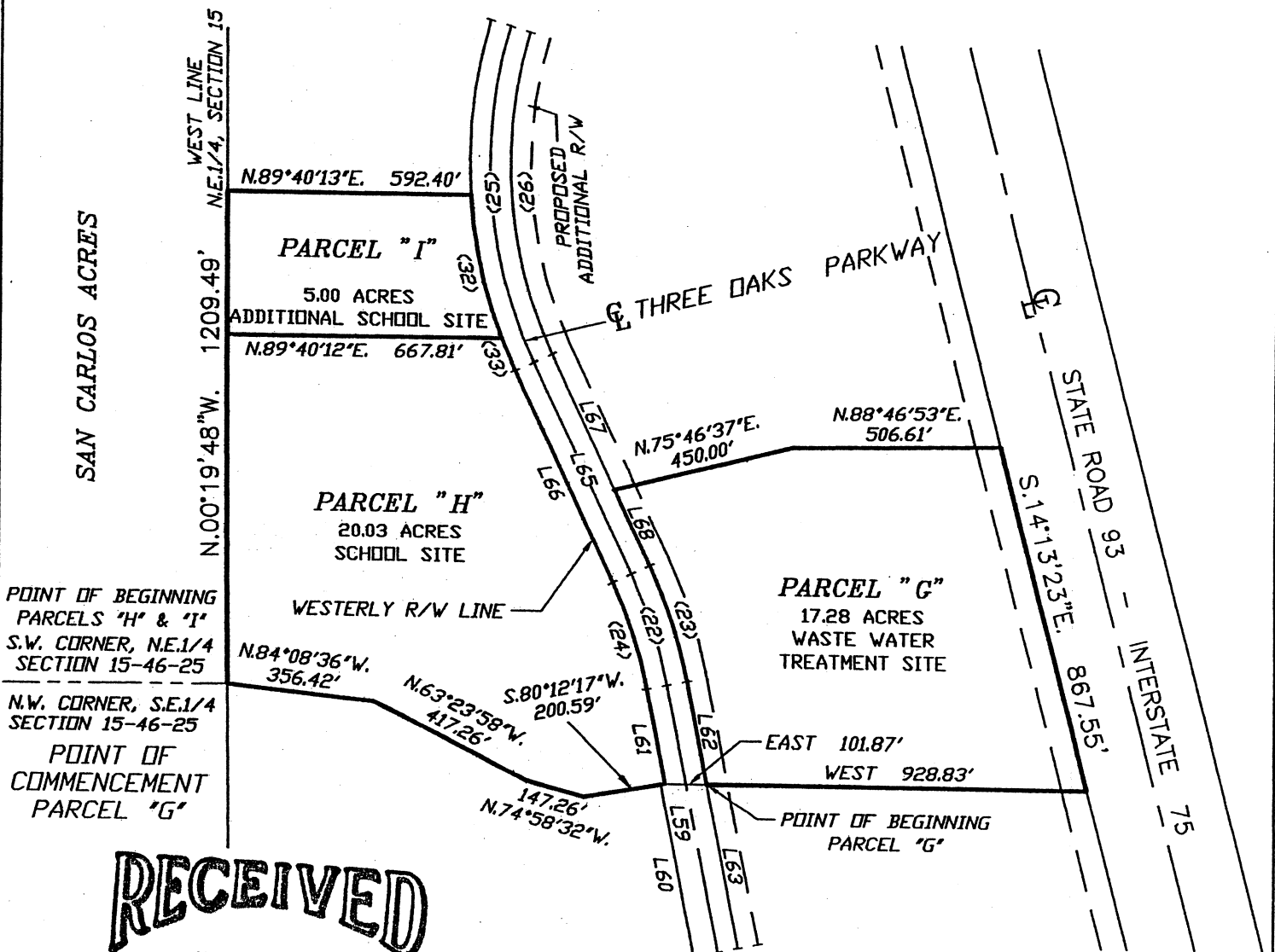
| Line | Bearing       | Distance |
|------|---------------|----------|
| L59  | N.11°00'00"W. | 669.10'  |
| L60  | N.11°00'00"W. | 431.52'  |
| L61  | S.11°00'00"E. | 237.83'  |
| L62  | N.11°00'00"W. | 256.93'  |
| L65  | N.25°00'25"W. | 570.00'  |
| L66  | S.25°00'25"E. | 570.00'  |
| L67  | N.25°00'25"W. | 366.45'  |
| L68  | N.25°00'25"W. | 203.55'  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|----------|-----------|---------|---------|---------------|
| 22  | 1170.00' | 14°00'25" | 286.03' | 285.32' | S.18°00'13"E. |
| 23  | 1220.00' | 14°00'25" | 298.25' | 297.51' | N.18°00'12"W. |
| 24  | 1120.00' | 14°00'25" | 273.80' | 273.12' | S.18°00'12"E. |
| 25  | 1170.00' | 41°29'57" | 847.43' | 829.03' | N.04°15'26"W. |
| 26  | 1120.00' | 41°29'58" | 811.21' | 793.60' | N.04°15'26"W. |
| 32  | 1220.00' | 16°54'26" | 360.01' | 358.70' | S.12°27'53"E. |
| 33  | 1220.00' | 04°05'15" | 87.02'  | 87.00'  | S.22°57'48"E. |



SEE SHEET 2 OF 6 FOR  
LEGAL DESCRIPTION.



RECEIVED

JUN 19 2006

COMMUNITY DEVELOPMENT

DCI 2005-00054

John B. Harris  
May 16, 2006  
JOHN B. HARRIS, PSM  
FLORIDA LAND SURVEYOR #4631  
FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

**CFPD**  
**SHEET 2 OF 6**

**DESCRIPTION: (Parcel "H" and "I")**

A tract or parcel of land lying in Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Southwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.00°19'48"W. along the West line of said Northeast Quarter (N.E.1/4) for 1209.49 feet; thence run N.89°40'13"E. for 592.40 feet to the Westerly right-of-way line of Three Oaks Parkway, said point being on a curve; thence run Southeasterly along said Westerly right-of-way line for 360.01 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of 16°54'26", a chord bearing of S.12°27'53"E. and a chord distance of 358.70 feet to Southeasterly corner of Tract "I"; thence continue Southeasterly along said Westerly right-of-way line for 87.02 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of 04°05'15", a chord bearing of S.22°57'48"E. and a chord distance of 87.00 feet to a point of tangency; thence run S.25°00'25"E. along said Westerly right-of-way line for 570.00 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 273.80 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 14°00'25", a chord bearing of S.18°00'12"E. and a chord distance of 273.12 feet to a point of tangency; thence run S.11°00'00"E. along said Westerly right-of-way line for 237.83 feet; thence run S.80°12'17"W. for 200.59 feet; thence run N.74°58'32"W. for 147.26 feet; thence run N.63°23'58"W. for 417.26 feet; thence run N.84°08'36"W. for 356.42 feet to the point of beginning.

Said tract contains 25.03 acres.

**TOGETHER WITH:**

**DESCRIPTION: (Parcel "G")**

A tract or parcel of land lying in Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 200.59 feet; thence run East for 101.87 feet to the Easterly right-of-way line of Three Oaks Parkway (100 feet wide) and the point of beginning; thence run N.11°00'00"W. along said Easterly right-of-way line for 256.93 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 298.25 feet along the arc of a curve concave Southwesterly, a radius of 1220.00 feet, a delta of 14°00'25", a chord bearing of N.18°00'12"W. and a chord distance of 297.51 feet to a point of tangency; thence run N.25°00'25"W. along said Easterly right-of-way line for 203.55 feet; thence run N.75°46'37"E. for 450.00 feet; thence run N.88°46'53"E. for 506.61 feet to the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 867.55 feet; thence run West for 928.83 feet to the point of beginning.

Said tract contains 17.28 acres.

EXHIBIT A  
Page 6 of 31

**RECEIVED**  
JUN 19 2006

**DCI 2005-00054**

COMMUNITY DEVELOPMENT

CFPD

SHEET 3 OF 6

ZONING SKETCH OF

PART OF SECTIONS 10, 15, & 22  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

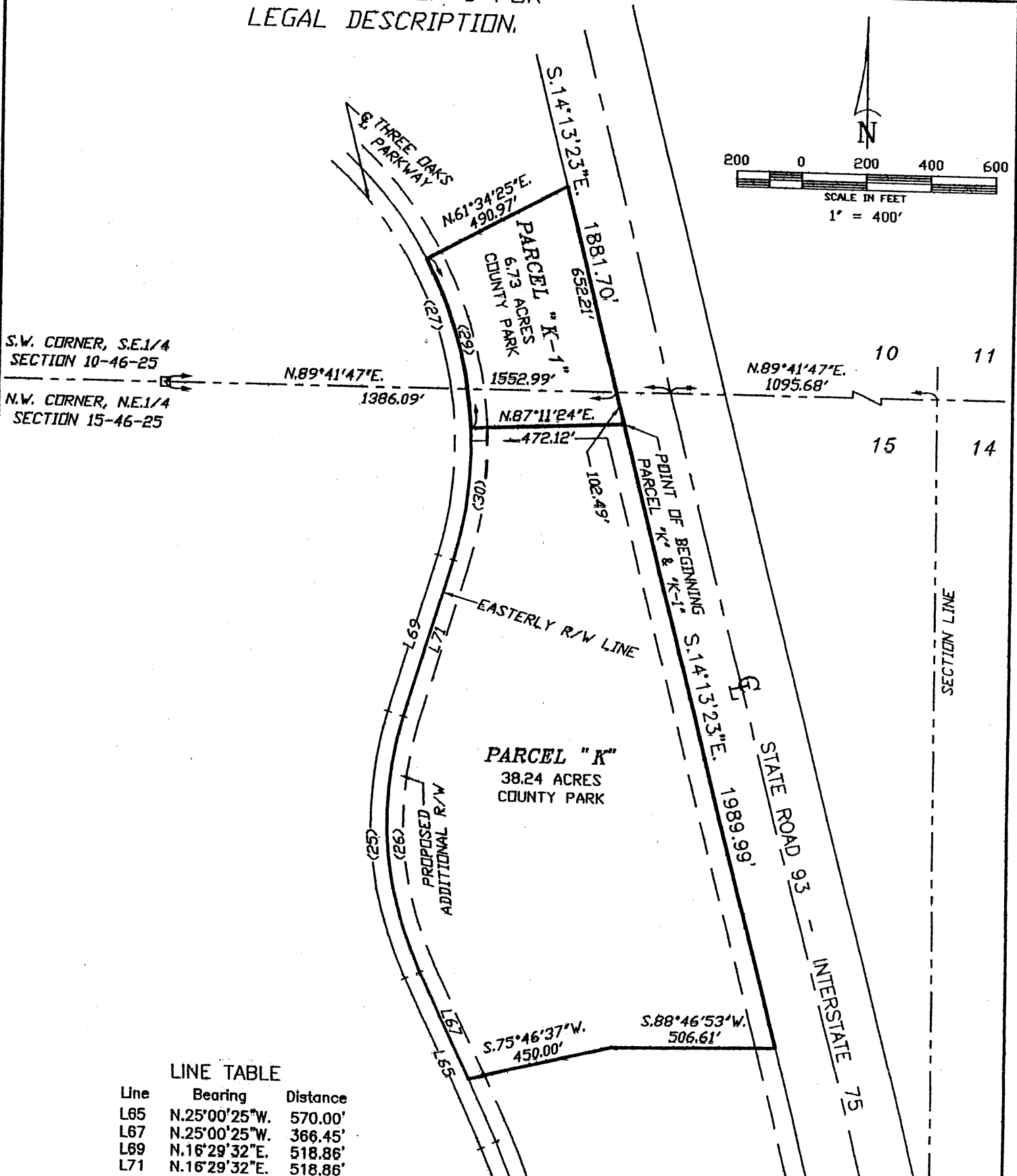
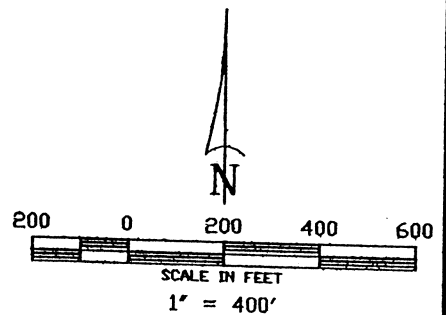
THIS IS NOT A SURVEY.  
SEE SHEET 4 OF 6 FOR  
LEGAL DESCRIPTION.

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 7

FILE #: 46-25-10

SKETCH DATE: 5/2/06



LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L65  | N.25°00'25"W. | 570.00'  |
| L67  | N.25°00'25"W. | 366.45'  |
| L69  | N.16°29'32"E. | 518.86'  |
| L71  | N.16°29'32"E. | 518.86'  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 25  | 1170.00' | 41°29'57" | 847.43'  | 829.03'  | N.04°15'26"W. |
| 26  | 1120.00' | 41°29'58" | 811.21'  | 793.60'  | N.04°15'26"W. |
| 27  | 1170.00' | 73°56'54" | 1510.05' | 1407.40' | S.20°28'55"E. |
| 29  | 1220.00' | 25°37'07" | 545.50'  | 540.96'  | N.15°37'12"W. |
| 30  | 1220.00' | 19°18'06" | 411.00'  | 409.06'  | N.06°50'28"E. |

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COMMUNITY DEVELOPMENT

CFPD  
SHEET 4 OF 6

DESCRIPTION: (Parcels "K" and "K-1")

A tract or parcel of land lying in Sections 10 and 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.89°41'47"E. along the North line of said Northeast Quarter (N.E.1/4) for 1386.09 feet to a point on the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 102.49 feet to the point of beginning (being the Northeasterly corner of Tract "K"); thence continue S.14°13'23"E. along said Westerly right-of-way line for 1989.99 feet; thence run S.88°46'53"W. for 506.61 feet; thence run S.75°46'37"W. for 450.00 feet to the Easterly right-of-way line of Three Oaks Parkway (100 feet wide); thence run N.25°00'25"W. along said Easterly right-of-way line for 366.45 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 811.21 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 41°29'58", a chord bearing of N.04°15'26"W. and a chord distance of 793.60 feet to a point of tangency; thence run N.16°29'32"E. along said Easterly right-of-way line for 518.86 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 411.00 feet along the arc of a curve concave Northwesterly, with a radius of 1220.00 feet, a delta of 19°18'06", a chord bearing of N.06°50'28"E. and a chord distance of 409.06 feet to the Northwesterly corner of said Tract "K"; thence run Northwesterly along said Easterly right-of-way line for 545.50 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 25°37'07", a chord bearing of N.15°37'12"W. and a chord distance of 540.96 feet; thence run N.61°34'25"E. for 490.97 feet to the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 652.21 feet to the North line of the aforesaid Section 15; thence continue S.14°13'23"E. along said Westerly right-of-way line for 102.49 feet to the point of beginning.

Said tract contains 44.97 acres.

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EXHIBIT A  
Page 8 of 31

COMMUNITY DEVELOPMENT

DCI 2005-00054

CFPD  
SHEET 5 OF 6  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, & 22  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

THIS IS NOT A SURVEY.

CURVE TABLE

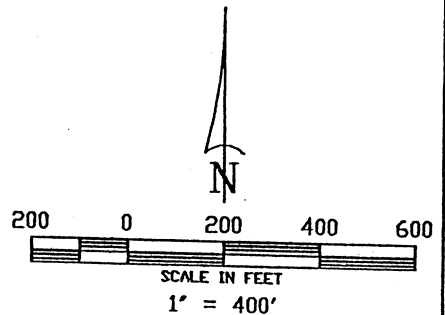
| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 3   | 935.00'  | 02°46'26" | 45.26'   | 45.26'   | N.14°11'43"W. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 10  | 1050.00' | 63°19'06" | 1160.00' | 1101.91' | N.44°27'22"W. |
| 11  | 1050.00' | 12°09'02" | 222.67'  | 222.25'  | N.06°42'37"W. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 14  | 1735.28' | 28°22'50" | 859.54'  | 850.78'  | N.13°32'55"E. |
| 18  | 1735.28' | 01°50'49" | 55.94'   | 55.94'   | N.30°04'50"E. |
| 49  | 1735.28' | 01°25'05" | 42.95'   | 42.95'   | N.28°26'53"E. |

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

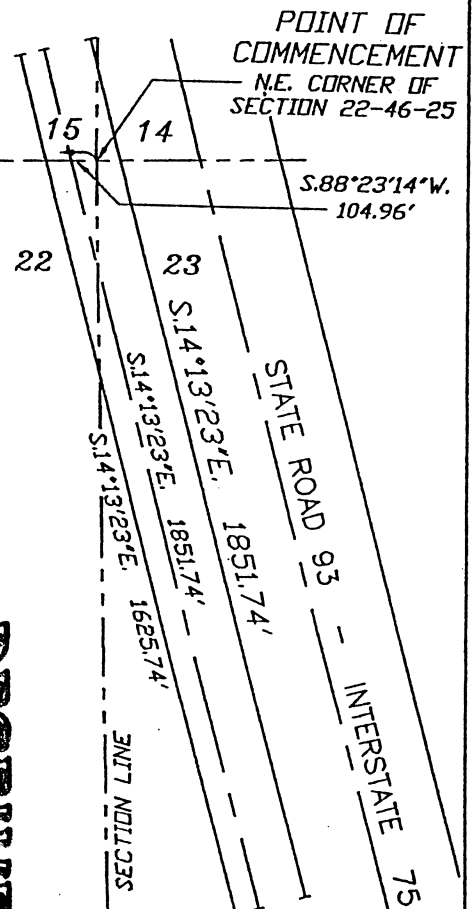
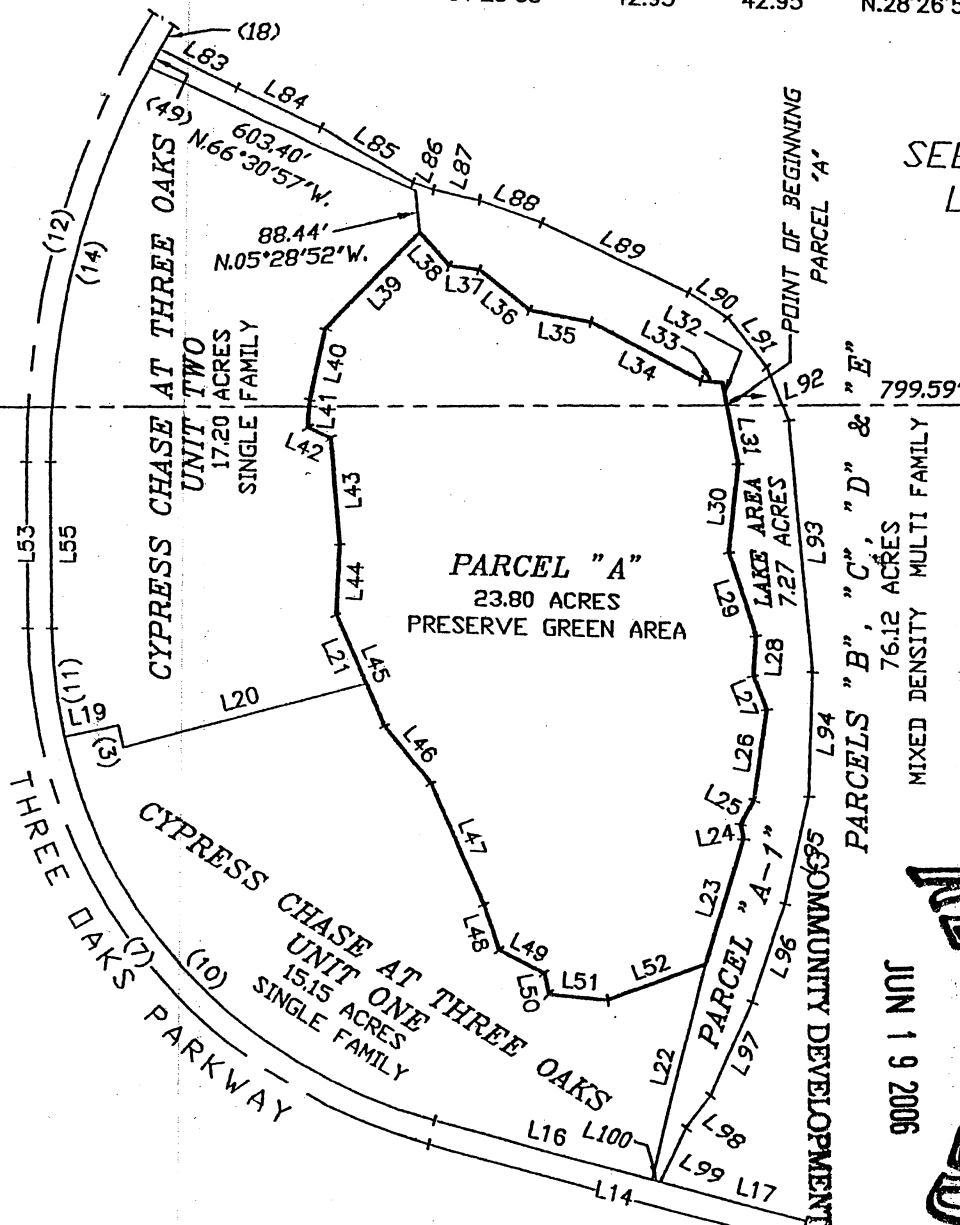
PROJECT # THREE OAKS R/W 8

FILE #: 46-25-10

SKETCH DATE: 5/2/06



SEE SHEET 6 OF 6 FOR  
LEGAL DESCRIPTION.



LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L16  | S.76°06'19"E. | 465.58'  |
| L17  | S.76°06'19"E. | 313.88'  |
| L19  | N.77°11'36"E. | 115.00'  |
| L20  | N.74°25'10"E. | 523.27'  |
| L21  | N.24°06'06"W. | 154.44'  |
| L22  | N.13°53'41"E. | 466.31'  |
| L23  | S.16°07'18"W. | 277.66'  |
| L24  | S.12°01'00"E. | 31.69'   |
| L25  | S.28°46'02"W. | 58.04'   |
| L26  | S.07°46'15"W. | 187.96'  |
| L27  | S.22°04'52"E. | 74.60'   |
| L28  | S.03°46'03"W. | 83.16'   |
| L29  | S.18°15'48"E. | 181.53'  |
| L30  | S.05°28'43"W. | 189.06'  |
| L31  | S.11°21'17"E. | 126.05'  |
| L32  | S.11°21'17"E. | 48.99'   |
| L33  | S.85°52'53"E. | 43.93'   |
| L34  | S.63°39'28"E. | 257.78'  |
| L35  | S.80°44'01"E. | 129.45'  |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L36  | S.51°37'12"E. | 133.97'  |
| L37  | S.84°18'29"E. | 62.62'   |
| L38  | S.42°37'55"E. | 92.21'   |
| L39  | N.43°02'34"E. | 282.53'  |
| L40  | N.11°56'54"E. | 148.96'  |
| L41  | N.03°34'16"E. | 59.13'   |
| L42  | N.65°49'54"W. | 52.65'   |
| L43  | N.04°55'00"W. | 227.32'  |
| L44  | N.02°47'39"E. | 146.80'  |
| L45  | N.24°06'06"W. | 247.63'  |
| L46  | N.39°51'14"W. | 150.22'  |
| L47  | N.23°58'15"W. | 274.03'  |
| L48  | N.18°34'28"W. | 100.55'  |
| L49  | N.62°41'55"W. | 106.20'  |
| L50  | N.11°41'32"W. | 44.89'   |
| L51  | N.85°57'36"W. | 123.50'  |
| L52  | S.68°40'50"W. | 219.04'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L55  | N.00°38'30"W. | 349.45'  |
| L83  | S.64°44'50"E. | 177.95'  |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L84  | S.66°30'07"E. | 191.21'  |
| L85  | S.60°30'15"E. | 219.67'  |
| L86  | S.70°58'05"E. | 45.72'   |
| L87  | S.79°10'17"E. | 96.62'   |
| L88  | S.71°11'03"E. | 137.25'  |
| L89  | S.65°27'58"E. | 336.91'  |
| L90  | S.57°59'19"E. | 96.55'   |
| L91  | S.39°13'50"E. | 128.89'  |
| L92  | S.23°08'49"E. | 120.26'  |
| L93  | S.05°40'34"E. | 530.21'  |
| L94  | S.01°29'07"W. | 255.42'  |
| L95  | S.12°01'41"W. | 230.68'  |
| L96  | S.17°34'52"W. | 221.62'  |
| L97  | S.23°18'32"W. | 218.47'  |
| L98  | S.37°33'24"W. | 84.75'   |
| L99  | S.26°14'39"W. | 124.11'  |
| L100 | N.76°06'19"W. | 17.13'   |

**CFPD**  
**SHEET 6 OF 6**

**DESCRIPTION: (Parcel "A")**

A tract or parcel of land lying in Section 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of said Section 22; thence run S.88°23'40"W. for 799.59 feet along the North line of the Northeast Quarter (N.E.1/4) of said Section 22 to the point of beginning; thence run S.11°21'17"E. for 126.05 feet; thence run S.05°28'43"W. for 189.06 feet; thence run S.18°15'48"E. for 181.53 feet; thence run S.03°46'03"W. for 83.16 feet; thence run S.22°04'52"E. for 74.60 feet; thence run S.07°46'15"W. for 187.96 feet; thence run S.28°46'02"W. for 58.04 feet; thence run S.12°01'00"E. for 31.69 feet; thence run S.16°07'18"W. for 277.66 feet; thence run S.68°40'50"W. for 219.04 feet; thence run N.85°57'36"W. for 123.50 feet; thence run N.11°41'32"W. for 44.89 feet; thence run N.62°41'55"W. for 106.20 feet; thence run N.18°34'28"W. for 100.55 feet; thence run N.23°58'15"W. for 274.03 feet; thence run N.39°51'14"W. for 150.22 feet; thence run N.24°06'06"W. for 247.63 feet; thence run N.02°47'39"E. for 146.80 feet; thence run N.04°55'00"W. for 227.32 feet; thence run N.65°49'54"W. for 52.65 feet; thence run N.03°34'16"E. for 59.13 feet; thence run N.11°56'54"E. for 148.96 feet; thence run N.43°02'34"E. for 282.53 feet; thence run S.42°37'55"E. for 92.21 feet; thence run S.84°18'29"E. for 62.62 feet; thence run S.51°37'12"E. for 133.97 feet; thence run S.80°44'01"E. for 129.45 feet; thence run S.63°39'28"E. for 257.78 feet; thence run S.85°52'53"E. for 43.93 feet; thence run S.11°21'17"E. for 48.99 feet to the point of beginning.

Said tract contains 23.80 acres.

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COMMUNITY DEVELOPMENT

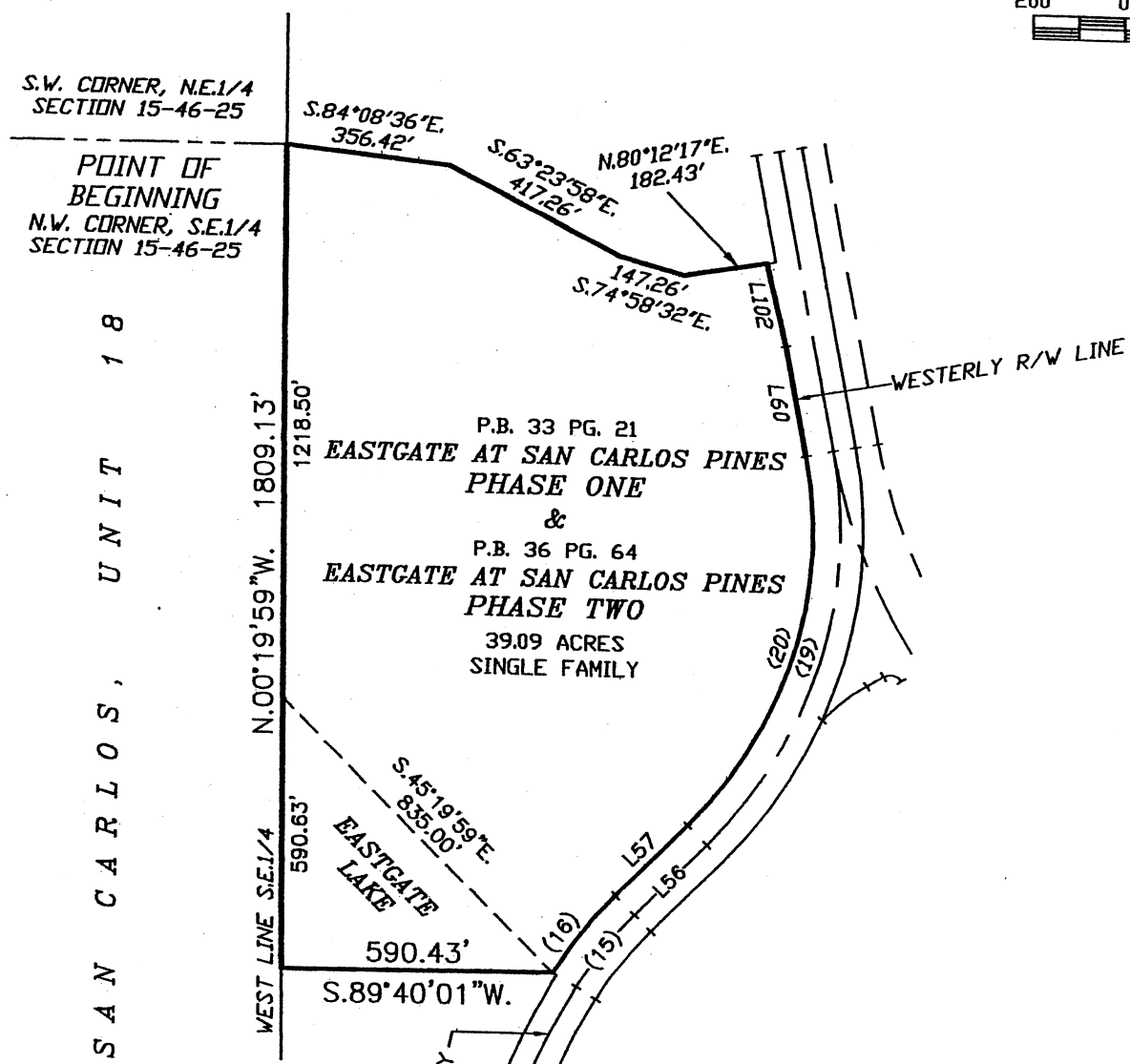
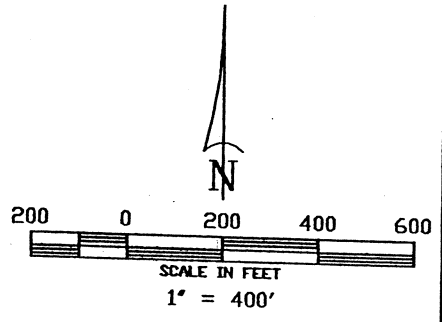
EXHIBIT A  
Page 10 of 31

DCI 2005-00054

RPD  
SHEET 1 OF 13  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS R/W 1                                                                                                       |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 5/2/06                                                                                                              |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |

THIS IS NOT A SURVEY.  
SEE SHEET 2 OF 13 FOR  
LEGAL DESCRIPTION.



SAN CARLOS, UNIT 18

P.B. 33 PG. 21  
EASTGATE AT SAN CARLOS PINES  
PHASE ONE  
&  
P.B. 36 PG. 64  
EASTGATE AT SAN CARLOS PINES  
PHASE TWO  
39.09 ACRES  
SINGLE FAMILY

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L56  | S.44°40'01"W. | 222.08'  |
| L57  | S.44°40'01"W. | 222.08'  |
| L60  | S.11°00'00"E. | 246.44'  |
| L102 | S.13°30'25"E. | 185.59'  |

CURVE TABLE

| NO. | RADIUS  | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|---------|-----------|---------|---------|---------------|
| 15  | 860.00' | 13°39'14" | 204.94' | 204.46' | N.37°50'22"E. |
| 16  | 920.00' | 13°39'14" | 219.24' | 218.72' | S.37°50'24"W. |
| 19  | 980.00' | 55°40'01" | 952.14' | 915.13' | S.16°49'45"W. |
| 20  | 920.00' | 55°40'01" | 893.85' | 859.10' | S.16°49'45"W. |

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JUN 19 2006

COMMUNITY DEVELOPMENT

DCI 2005-00054

|                                                    |  |
|----------------------------------------------------|--|
| <i>John B. Harris</i><br>May 15, 2006              |  |
| JOHN B. HARRIS, PSM<br>FLORIDA LAND SURVEYOR #4631 |  |
| FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921      |  |

RPD  
SHEET 2 OF 13

DESCRIPTION: (Eastgate)

A tract or parcel of land lying in the Southeast Quarter of Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 182.43 feet to a point on the Westerly right-of-way line of Three Oaks Parkway; thence run S.13°30'25"E. along said Westerly right-of-way line for 185.59 feet; thence run S.11°00'00"E. along said Westerly right-of-way line for 246.44 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 893.85 feet along the arc of a curve concave Northwesterly, with a radius of 920.00 feet, a delta of 55°40'01", a chord bearing of S.16°49'45"W. and a chord distance of 859.10 feet to a point of tangency; thence run S.44°40'01"W. along said Westerly right-of-way line for 222.08 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 219.24 feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of 13°39'14", a chord bearing of S.37°50'24"W. and a chord distance of 218.72 feet; thence run S.89°40'01"W. for 590.43 feet to a point on the West line of the aforesaid Southeast Quarter (S.E.1/4); thence run N.00°19'59"W. along said West line for 1809.13 feet to the point of beginning.

Said tract contains 39.09 acres.

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JUN 19 2006

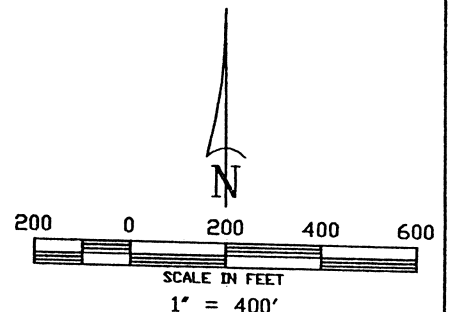
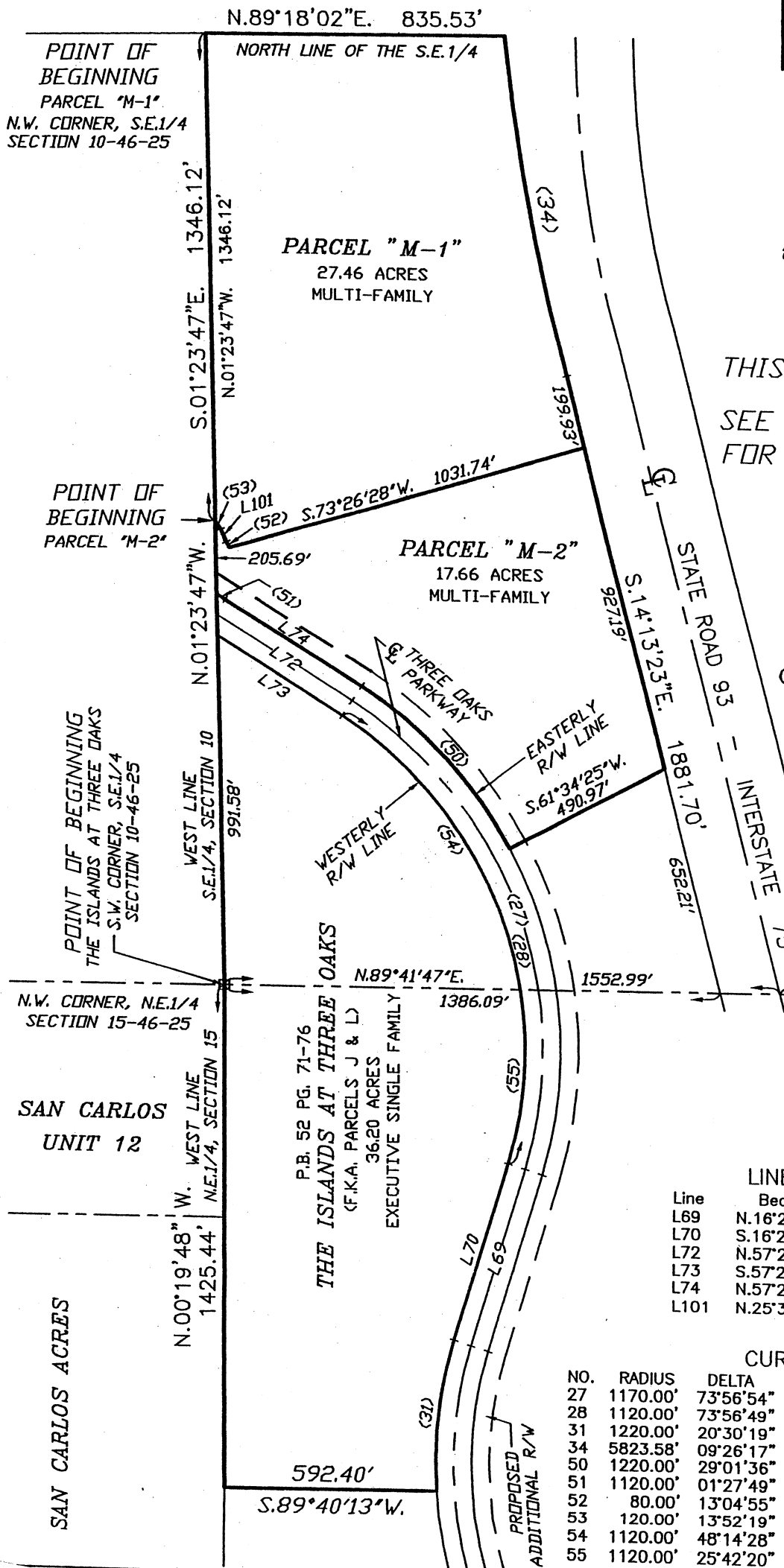
COMMUNITY DEVELOPMENT

DCI 2005-00054

**RPD**  
**SHEET 3 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 2  
 FILE #: 46-25-10  
 SKETCH DATE: 5/2/06



THIS IS NOT A SURVEY.  
 SEE SHEET 4 & 5 OF 13  
 FOR LEGAL DESCRIPTION.

**RECEIVED**  
 JUN 19 2006

COMMUNITY DEVELOPMENT

| LINE TABLE |               |          |
|------------|---------------|----------|
| Line       | Bearing       | Distance |
| L69        | N.16°29'32"E. | 518.86'  |
| L70        | S.16°29'32"W. | 518.86'  |
| L72        | N.57°27'22"W. | 451.58'  |
| L73        | S.57°27'22"E. | 412.66'  |
| L74        | N.57°27'22"W. | 451.58'  |
| L101       | N.25°30'09"W. | 37.14'   |

| CURVE TABLE |          |           |          |          |               |
|-------------|----------|-----------|----------|----------|---------------|
| NO.         | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
| 27          | 1170.00' | 73°56'54" | 1510.05' | 1407.40' | S.20°28'55"E. |
| 28          | 1120.00' | 73°56'49" | 1445.52' | 1347.26' | S.20°28'55"E. |
| 31          | 1220.00' | 20°30'19" | 436.61'  | 434.29'  | S.06°14'23"W. |
| 34          | 5823.58' | 09°26'17" | 959.34'  | 958.25'  | S.10°43'41"E. |
| 50          | 1220.00' | 29°01'36" | 618.06'  | 611.47'  | N.42°56'34"W. |
| 51          | 1120.00' | 01°27'49" | 28.61'   | 28.61'   | N.56°43'28"W. |
| 52          | 80.00'   | 13°04'55" | 18.27'   | 18.23'   | N.32°02'37"W. |
| 53          | 120.00'  | 13°52'19" | 29.05'   | 28.98'   | N.32°26'18"W. |
| 54          | 1120.00' | 48°14'28" | 943.00'  | 915.40'  | S.33°20'07"E. |
| 55          | 1120.00' | 25°42'20" | 502.49'  | 498.28'  | S.03°38'17"W. |

**RPD**  
**SHEET 4 OF 13**

**DESCRIPTION: (Parcel M-1)**

A tract or parcel of land lying in the Southeast Quarter of Section 10, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest corner of the aforesaid Southeast Quarter (S.E.1/4); thence run N.89° 18'02"E. along the North line of said Southeast Quarter (S.E.1/4) for 835.53 feet to the Westerly right-of-way line of Interstate Highway #75, said point lying on a curve; thence run Southeasterly along said Westerly right-of-way line for 959.34 feet along the arc of a curve concave Northeasterly, with a radius of 5823.58 feet, a delta of 09°26'17", a chord bearing of S.10°43'41"E. and a chord distance of 958.25 feet to a point of tangency; thence run S.14°13'23"E. along said Westerly right-of-way line for 199.93 feet; thence run S.73°26'28"W. for 1031.74 feet to a point on a curve; thence run Northwesterly for 18.27 feet along the arc of a curve to the right having a radius of 80.00 feet, a delta of 13°04'55", a chord bearing of N.32°02'37"W. and a chord distance of 18.23 feet to a point of tangency; thence run N.25°30'09"W. for 37.14 feet to a point of curvature; thence run Northwesterly for 29.05 feet along the arc of a curve to the left having a radius of 120.00 feet, a delta of 13°52'19", a chord bearing of N.32°26'18"W. and a chord distance of 28.98 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of said Section 10; thence run N.01°23'47"W. along said West line for 1346.12 feet to the point of beginning.

Said tract contains 27.46 acres.

**TOGETHER WITH:**

**DESCRIPTION: (Parcel M-2)**

A tract or parcel of land lying in the Southeast Quarter (S.E.1/4) of Section 10, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run S.01°23'47"E. along the West line of said Southeast Quarter (S.E.1/4) for 1346.12 feet to the point of beginning, said point being on a curve; thence run Southeasterly for 29.05 feet along the arc of a curve to the left having a radius of 120.00 feet, a delta of 13°52'19", a chord bearing of S.32°26'18"E. and a chord distance of 28.98 feet to a point of tangency; thence run S.25°30'09"E. for 37.14 feet to a point of curvature; thence run Southeasterly for 18.27 feet along the arc of a curve to the right having a radius of 80.00 feet, a delta of 13°04'55", a chord bearing of S.32°02'37"E. and a chord distance of 18.23 feet; thence run N.73°26'28"E. for 1031.74 feet to a point on the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 927.19 feet; thence run S.61°34'25"W. for 490.97 feet to a point on the Easterly right-of-way line of three Oaks Parkway (100 feet wide), said point being on a curve; thence run Northwesterly along said Easterly right-of-way line for 618.06 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 29°01'36", a chord bearing of N.42°56'34"W. and a chord distance of 611.47 feet to a point of tangency; thence run N.57°27'22"W. along said Easterly right-of-way line for 451.58 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 28.61 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 01°27'

continued on sheet 5 of 13

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EXHIBIT A  
Page 14 of 31

COMMUNITY DEVELOPMENT

RPD  
SHEET 5 OF 13

49", a chord bearing of N.56°43'28"W. and a chord distance of 28.61 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run N.01°23'47"W. along said West line for 205.69 feet to the point of beginning.

Said tract contains 17.66 acres.

TOGETHER WITH:

DESCRIPTION: (The Islands at Three Oaks)

A tract or parcel of land lying in Sections 10 and 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Southwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run N.01°23'47"W. along the West line of said Southeast Quarter (S.E.1/4) for 991.58 feet to a point on the Westerly right-of-way line of Three Oaks Parkway; thence run S.57°27'22"E. along said Westerly right-of-way line for 412.66 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 943.00 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 48°14'28", a chord bearing of S.33°20'07"E. and a chord distance of 915.40 feet to a point on the North line of the aforesaid Section 15; thence run Southwesterly along said Westerly right-of-way line for 502.49 feet along the arc of a curve concave Northwesterly, with a radius of 1120.00 feet, a delta of 25°42'20", a chord bearing of S.03°38'17"W. and a chord distance of 498.28 feet to a point of tangency; thence run S.16°29'32"W. along said Westerly right-of-way line for 518.86 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 436.61 feet along the arc of a curve concave Southeasterly, with a radius of 1220.00 feet, a delta of 20°30'19", a chord bearing of S.06°14'23"W. and a chord distance of 434.29 feet; thence run S.89°40'13"W. for 592.40 feet to a point on the West line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.00°19'48"W. along the West line of said Northeast Quarter (N.E.1/4) for 1425.44 feet to the point of beginning.

Said tract contains 36.20 acres.

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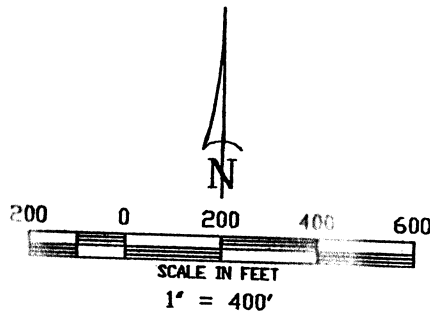
DCI 2005-00054

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 3

FILE #: 46-25-10

SKETCH DATE: 5/2/06



**RPD**  
**SHEET 6 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

SEE SHEET 7 OF 13 FOR  
LEGAL DESCRIPTION.

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L15  | S.76°06'19"E. | 576.62'  |
| L18  | S.76°06'19"E. | 219.97'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L54  | S.00°38'30"E. | 349.45'  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 4   | 975.00'  | 71°40'13" | 1219.61' | 1141.64' | S.40°16'12"E. |
| 5   | 925.00'  | 71°28'12" | 1153.83' | 1080.47' | S.40°22'13"E. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 8   | 1150.00' | 14°24'41" | 289.25'  | 288.49'  | S.68°53'59"E. |
| 9   | 1150.00' | 61°03'08" | 1225.50' | 1168.24' | S.31°10'04"E. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 13  | 1835.28' | 31°39'17" | 1013.95' | 1001.11' | S.15°11'08"W. |

SAN CARLOS, UNIT 18

N.00°19'59"W. 2672.10'

WEST LINE OF THE  
S.E.1/4, SECTION 15  
N.89°40'01"E.  
590.43'

THREE OAKS PARKWAY  
(13)  
(12)

PINE RUN AT THREE OAKS  
29.00 ACRES  
SINGLE FAMILY  
L54  
L53

WESTERLY R/W LINE  
(6)  
(7)

PINE GLEN AT THREE OAKS  
UNIT ONE  
30.14 ACRES  
SINGLE FAMILY

PINE GLEN AT THREE OAKS  
UNIT TWO  
21.30 ACRES  
SINGLE FAMILY

SECTION LINE

DCI 2005-00054

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**RPD**  
**SHEET 7 OF 13**

**DESCRIPTION:** (Pine Run at Three Oaks and Pine Glen at Three Oaks, Units One and Two)

A tract of land lying in Sections 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest Quarter corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run N.00°19' 59"W. along the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15 for 863.15 feet; thence run N.89°40'01"E. for 590.43 feet; thence run S.58°59'46"E. for 10.00 feet to the Westerly right-of-way line of Three Oaks Parkway, said point lying on a curve; thence run Southwesterly along said Westerly right-of-way line for 1013.95 feet along the arc of a curve concave Southeasterly, with a radius of 1835.28 feet, a delta of 31°39' 17", a chord bearing of S.15°11'08"W. and a chord distance of 1001.11 feet to a point of tangency; thence run S.00°38'30"E. along said Westerly right-of-way line for 349.45 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 1225.50 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 61°03' 08", a chord bearing of S.31°10'04"E. and a chord distance of 1168.24 feet to a point common to the boundaries of Pine Run At Three Oaks and Pine Glen At Three Oaks Unit One; thence continue Southeasterly along said Westerly right-of-way line for 289.25 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 14°24'41", chord bearing of S.68°53'59"E. and a chord distance of 288.49 feet to a point of tangency; thence run S.76°06' 19"E. along said Westerly right-of-way line for 576.62 feet to a point on the common boundaries of Pine Glen At Three Oaks Unit One and Pine Glen At Three Oaks Unit Two; thence continue S.76°06'19"E. along said Westerly right-of-way line for 219.97 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 1153.83 feet along the arc of a curve concave Southwesterly, with a radius of 925.00 feet, a delta of 71°28'12", a chord bearing of S.40°22'13"E. and a chord distance of 1080.47 feet to the Southeast corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°15' 53"W. along the South line of said Northeast Quarter (N.E.1/4) for 2653.58 feet to the Southwest corner of the Northeast Quarter (N.E.1/4) of said Section 22; thence run N.00°38'30"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 22 for 2606.31 feet to the point of beginning.

Said tract contains 80.44 acres.

EXHIBIT A  
Page 17 of 31

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**DCI 2005-00054**

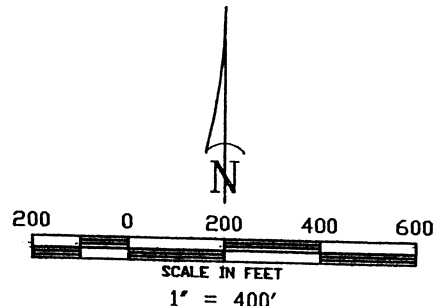
**RPD**  
**SHEET 8 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.  
SEE SHEET 9 OF 13 FOR  
LEGAL DESCRIPTION.

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS R/W 4                                                                                                       |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 5/2/06                                                                                                              |  |
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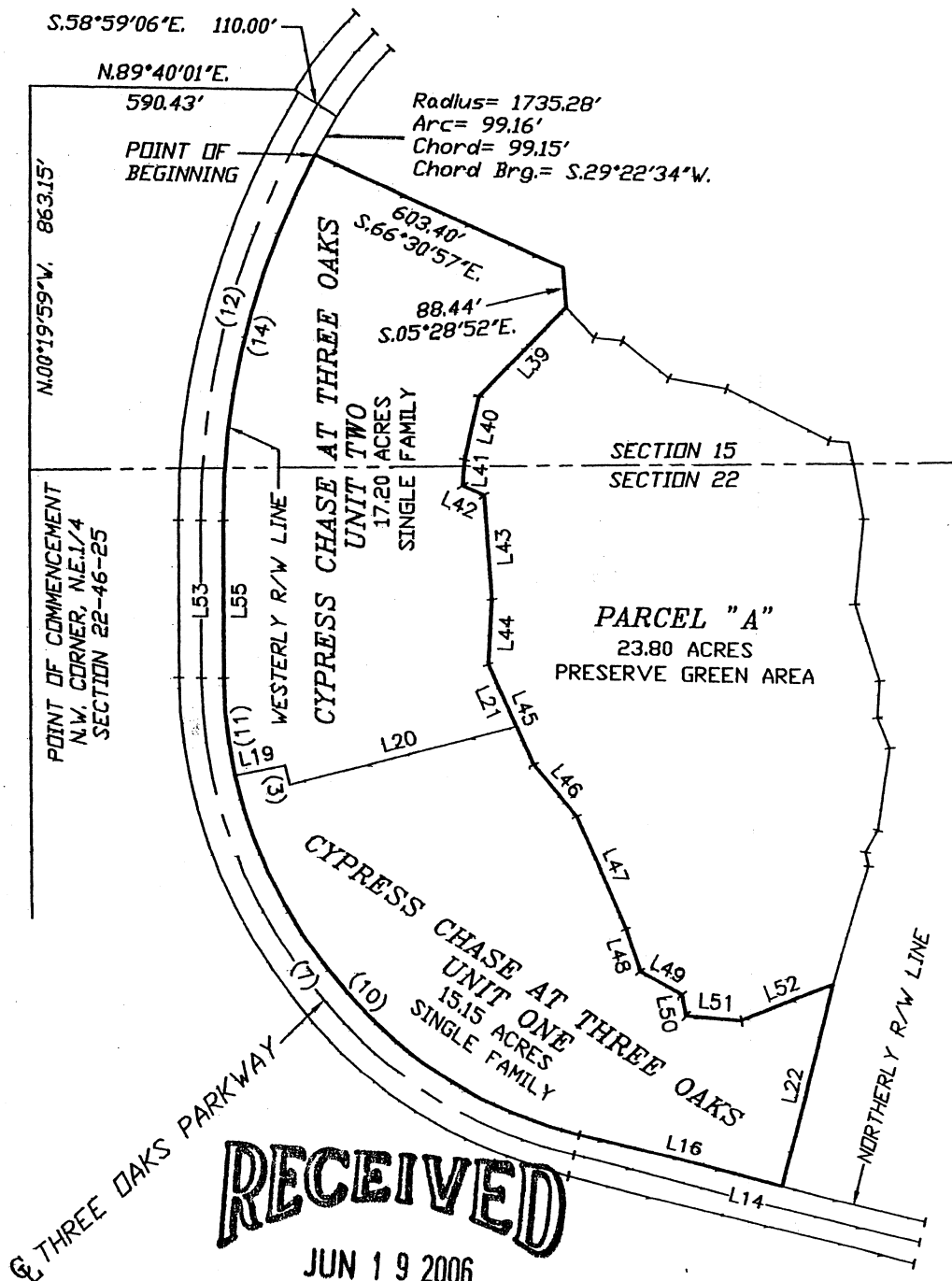
CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 3   | 935.00'  | 02°46'26" | 45.26'   | 45.26'   | N.14°11'43"W. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 10  | 1050.00' | 63°17'54" | 1160.00' | 1101.90' | N.44°27'22"W. |
| 11  | 1050.00' | 12°09'55" | 222.94'  | 222.52'  | N.06°43'27"W. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 14  | 1735.28' | 28°22'50" | 859.54'  | 850.78'  | N.13°32'55"E. |



LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L16  | N.76°06'19"W. | 465.58'  |
| L19  | N.77°11'36"E. | 115.00'  |
| L20  | N.74°25'10"E. | 523.27'  |
| L21  | N.24°06'06"W. | 154.44'  |
| L22  | S.13°53'41"W. | 466.31'  |
| L39  | S.43°02'34"W. | 282.53'  |
| L40  | S.11°56'54"W. | 148.96'  |
| L41  | S.03°34'16"W. | 59.13'   |
| L42  | S.65°49'54"E. | 52.65'   |
| L43  | S.04°55'00"E. | 227.32'  |
| L44  | S.02°47'39"W. | 146.80'  |
| L45  | S.24°06'06"E. | 247.63'  |
| L46  | S.39°51'14"E. | 150.22'  |
| L47  | S.23°58'15"E. | 274.03'  |
| L48  | S.18°34'28"E. | 100.55'  |
| L49  | S.62°41'55"E. | 106.20'  |
| L50  | S.11°41'32"E. | 44.89'   |
| L51  | S.85°57'36"E. | 123.50'  |
| L52  | N.68°40'50"E. | 219.04'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L55  | N.00°38'30"W. | 349.45'  |



RPD  
SHEET 9 OF 13

DESCRIPTION: (Cypress Chase At Three Oaks Units One and Two)

A tract or parcel of land lying in Sections 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run N.00°19'59"W. along the West line of the aforesaid Section 15 for 863.15 feet; thence run N.89°40'01"E. for 590.43 feet; thence run S.58°59'06"E. for 110.00 feet to the Easterly right-of-way line of Three Oaks Parkway, said point being on a curve; thence run Southwest-erly along said Easterly right-of-way line for 99.16 feet along the arc of a curve concave South-easterly, with a radius of 1735.28 feet, a chord bearing of S.29°22'34"W. and a chord distance of 99.15 feet to the point of beginning; thence run S.66°30'57"E. for 603.40 feet; thence run S.05°28'52"E. for 88.44 feet; thence run S.43°02'34"W. for 282.53 feet; thence run S.11°56'54"W. for 148.96 feet; thence run S.03°34'16"W. for 59.13 feet; thence run S.65°49'54"E. for 52.65 feet; thence run S.04°55'00"E. for 227.32 feet; thence run S.02°47'39"W. for 146.80 feet; thence run S.24°06'06"E. for 247.63 feet; thence run S.39°51'14"E. for 150.22 feet; thence run S.23°58'15"E. for 274.03 feet; thence run S.18°34'28"E. for 100.55 feet; thence run S.62°41'55"E. for 106.20 feet; thence run S.11°41'32"E. for 44.89 feet; thence run S.85°57'36"E. for 123.50 feet; thence run N.68°40'50"E. for 219.04 feet; thence run S.13°53'41"W. for 466.31 feet to a point on the Northerly right-of-way line of Three Oaks Parkway; thence run N.76°06'19"W. along said Northerly right-of-way line for 465.58 feet to a point of curvature; thence run Northwesterly along said Northerly right-of-way line for 1160.00 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 63°17'54", a chord bearing of N.44°27'22"W. and a chord distance of 1101.90 feet to a common point between the boundaries of Cypress Chase At Three Oaks Units One and Two, said point lying on the Easterly right-of-way line of said Three Oaks Parkway; thence continue Northwesterly along said Easterly right-of-way line for 222.94 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 12°09'55", a chord bearing of N.06°43'27"W. and a chord distance of 222.52 feet to a point of tangency; thence run N.00°38'30"W. along said Easterly right-of-way line for 349.45 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 859.54 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 28°22'50", a chord bearing of N.13°32'55"E. and a chord distance of 850.78 feet to the point of beginning.

Said tract contains 32.35 acres.

EXHIBIT A  
Page 19 of 31

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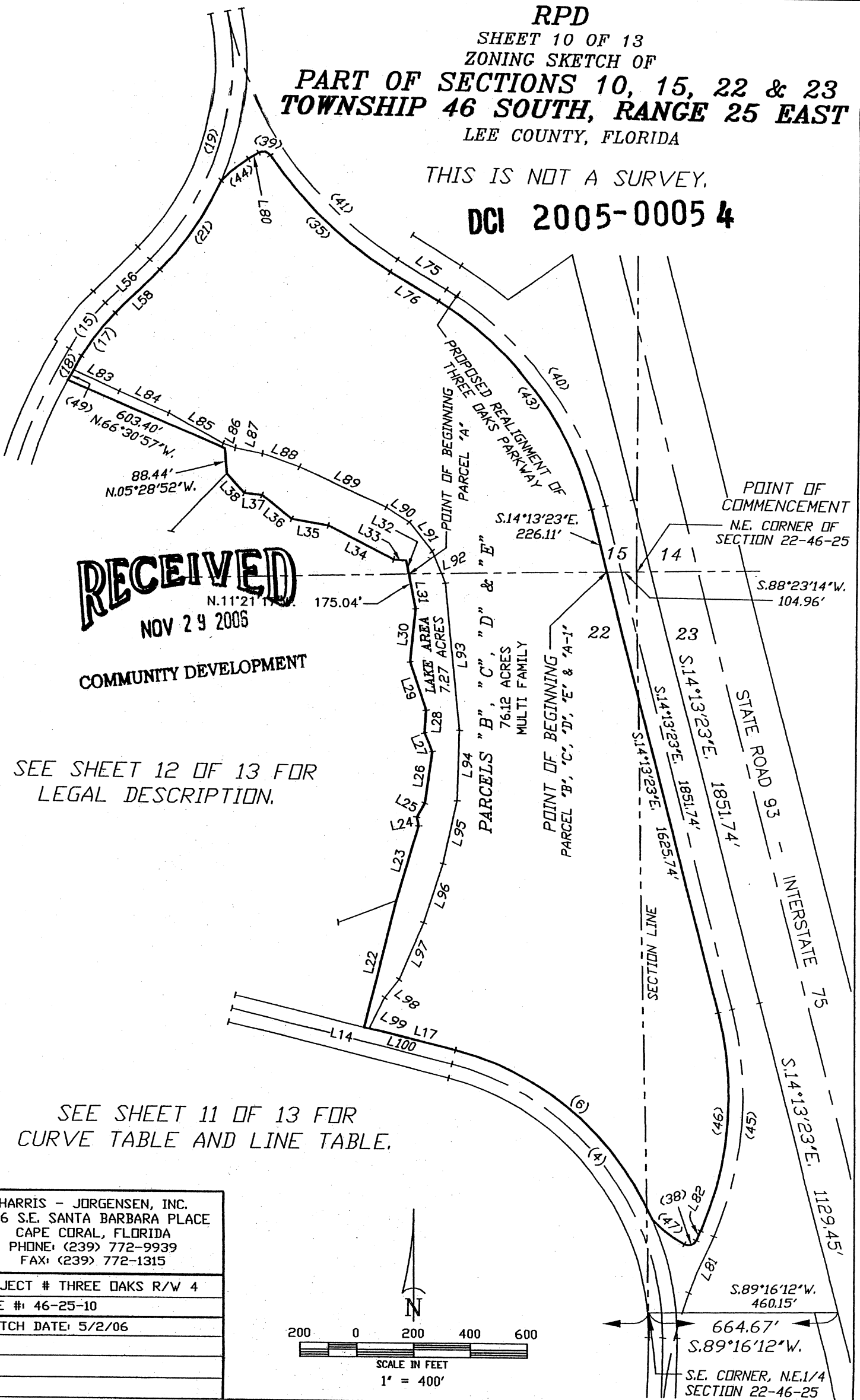
COMMUNITY DEVELOPMENT

DCI 2005-00054

**RPD**  
 SHEET 10 OF 13  
 ZONING SKETCH OF  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
 LEE COUNTY, FLORIDA

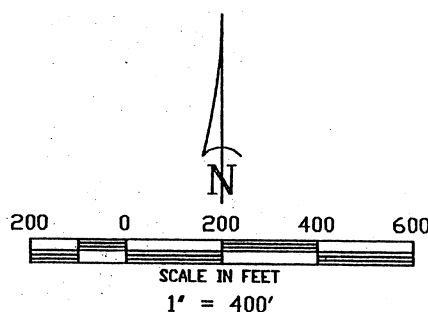
THIS IS NOT A SURVEY.

**DCI 2005-0005 4**



HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 4  
 FILE # 46-25-10  
 SKETCH DATE: 5/2/06



RPD  
SHEET 11 OF 13  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

|                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |
| PROJECT # THREE OAKS R/W 5                                                                                                       |
| FILE #: 46-25-10                                                                                                                 |
| SKETCH DATE: 5/2/06                                                                                                              |
|                                                                                                                                  |
|                                                                                                                                  |
|                                                                                                                                  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 4   | 975.00'  | 71°40'13" | 1219.61' | 1141.64' | S.40°16'12"E. |
| 6   | 1025.00' | 54°02'04" | 966.65'  | 931.23'  | N.49°05'43"W. |
| 16  | 920.00'  | 13°39'14" | 220.19'  | 218.72'  | N.37°50'24"E. |
| 17  | 810.00'  | 13°39'14" | 193.03'  | 192.57'  | N.37°51'19"E. |
| 18  | 1735.28' | 03°16'28" | 99.17'   | 99.16'   | N.29°11'10"E. |
| 19  | 980.00'  | 55°40'01" | 952.14'  | 915.13'  | S.16°49'45"W. |
| 21  | 1030.00' | 21°15'10" | 382.06'  | 379.87'  | N.34°02'00"E. |
| 35  | 1350.00' | 24°52'19" | 586.03'  | 581.44'  | S.46°22'22"E. |
| 38  | 30.00'   | 95°36'18" | 50.07'   | 44.45'   | S.68°59'39"W. |
| 39  | 30.00'   | 87°30'29" | 45.82'   | 41.49'   | S.77°41'27"E. |
| 40  | 1275.00' | 44°35'13" | 992.17'  | 967.32'  | S.36°30'58"E. |
| 41  | 1300.00' | 24°46'30" | 562.12'  | 557.76'  | S.46°25'17"E. |
| 43  | 1200.00' | 44°35'13" | 933.83'  | 910.44'  | S.36°30'56"E. |
| 44  | 470.00'  | 15°02'16" | 123.36'  | 123.00'  | N.51°02'10"E. |
| 45  | 1275.00' | 37°24'06" | 832.30'  | 817.60'  | S.04°28'40"W. |
| 46  | 1200.00' | 37°24'02" | 783.32'  | 769.48'  | S.04°28'42"W. |
| 47  | 469.00'  | 14°37'54" | 119.77'  | 119.44'  | N.57°51'55"W. |
| 49  | 1735.28' | 01°25'05" | 42.95'   | 42.95'   | N.28°26'53"E. |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L17  | N.76°06'19"W. | 313.88'  |
| L22  | N.13°53'41"E. | 466.31'  |
| L23  | N.16°07'18"E. | 277.66'  |
| L24  | N.12°01'00"W. | 31.69'   |
| L25  | N.28°46'02"E. | 58.04'   |
| L26  | N.07°46'15"E. | 187.96'  |
| L27  | N.22°04'52"W. | 74.60'   |
| L28  | N.03°46'03"E. | 83.16'   |
| L29  | N.18°15'48"W. | 181.53'  |
| L30  | N.05°28'43"E. | 189.06'  |
| L31  | N.11°21'17"W. | 126.05'  |
| L32  | N.11°21'17"W. | 48.99'   |
| L33  | N.85°52'53"W. | 43.93'   |
| L34  | N.63°39'28"W. | 257.78'  |
| L35  | N.80°44'01"W. | 129.45'  |
| L36  | N.51°37'12"W. | 133.97'  |
| L37  | N.84°18'29"W. | 62.62'   |
| L38  | N.42°37'55"W. | 92.21'   |
| L56  | N.44°40'01"E. | 222.08'  |
| L58  | N.44°40'01"E. | 222.08'  |
| L75  | S.58°48'32"E. | 200.62'  |
| L76  | S.58°48'32"E. | 200.62'  |
| L80  | N.58°33'18"E. | 42.96'   |
| L81  | N.23°10'43"E. | 223.99'  |
| L82  | S.23°10'43"W. | 38.83'   |
| L83  | S.64°44'50"E. | 177.95'  |
| L84  | S.66°30'07"E. | 191.21'  |
| L85  | S.60°30'15"E. | 219.67'  |
| L86  | S.70°58'05"E. | 45.72'   |
| L87  | S.79°10'17"E. | 96.62'   |
| L88  | S.71°11'03"E. | 137.25'  |
| L89  | S.65°27'58"E. | 336.91'  |
| L90  | S.57°59'19"E. | 96.55'   |
| L91  | S.39°13'50"E. | 128.89'  |
| L92  | S.23°08'49"E. | 120.26'  |
| L93  | S.05°40'34"E. | 530.21'  |
| L94  | S.01°29'07"W. | 255.42'  |
| L95  | S.12°01'41"W. | 230.68'  |
| L96  | S.17°34'52"W. | 221.62'  |
| L97  | S.23°18'32"W. | 218.47'  |
| L98  | S.37°33'24"W. | 84.75'   |
| L99  | S.26°14'39"W. | 124.11'  |
| L100 | N.76°06'19"W. | 331.01'  |

DCI 2005-0005 4

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NOV 29 2006

COMMUNITY DEVELOPMENT

RPD  
SHEET 12 OF 13

DESCRIPTION: (Parcels "B", "C", "D" and "E" )

A tract or parcel of land lying in Sections 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of the aforesaid Section 22; thence run S.88°23'14"W. along the North line of said Section 22 for 104.96 feet to the point of beginning, said point lying on the Westerly right-of-way line of the Three Oaks Parkway realignment project (County Project # CN-02-06); thence run S.14°13'23"E. along said Westerly right-of-way line for 1625.74 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 783.32 feet along the arc of a curve concave Westerly, with a radius of 1200.00 feet, a delta of 37°24'02", a chord bearing of S.04°28'42"W. and a chord distance of 769.48 feet to a point of tangency; thence run S.23°10'43"W. along said Westerly right-of-way line for 38.83 feet to a point on a curve; thence run Southwesterly along the aforesaid right-of-way line for 50.07 feet along the arc of a curve (not radial to the previously described line) concave Northerly, with a radius of 30.00 feet, a delta of 95°36'18" ( 95°37'07" per right-of-way map ), a chord bearing of S.68°59'39"W. and a chord distance of 44.45 feet to a point on a non-compound curve; thence run Northwesterly along said right-of-way line for 119.77 feet ( 120.03 per right-of-way map ) along the arc of a curve concave Northerly, with a radius of 469.00 feet; a delta of 14°37'54" ( 14°39'51" per right-of-way map ), a chord bearing of N.57°51'55"W. and a chord distance of 119.44 feet to a point on a curve on the Northeasterly right-of-way line of Three Oaks Parkway ( 100 feet wide ); thence run Northwesterly along said Northeasterly right-of-way line for 966.65 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 54°02'04", a chord bearing of N.49°05'43"W. and a chord distance of 931.23 feet to a point of tangency; thence run N.76°06'19"W. along said Northeasterly right-of-way line for 331.01 feet to the Southeasterly corner of Cypress Chase At Three Oaks, Unit One, as recorded in Plat Book 41, Pages 29 and 30, Public Records of Lee County, Florida; thence run N.13°53'41"E. along the Easterly line of said Cypress Chase At Three Oaks, Unit One for 466.31 feet; thence run N.16°07'18"E. for 277.66 feet; thence run N.12°01'00"W. for 31.69 feet; thence run N.28°46'02"E. for 58.04 feet; thence run N.07°46'15"E. for 187.96 feet; thence run N.22°04'52"W. for 74.60 feet; thence run N.03°46'03"E. for 83.16 feet; thence run N.18°15'48"W. for 181.53 feet; thence run N.05°28'43"E. for 189.06 feet; thence run N.11°21'17"W. for 175.04 feet; thence run N.85°52'53"W. for 43.93 feet; thence run N.63°39'28"W. for 257.78 feet; thence run N.80°44'01"W. for 129.45 feet; thence run N.51°37'12"W. for 133.97 feet; thence run N.84°18'29"W. for 62.62 feet; thence run N.42°37'55"W. for 92.21 feet to a point on the Easterly line of Cypress Chase At Three Oaks, Unit Two as recorded in Plat Book 43, Pages 49 and 50, Public Records of Lee County, Florida; thence run N.05°28'52"W. along the Easterly line of said Cypress Chase At Three Oaks, Unit Two for 88.44 feet to the Northeasterly corner of said Cypress Chase At Three Oaks, Unit Two; thence run N.66°30'57"W. along the Northerly line of said Cypress Chase At Three Oaks, Unit Two for 603.40 feet to the Northwesterly corner of said Cypress Chase At Three Oaks, Unit Two, said point lying on the Easterly right-of-way line of Three Oaks Parkway ( 50.00 feet from centerline ); thence run Northeasterly along said Easterly right-of-way line ( not radial to the previously described line ) for 99.17 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 03°16'28", a chord bearing of N.29°11'10"E. and a chord distance of 99.16 feet to a point of compound curvature; thence run Northeasterly along said Easterly right-of-way line for 193.03 feet along the arc of a curve concave Southeasterly, with a radius

continued of sheet 13 of 13

DCI 2005-0005 4

EXHIBIT A  
Page 22 of 31

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COMMUNITY DEVELOPMENT

**RPD**  
**SHEET 13 OF 13**

of 810.00 feet, a delta of  $13^{\circ}39'14''$ , a chord bearing of  $N.37^{\circ}51'19''E.$  and a chord distance of 192.57 feet to a point of tangency; thence run  $N.44^{\circ}40'01''E.$  along said Easterly right-of-way line for 222.08 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 382.06 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of  $21^{\circ}15'10''$ , a chord bearing of  $N.34^{\circ}02'00''E.$  and a chord distance of 379.87 feet to a point on a curve on the right-of-way line of the aforesaid realignment of Three Oaks Parkway; thence run Northeasterly along the right-of-way line of said realignment for 123.36 feet ( 122.84 per right-of-way map ) along the arc of a curve concave Southeasterly, with a radius of 470.00 feet, a delta of  $15^{\circ}02'16''$  (  $14^{\circ}58'31''$  per right-of-way map ), a chord bearing of  $N.51^{\circ}02'10''E.$  (  $N.51^{\circ}04'03''E.$  per right-of-way map ), and a chord distance of 123.00 feet ( 122.49 feet per right-of-way map ) to a point of tangency; thence run  $N.58^{\circ}33'18''E.$  along the right-of-way line of said realignment for 42.96 feet to a point of curvature; thence run Southeasterly along said realignment for 45.82 feet along the arc of a curve concave Southerly, with a radius of 30.00 feet, a delta of  $87^{\circ}30'29''$ , a chord bearing of  $S.77^{\circ}41'27''E.$  and a chord distance of 41.49 feet to a point of reverse curvature; thence run Southeasterly along said right-of-way line of said realignment for 586.03 feet along the arc of a curve concave Northeasterly, with a radius of 1350.00 feet, a delta of  $24^{\circ}52'19''$ , a chord bearing of  $S.46^{\circ}22'22''E.$  and a chord distance of 581.44 feet to a point of tangency; thence run  $S.58^{\circ}48'32''E.$  along said right-of-way of said realignment for 200.62 feet to a point of curvature; thence run Southeasterly along said right-of-way line of said realignment for 933.83 feet along the arc of a curve concave Southwesterly, with a radius of 1200.00 feet, a delta of  $44^{\circ}35'13''$ , a chord bearing of  $S.36^{\circ}30'56''E.$  and a chord distance of 910.44 feet to a point of tangency; thence run  $S.14^{\circ}13'23''E.$  along the right-of-way line of said realignment for 226.11 feet to the point of beginning.

Said tract contains 76.12 acres.

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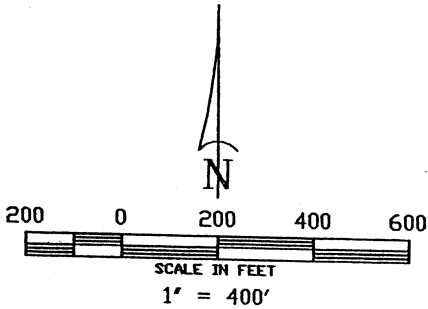
ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
 LEE COUNTY, FLORIDA  
 THIS IS NOT A SURVEY.

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS ROW                                                                                                         |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 10/26/06                                                                                                            |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |
| SHEET 1 OF 5                                                                                                                     |  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 1   | 1120.00' | 01°27'49" | 28.61'   | 28.61'   | S.56°43'28"E. |
| 2   | 1220.00' | 73°56'49" | 1574.55' | 1467.53' | S.20°28'57"E. |
| 17  | 1120.00' | 73°56'49" | 1445.49' | 1347.24' | N.20°28'57"W. |

POINT OF COMMENCEMENT N.89°18'02"E. 835.53'  
 N.W. CORNER, S.E.1/4 SECTION 10-46-25



DCI 2005-00054  
 LINE TABLE

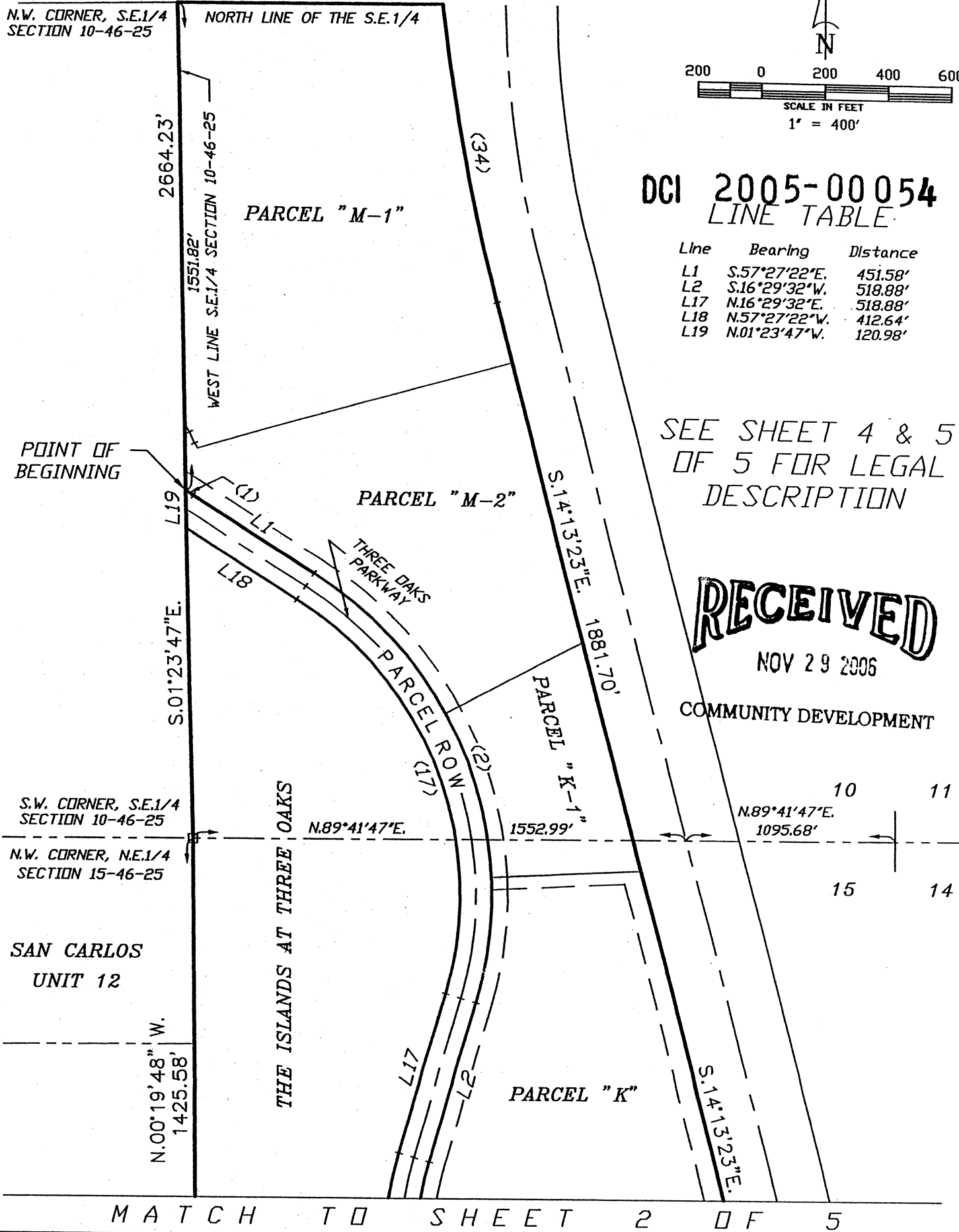
| Line | Bearing       | Distance |
|------|---------------|----------|
| L1   | S.57°27'22"E. | 451.58'  |
| L2   | S.16°29'32"W. | 518.88'  |
| L17  | N.16°29'32"E. | 518.88'  |
| L18  | N.57°27'22"W. | 412.64'  |
| L19  | N.01°23'47"W. | 120.98'  |

SEE SHEET 4 & 5  
 OF 5 FOR LEGAL  
 DESCRIPTION

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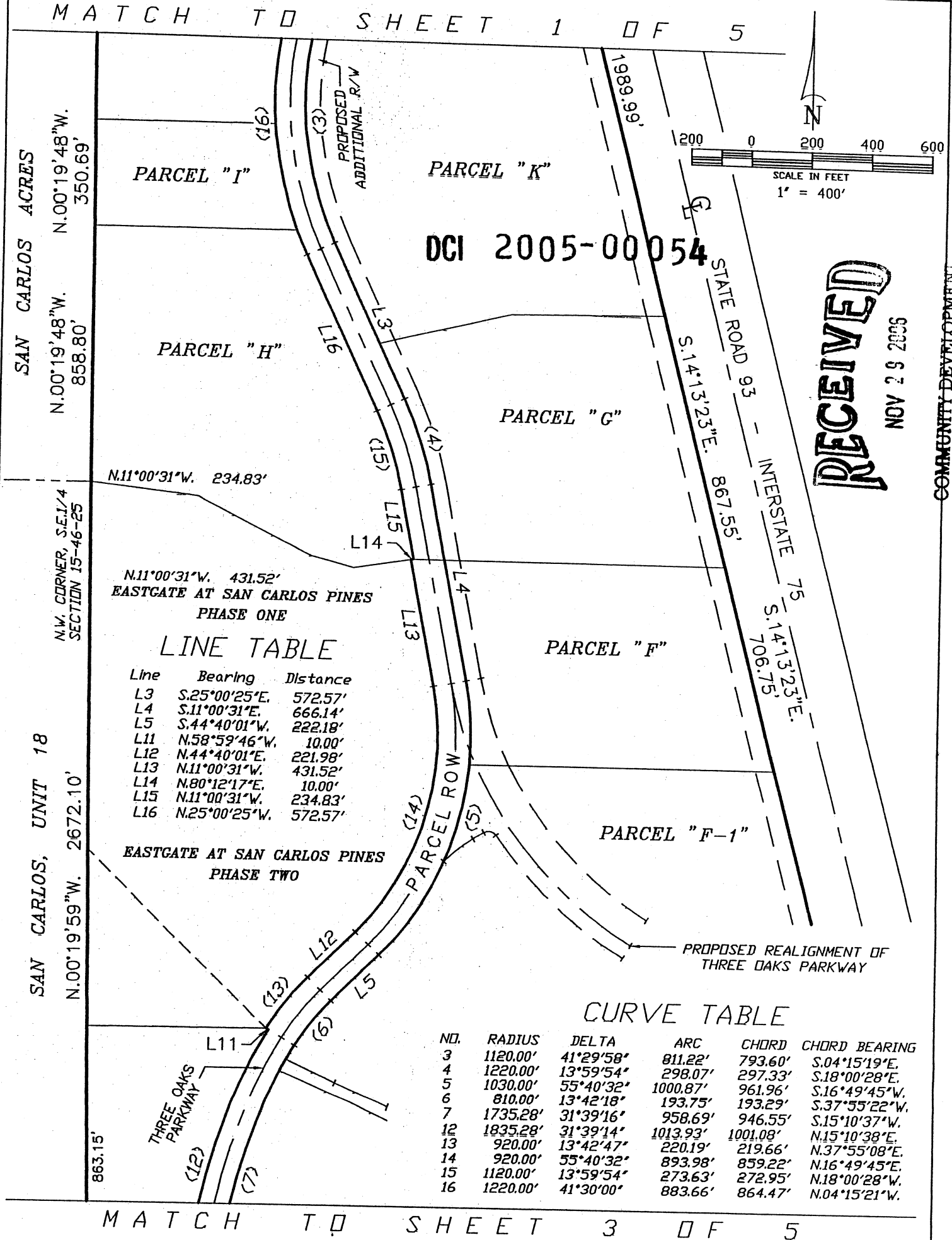
NOV 29 2006

COMMUNITY DEVELOPMENT



ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
 LEE COUNTY, FLORIDA  
 THIS IS NOT A SURVEY.

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS ROW                                                                                                         |  |
| FILE # 46-25-10                                                                                                                  |  |
| SKETCH DATE: 10/26/06                                                                                                            |  |
|                                                                                                                                  |  |
| SHEET 2 OF 5                                                                                                                     |  |



ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

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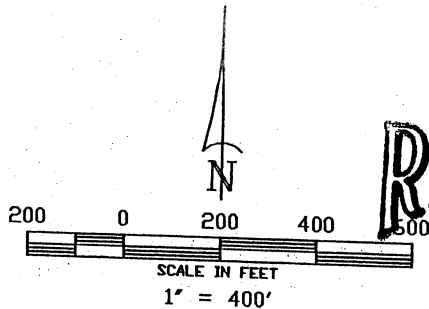
HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS ROW

FILE #: 46-25-10

SKETCH DATE: 10/26/06

SHEET 3 OF 5



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 NOV 10 2006

**LINE TABLE**

| Line | Bearing       | Distance |
|------|---------------|----------|
| L6   | S.00°38'30"E. | 349.45'  |
| L7   | S.76°06'19"E. | 796.59'  |
| L8   | S.89°16'11"W. | 100.21'  |
| L9   | N.76°06'19"W. | 796.59'  |
| L10  | N.00°38'30"W. | 349.45'  |

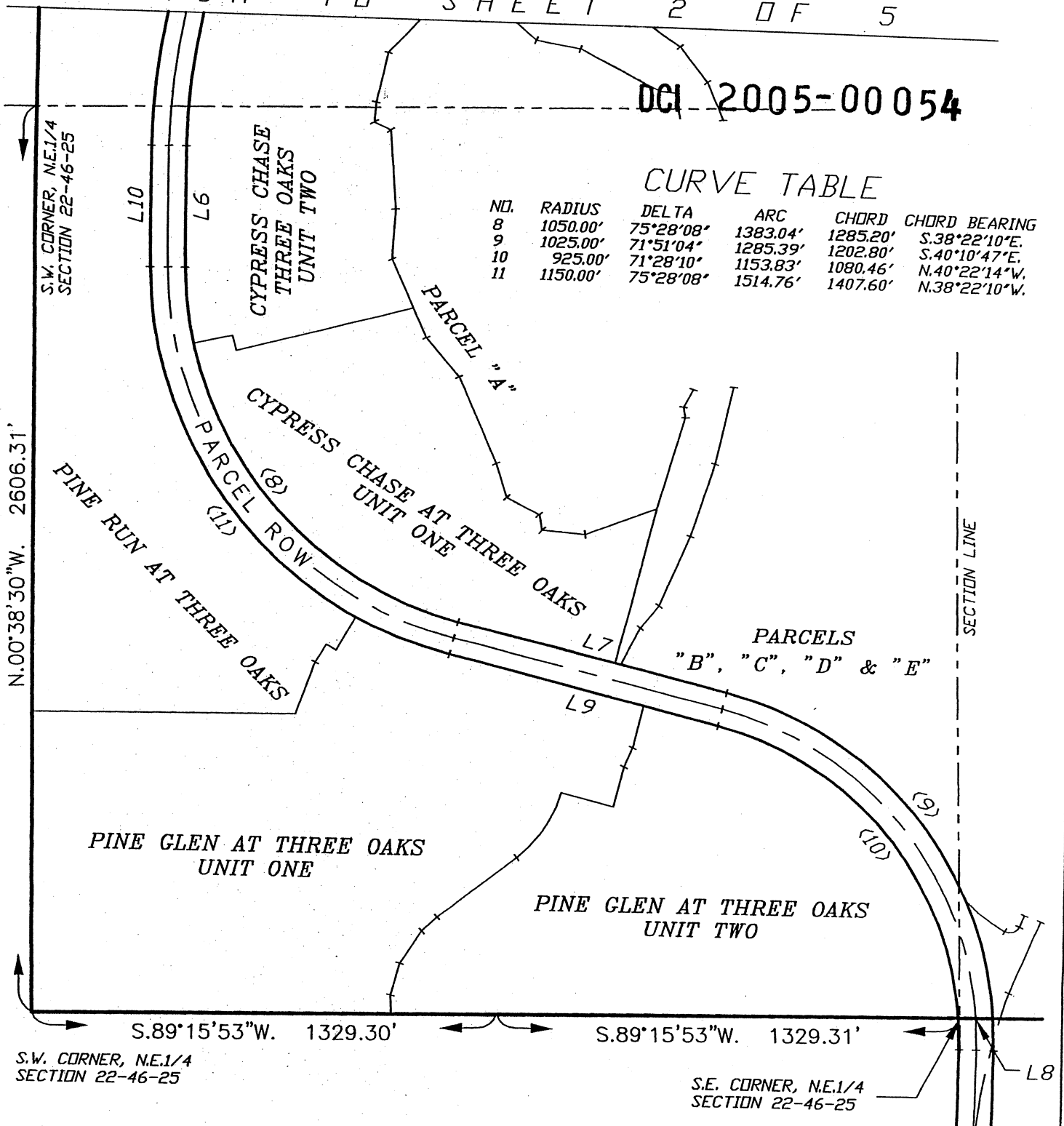
COMMUNITY DEVELOPMENT

MATCH TO SHEET 2 OF 5

DCI 2005-00054

**CURVE TABLE**

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 8   | 1050.00' | 75°28'08" | 1383.04' | 1285.20' | S.38°22'10"E. |
| 9   | 1025.00' | 71°51'04" | 1285.39' | 1202.80' | S.40°10'47"E. |
| 10  | 925.00'  | 71°28'10" | 1153.83' | 1080.46' | N.40°22'14"W. |
| 11  | 1150.00' | 75°28'08" | 1514.76' | 1407.60' | N.38°22'10"W. |



**ROW**  
**SHEET 4 OF 5**

**DESCRIPTION:** ( Existing Right-of-Way of Three Oaks Parkway )

A tract or parcel of land lying in Sections 10, 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run S.01°23'47"E. along the West line of said Southeast Quarter (S.E.1/4) for 1551.82 feet to the point of beginning, said point being on a curve; thence run Southeasterly for 28.61 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 01°27'49", a chord bearing of S.56°43'28"E. and a chord distance of 28.61 feet to a point of tangency; thence run S.57°27'22"E. for 451.58 feet to a point of curvature; thence run Southeasterly for 1574.55 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 73°56'49", a chord bearing of S.20°28'57"E. and a chord distance of 1467.53 feet to a point of tangency; thence run S.16°29'32"W. for 518.88 feet to a point of curvature; thence run Southeasterly for 811.22 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 41°29'58", a chord bearing of S.04°15'19"E. and a chord distance of 793.60 feet to a point of curvature; thence run S.25°00'25"E. for 572.57 feet to a point of curvature; thence run Southeasterly for 298.07 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 13°59'54", a chord bearing of S.18°00'28"E. and a chord distance of 297.33 feet to a point of tangency; thence run S.11°00'31"E. for 666.14 feet to a point of curvature; thence run Southwesterly for 1000.87 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of 55°40'32", a chord bearing of S.16°49'45"W. and a chord distance of 961.96 feet to a point of tangency; thence run S.44°40'01"W. for 222.18 feet to a point of curvature; thence run Southwesterly for 193.75 feet along the arc of a curve concave Southeasterly, with a radius of 810.00 feet, a delta of 13°42'18", a chord bearing of S.37°55'22"W. and a chord distance of 193.29 feet to a point of compound curvature; thence run Southwesterly for 958.69 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 31°39'16", a chord bearing of S.15°10'37"W. and a chord distance of 946.55 feet to a point of tangency; thence run S.00°38'30"E. for 349.45 feet to a point of curvature; thence run Southeasterly for 1383.04 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 75°28'08", a chord bearing of S.38°22'10"E. and a chord distance of 1285.20 feet to a point of tangency; thence run S.76°06'19"E. for 796.59 feet to a point of curvature; thence run Southeasterly for 1285.39 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 71°51'04", a chord bearing of S.40°10'47"E. and a chord distance of 1202.80 feet to a point on the South line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°16'11"W. along said South line for 100.21 feet to a point on a curve; thence run Northwesterly for 1153.83 feet along the arc of a curve concave Southwesterly, with a radius of 925.00 feet, a delta of 71°28'10", a chord bearing of N.40°22'14"W. and a chord distance of 1080.46 feet to a point of tangency; thence run N.76°06'19"W. for 796.59 feet to a point of curvature; thence run Northwesterly for 1514.76 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 75°28'08", a chord bearing of N.38°22'10"W. and a chord distance of 1407.60 feet to a point of tangency; thence run N.00°38'30"W. for 349.45 feet to a point of curvature; thence run Northeasterly for 1013.93 feet along the arc of a curve concave Southeasterly, with a radius of 1835.28 feet, a delta of 31°39'14", a chord bearing of N.15°10'38"E. and a chord distance of 1001.08 feet; thence run N.58°59'46"W. for 10.00 feet to a point on a curve; thence North Northeasterly for 220.19 feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of 13°42'47", a chord bearing of N.37°55'08"E. and a chord distance of 219.66 feet to a point of tangency; thence run N.44°40'01"E. for 221.98 feet to a point of curvature; thence run Northeasterly for 893.98

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ROW  
SHEET 5 OF 5

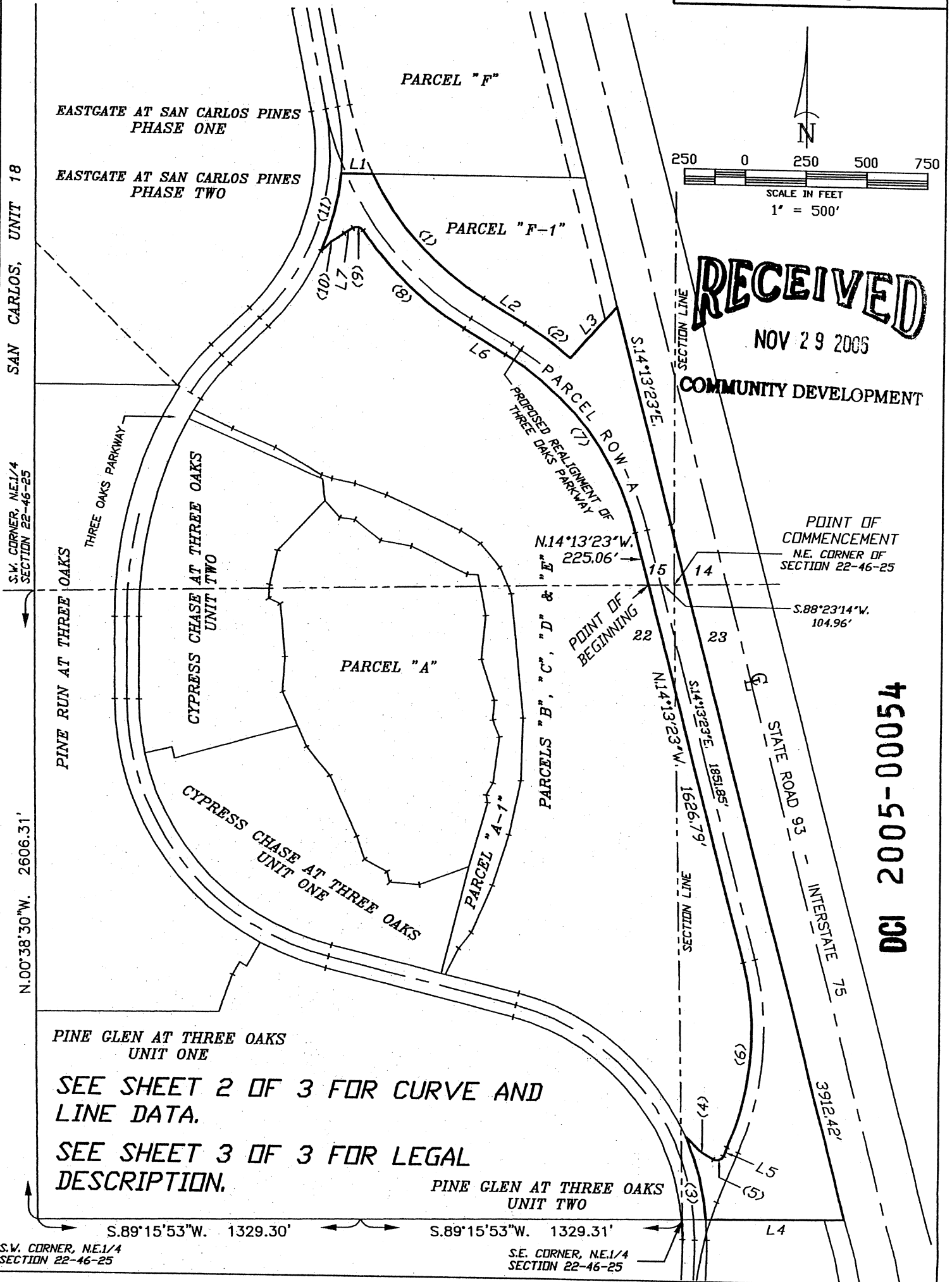
feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of 55°40'32", a chord bearing of N.16°49'45"E. and a chord distance of 859.22 feet to a point of tangency; thence run N.11°00'31"W. for 431.52 feet; thence run N.80°12'17"E. for 10.00 feet; thence run N.11°00'31"W. for 234.83 feet to a point on a curve; thence run Northwesterly for 273.63 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 13°59'54", a chord bearing of N.18°00'28"W. and a chord distance of 272.95 feet to a point of tangency; thence run N.25°00'25"W. for 572.57 feet to a point of curvature; thence run Northwesterly for 883.66 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of 41°30'00", a chord bearing of N.04°15'21"W. and a chord distance of 864.47 feet to a point of tangency; thence run N.16°29'32"E. for 518.88 feet to a point of curvature; thence run Northwesterly for 1445.49 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 73°56'49", a chord bearing of N.20°28'57"W. and a chord distance of 1347.24 feet to a point of tangency; thence run N.57°27'22"W. for 412.64 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run N.01°23'47"W. along said West line for 120.98 feet to the point of beginning.

Said tract contains 25.81 acres, more or less.

**ZONING SKETCH OF  
 ADDITIONAL RIGHT-OF-WAY OF THREE  
 OAKS PARKWAY REALIGNMENT  
 SECTIONS 14, 15, 22 & 23  
 TOWNSHIP 46 SOUTH, RANGE 25 EAST  
 LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS ROW                                                                                                         |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 10/26/06                                                                                                            |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |
| SHEET 1 OF 3                                                                                                                     |  |



**DCI 2005-00054**

**ZONING SKETCH OF  
ADDITIONAL RIGHT-OF-WAY OF THREE  
OAKS PARKWAY REALIGNMENT  
SECTIONS 14, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS ROW

FILE # 46-25-10

SKETCH DATE: 10/26/06

SHEET 2 OF 3

**LINE TABLE**

| Line | Bearing       | Distance |
|------|---------------|----------|
| L1   | N.89°59'27"E. | 129.95'  |
| L2   | S.58°48'32"E. | 200.62'  |
| L3   | N.41°10'37"E. | 290.09'  |
| L4   | S.89°15'15"W. | 568.50'  |
| L5   | N.23°10'43"E. | 37.76'   |
| L6   | N.58°48'32"W. | 200.62'  |
| L7   | S.58°33'18"W. | 42.33'   |

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**CURVE TABLE**

| NO. | RADIUS   | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|----------|-----------|---------|---------|---------------|
| 1   | 1200.00' | 33°07'57" | 693.92' | 684.30' | N.42°14'34"W. |
| 2   | 1350.00' | 09°59'09" | 235.29' | 234.99' | S.53°48'57"E. |
| 3   | 1025.00' | 19°29'28" | 348.69' | 347.01' | N.14°07'52"W. |
| 4   | 470.00'  | 17°31'42" | 143.79' | 143.23' | S.52°16'43"E. |
| 5   | 30.00'   | 95°46'42" | 50.15'  | 44.51'  | N.71°04'04"E. |
| 6   | 1200.00' | 37°24'02" | 783.32' | 769.48' | N.04°28'42"E. |
| 7   | 1200.00' | 44°35'13" | 933.83' | 910.44' | N.36°30'56"W. |
| 8   | 1350.00' | 24°52'44" | 586.19' | 581.60' | N.46°22'10"W. |
| 9   | 30.00'   | 87°30'54" | 45.82'  | 41.50'  | N.77°41'15"W. |
| 10  | 470.00'  | 15°03'12" | 123.48' | 123.13' | S.51°01'42"W. |
| 11  | 1030.00' | 18°40'28" | 335.71' | 334.23' | N.14°02'03"E. |

COMMUNITY DEVELOPMENT

**DCI 2005-00054**

**ROW - A**  
**SHEET 3 OF 3**

**DESCRIPTION:** ( Additional right-of-way of Three Oaks Parkway Realignment )

A tract or parcel of land lying in Sections 14, 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of the aforesaid Section 22; thence run S.88°23'14"W. along the North line of said Section 22 for 104.96 feet to the point of beginning; thence run N.14°13'23"W. for 225.06 feet to a point of curvature; thence run Northwesterly for 933.83 feet along the arc of a curve concave Southwesterly, with a radius of 1200.00 feet, a delta of 44°35'13", a chord bearing of N.36°30'56"W. and a chord distance of 910.44 feet to a point of tangency; thence run N.58°48'32"W. for 200.62 feet to a point of curvature; thence run Northwesterly for 586.19 feet along the arc of a curve concave Northeasterly, with a radius of 1350.00 feet, a delta of 24°52'44", a chord bearing of N.46°22'10"W. and a chord distance of 581.60 feet to a point of reverse curvature; thence run Northwesterly for 45.82 feet along the arc of a curve concave Southwesterly, with a radius of 30.00 feet, a delta of 87°30'54", a chord bearing of N.77°41'15"W. and a chord distance of 41.50 feet to a point of tangency; thence run S.58°33'18"W. for 42.33 feet to a point of curvature; thence run Southwesterly for 123.48 feet along the arc of a curve concave Southeasterly, with a radius of 470.00 feet, a delta of 15°03'12", a chord bearing of S.51°01'42"W. and a chord distance of 123.13 feet to a point of cusp; thence run Northeasterly for 335.71 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of 18°40'28", a chord bearing of N.14°02'03"E. and a chord distance of 334.23 feet; thence run N.89°59'27"E. for 129.95 feet to a point on a curve; thence run Southeasterly along the arc of a curve concave Northeasterly, with a radius of 1200.00 feet, a delta of 33°07'57", a chord bearing of S.42°14'34"E. and a chord distance of 684.30 feet to a point of tangency; thence run S.58°48'32"E. for 200.62 feet to a point of curvature; thence run Southeasterly for 235.29 feet along the arc of a curve concave Southwesterly, with a radius of 1350.00 feet, a delta of 09°59'09", a chord bearing of S.53°48'57"E. and a chord distance of 234.99 feet; thence run N.41°10'37"E. for 290.09 feet to a point on the Westerly right-of-way line of Interstate Highway No. 75; thence run S.14°13'23"E. along said Westerly right-of-way line for 3912.42 feet to a point on the South line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 23; thence run S.89°15'15"W. along said South line for 568.50 feet to a point on a curve; thence run Northwesterly for 348.69 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 19°29'28", a chord bearing of N.14°07'52"W. and a chord distance of 347.01 feet to a point of cusp; thence run Southeasterly for 143.79 feet along the arc of a curve concave Northeasterly, with a radius of 470.00 feet, a delta of 17°31'42", a chord bearing of S.52°16'43"E. and a chord distance of 143.23 feet to a point of common curvature; thence run Northeasterly for 50.15 feet along the arc of a curve concave Northwesterly, with a radius of 30.00 feet, a delta of 95°46'42"E., a chord bearing of N.71°04'04"E. and a chord distance of 44.51 feet to a point of tangency; thence run N.23°10'43"E. for 37.76 feet to a point of curvature; thence run Northeasterly for 783.32 feet along the arc of a curve concave Northwesterly, with a radius of 1200.00 feet, a delta of 37°24'02", a chord bearing of N.04°28'42"E. and a chord distance of 769.48 feet to a point of tangency; thence run N.14°13'23"W. for 1626.79 feet to the point of beginning.

Said tract contains 23.20 acres, more or less.

**RECEIVED**  
NOV 29 2006

COMMUNITY DEVELOPMENT

DCI 2005-00054

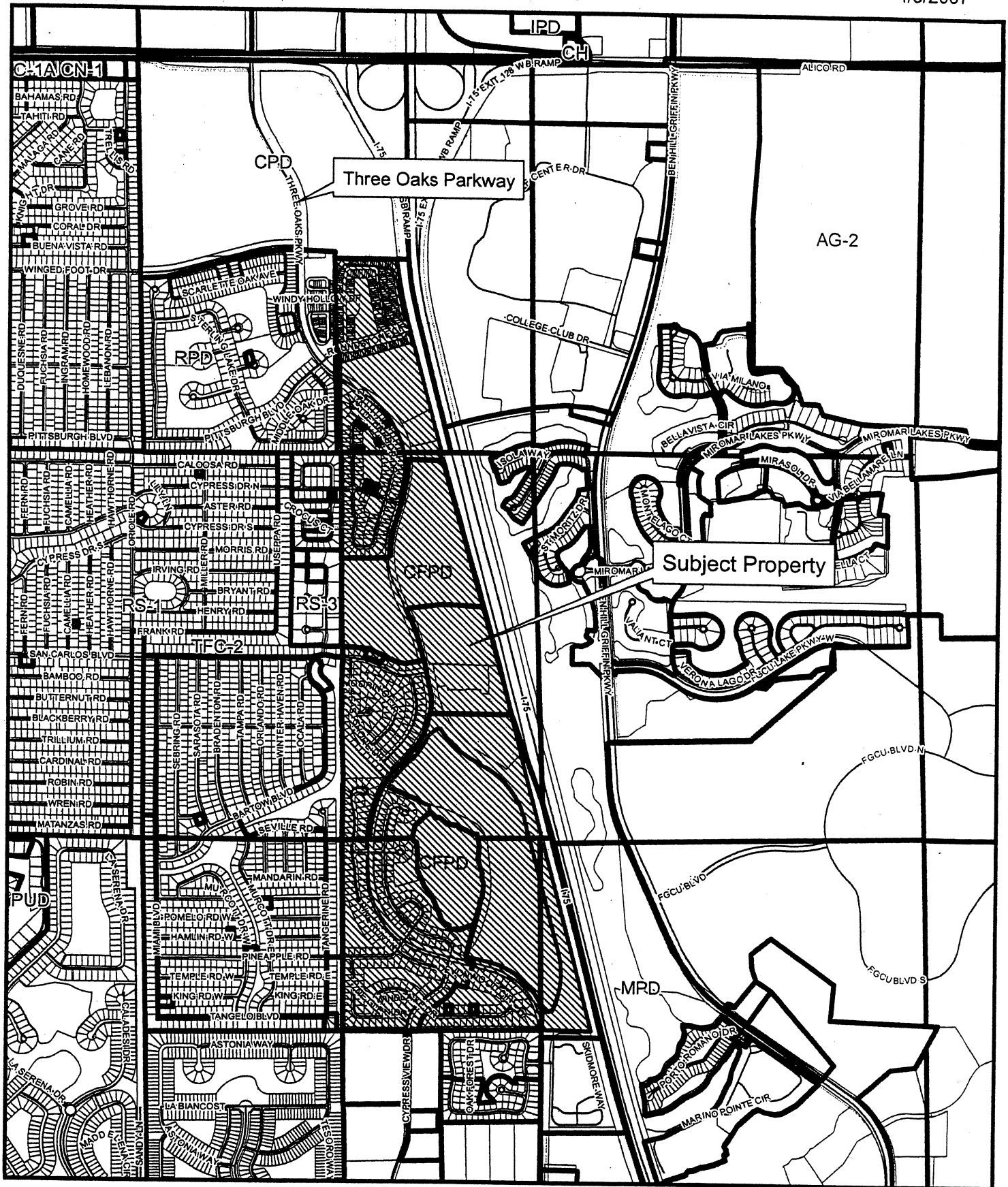


Exhibit B

Received  
AUG 30 2007  
PERMIT COUNTER

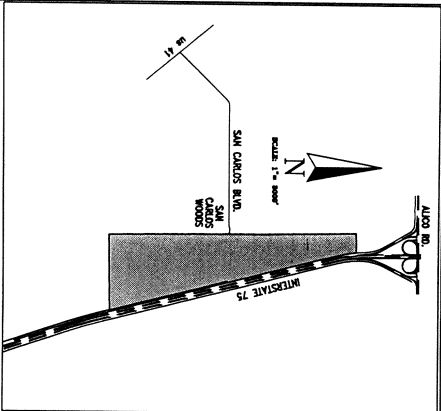
DU 2005-00054

| DESCRIPTION | AREA (ACRES) |
|-------------|--------------|
| <b>RPD</b>  |              |
| TRACTS      | 309.32 ACRES |
| + R/W       | 49.01 ACRES  |
| <b>CFPD</b> | 358.33 ACRES |
| TOTAL       | 111.08 ACRES |
| <b>CPD</b>  | 25.35 ACRES  |
| TOTAL       | 494.76 ACRES |

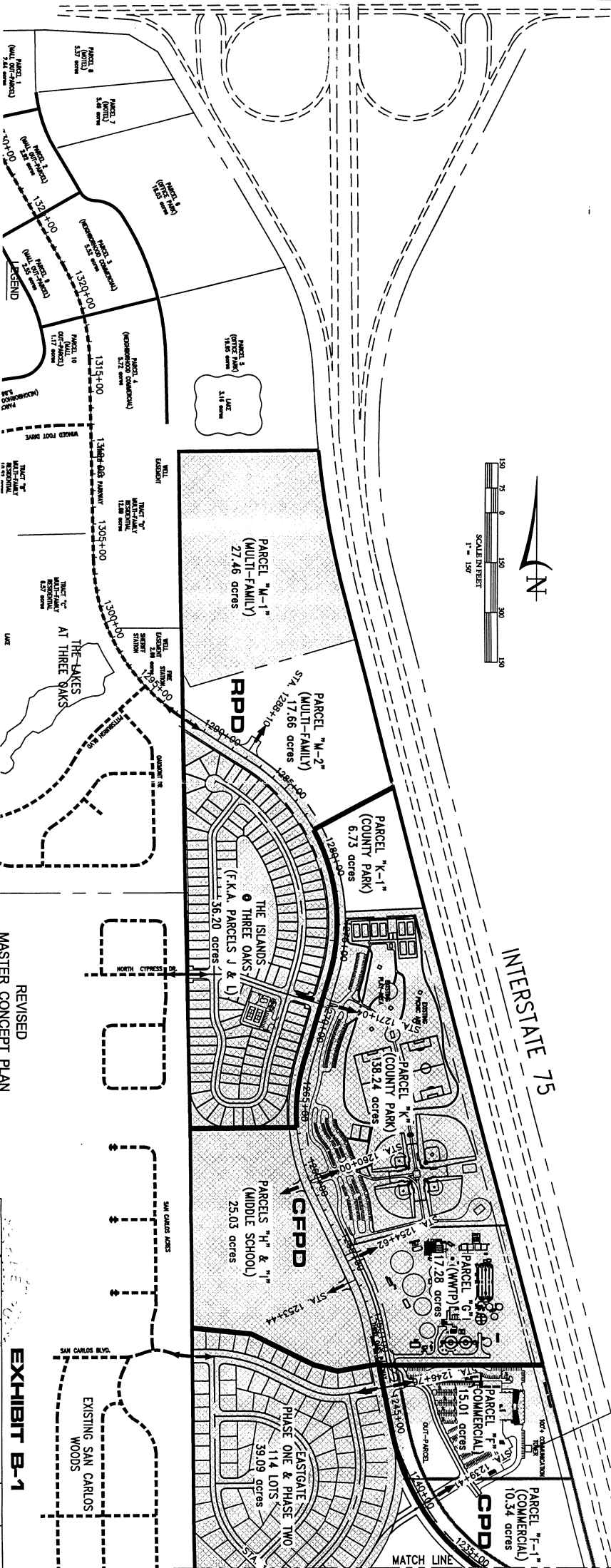
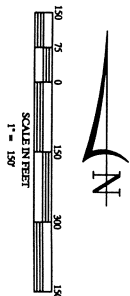
Approved as Exhibit C  
MCP Page 1 of 2  
Resolution # 2-07-027

COMMUNICATION  
TOWER APPROVED  
BY SE2005-00012  
& LD02005-00051

LOCATION MAP



- PREVIOUSLY APPROVED DEVIATION LIST  
SEE 2-91-003 FOR CONDITIONS OF APPROVAL.  
APPROVED ONLY
- NOTE:  
If approved, the Master Concept Plan (available for inspection at 1031 Hendry Street in Fort Myers) will deviate from the following San Carlos Standards:
- All Districts ① Access road deviation
  - All Districts ② Access to adjoining property
  - All Districts ③ Powers drive deviation
  - RPD Only ④ Open space deviation
  - All Districts ⑤ Excavation depth deviation
  - RPD Only ⑥ Property development deviation
  - All Districts ⑦ Sign deviation
  - All Districts ⑧ Fence around excavation deviation
  - All Districts ⑨ Street buffer deviation
  - All Districts ⑩ Pavement standards deviation
  - RPD Only ⑪ Road estate sales deviation
  - RPD Only ⑫ Back out parking deviation
  - All District ⑬ - WITHDRAWN
- Specific Location ⑭ Intersection separation deviation







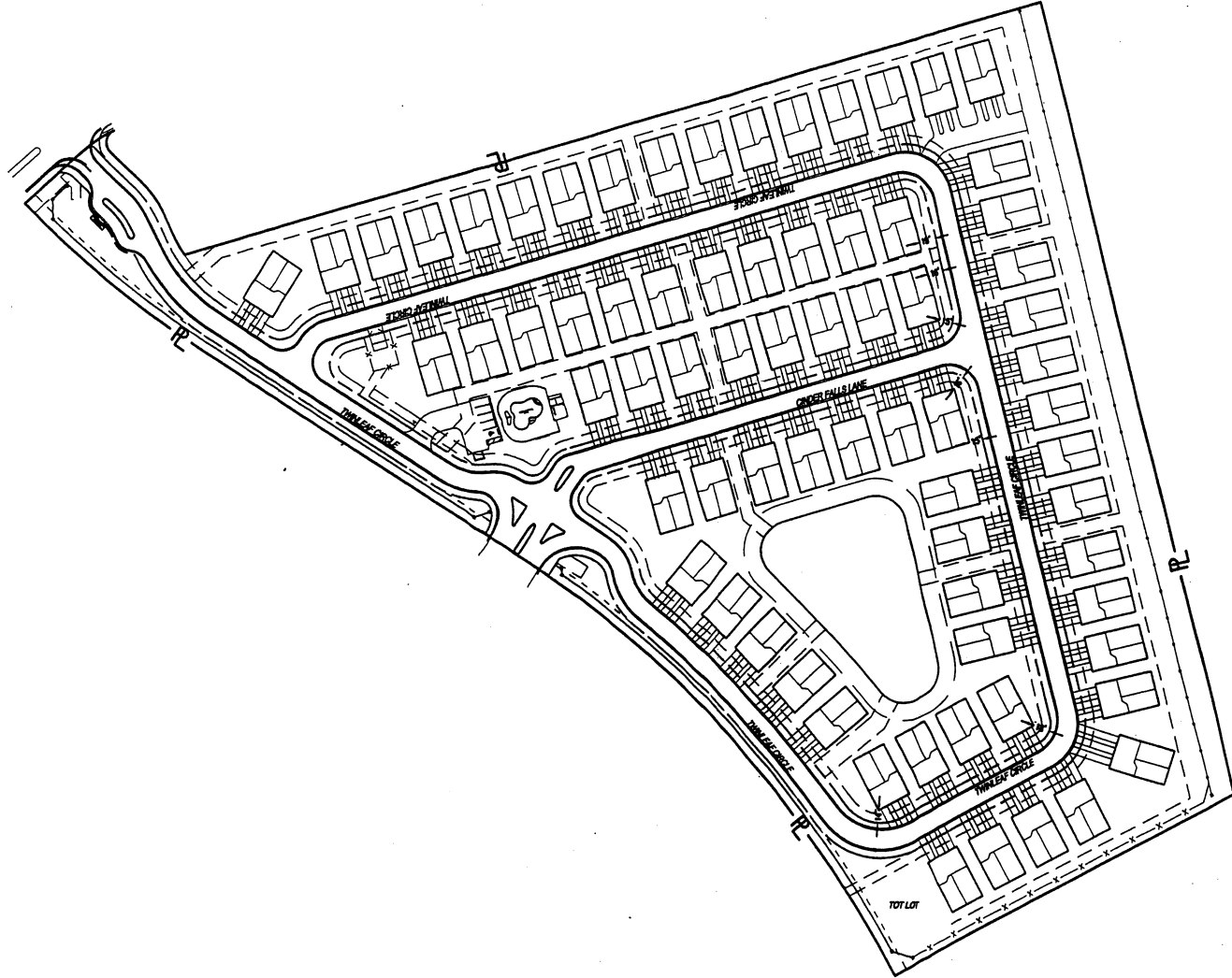
0 150' 300'  
GRAPHIC SCALE 1"=150'

**RECEIVED**  
JAN 12 2007

COMMUNITY DEVELOPMENT

NOTES:

1. CORNER LOTS WITH REDUCED STREET SETBACKS PROPOSED AS SHOWN.

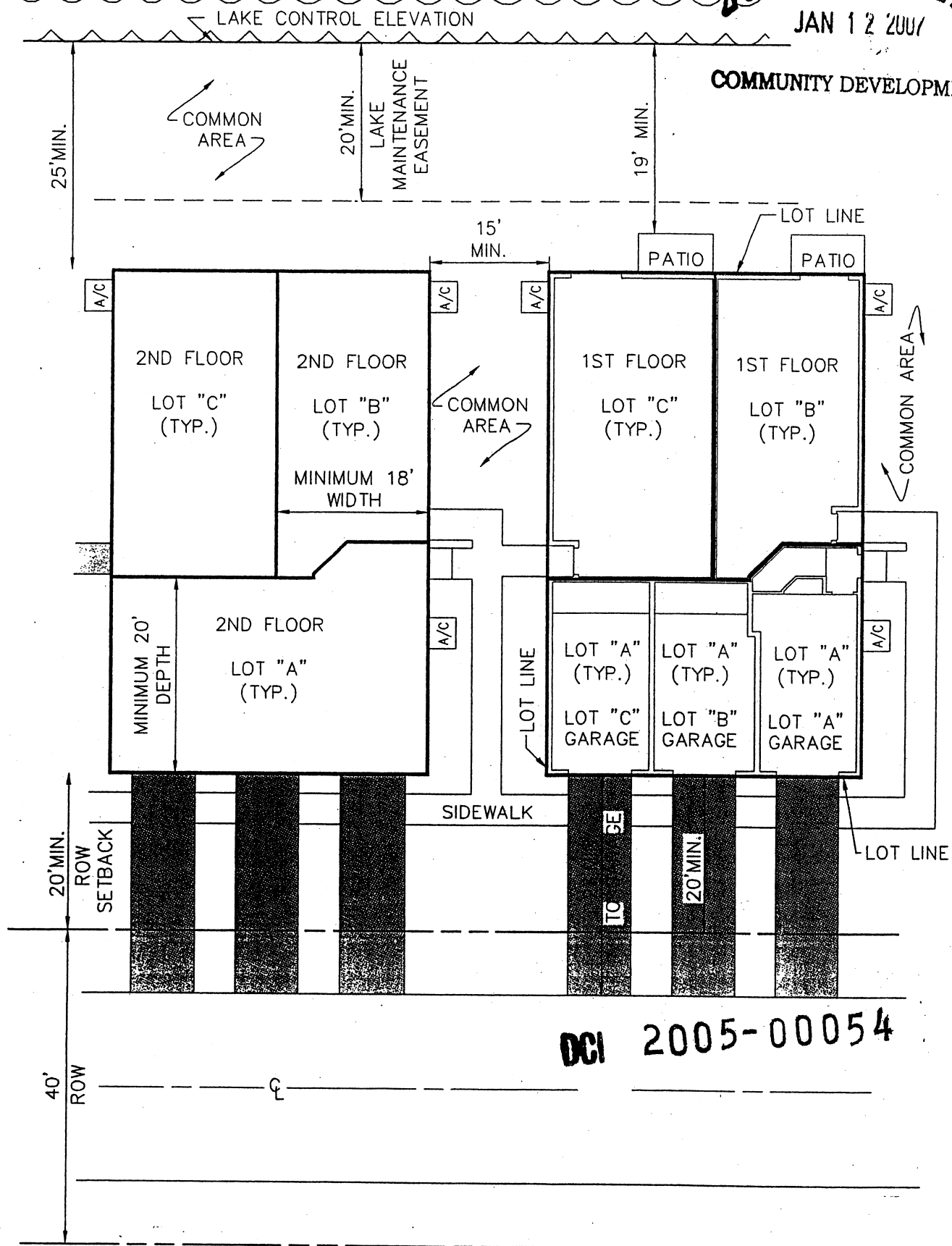


DCI 2005-00054

|                                                                                                                                                         |      |                                                                                                                                                                                                                                                        |    |                                                                                    |            |         |        |       |         |       |         |    |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------------------------------------------------------------------|------------|---------|--------|-------|---------|-------|---------|----|------------------|
| PREPARED FOR:<br><b>D.R. HORTON, INC.</b><br>12771 WESTLINKS DRIVE, UNIT 9<br>FORT MYERS, FLORIDA 33913<br>PHONE: (238) 225-2600<br>FAX: (238) 225-2601 |      | <b>Banks Engineering</b><br>Professional Engineers, Planners & Land Surveyors<br>10511 SIX MILE CYPRESS PARKWAY<br>FORT MYERS, FLORIDA 33906<br>PHONE: (238) 836-5490 FAX: (238) 836-2523<br>ENGINEERING LICENSE # EB 8489<br>SURVEY LICENSE # LB 9880 |    | MASTER CONCEPT PLAN<br><b>TIMBERWALK SOUTH - PARCEL M-2</b><br>LEE COUNTY, FLORIDA |            |         |        |       |         |       |         |    |                  |
| NO.                                                                                                                                                     | DATE | REVISION DESCRIPTION                                                                                                                                                                                                                                   | BY | DATE                                                                               | PROJECT    | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET   | OF | FILE NO. (S-T-R) |
|                                                                                                                                                         |      |                                                                                                                                                                                                                                                        |    |                                                                                    | 12-27-2006 | 2406    | SITE 8 | SEH   | SEH     | SEH   | 1"=150' | 1  | 1                |

JAN 12 2007

## COMMUNITY DEVELOPMENT



**EXHIBIT E**

EXHIBIT "A" - TRIPLEX LOT (PARCEL M-2 ONLY)  
NOT TO SCALE

**VILLAGES OF SAN CARLOS DRI<sup>1</sup>**  
**SECOND DEVELOPMENT ORDER AMENDMENT**  
**Development Order 81-1**

WHEREAS, Alan C. Freeman filed an Application for Development Approval (ADA) pursuant to Florida Statutes §380.06, for a Development of Regional Impact (DRI) known as the "Villages of San Carlos". The ADA was subsequently approved by the Board of County Commissioners on May 13, 1981; and,

WHEREAS, on February 17, 1992, the Board of County Commissioners approved the owner's request to amend the DRI development approvals to reduce the total number of dwelling units from 3,800 to 3,300; expand commercial square footage from 38,800 to 125,000; establish a 38.2 acre community park site through a 15 acre transfer from Alico Interchange Park Development of Regional Impact and a new voluntary dedication of 23.2 acres; expand the school site from 20 to 25 acres including a 5 acre transfer from Alico Interchange Park Development of Regional Impact; transfer the 0.5 acre fire station site to Alico Interchange Park Development of Regional Impact to create a 2.7 acre emergency services site within that project; expand the wastewater treatment site from 15.8 to 17.3 acres; add two one-acre child care sites; establish procedures for impact fee credits; and amend the table of proposed land uses; and,

WHEREAS, on June 3, 2005, a Notice of Proposed Change (NOPC) was filed by the Southwest Florida Capital Corporation on behalf of property owners Paul H. Freeman, Trustee, Lee-Oaks, LLC, and Villages of Cypress Island, LLLP, to increase commercial square footage to 158,799 square feet, reduce the number of residential units by 800 to a total of 2,500, expand the commercial areas depicted on Map H from 15 acres to 25.35 acres, modify the phasing schedule, extend the buildout date to 2010 (a cumulative extension of 15 years), establish a termination date of 2016, and amend Map H to reflect these changes, as well as the realignment of Three Oaks Parkway; and,

WHEREAS, under §380.06(19), Florida Statutes, the proposed changes must be reviewed and evaluated to determine whether the changes constitute a substantial deviation from the original Development Order approvals; and

WHEREAS, pursuant to Florida Statutes §380.06(19), the cumulative extension of the buildout date by seven or more years, along with the simultaneous increases and decreases of the development parameters, is presumed to be a substantial deviation from the original development order approvals, and, this presumption may be rebutted by clear and convincing evidence; and,

---

<sup>1</sup> This is a codification and restatement of the DRI Development Orders rendered with respect to the Villages of San Carlos DRI, including actions taken on May 13, 1981, February 17, 1992, and August 20, 2007.

WHEREAS, a public hearing was advertised and held on August 20, 2007, before the Lee County Board of County Commissioners who gave full and complete consideration to the report and recommendations of the Southwest Florida Regional Planning Council, the Lee County Staff, the Lee County Hearing Examiner, the documents in the record and the testimony of all interested parties; and

WHEREAS, the Board found the proposed amendments do not constitute a substantial deviation if subject to the conditions set forth in this second amendment to the DRI Development Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, in a public meeting duly advertised, constituted and assembled that the Development of Regional Impact Application for Development Approval submitted on behalf of Alan C. Freeman for the project known as Villages of San Carlos DRI, originally by the Board of County Commissioners on May 13, 1981, is amended subject to the following conditions, restrictions and limitations.

**I. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

A. ~~The application is in accordance with Section 380.05(b), Florida Statutes.~~  
The Villages of San Carlos DRI is a 495 acre mixed use development located in unincorporated Lee County adjacent to the west side of I-75 between Alico Road and Corkscrew Road. The Villages of San Carlos DRI consists of 2,500 residential units and 158,799 square feet of commercial development. The project will include 44.97 acres of community park area, a 25.03 acre school site and a waste water treatment plant on 17.28 acres.

B. The terms of this Development Order apply to the property located and described in attached Exhibit A.

C. The project phasing schedule, attached as Exhibit B, consists of two phases with buildout in 2010. The land use parameters are as set forth in attached Exhibit C and the development plan is depicted on Map H attached as Exhibit D.

D. The development is not in an area designated an area of critical concern pursuant to the provisions of §380.05, Florida Statutes.

~~E.~~ E. The development is located in the Urban Community, Suburban, Public Facilities, and Wetlands future land use categories. The development as conditioned is consistent with the land development regulations of Lee County Comprehensive Plan and the Lee County Land Development Code (LDC).

F. The property is currently zoned Residential Planned Development, Commercial Planned Development, and Community Facilities Planned Development.

G. The proposed Development Order Amendment has been reviewed by the Southwest Florida Regional Planning Council (SWFRPC) and is the subject of the report and recommendations adopted by that body and subsequently forwarded to Lee County in accordance with §380.06, Florida Statutes. The development, as proposed by the ADA, subsequently amended by the Notice of Proposed Change, and modified by this Development Order amendment, is generally consistent with the report and recommendations of the SWFRPC pursuant to §380.06(11), Florida Statutes.

H. The conditions set forth below meet the criteria found in §380.06(15)(d), Florida Statutes.

## **II. ACTION ON THE REQUEST AND CONDITIONS OF APPROVAL**

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the requested amendments to Villages of San Carlos Development of Regional Impact are hereby APPROVED, subject to the following conditions, restrictions, and limitations:

~~1. The Application for Development Approval of Alan C. Freeman for the Villages of San Carlos as described in Exhibit "A" attached is approved subject to:~~

~~a. The findings and recommendations of the Southwest Florida Regional Planning Council's staff, which findings and recommendation are attached as Exhibit "B" and are by reference incorporated herein; and~~

~~b. Single family densities within the development shall not exceed four units per acre; and~~

~~c. The commercial uses permitted within the development shall be only those approved under the Lee County Zoning Resolutions and the Revised Master Concept Plan for the Villages of San Carlos. Map 11 of the original Application for Development Approval is modified by Exhibit A hereto, the Zoning Resolution adopted February 17, 1992, and by the Revised Master Concept Plan which is incorporated herein by reference.~~

~~d. The school site and the community park shall be permitted uses in accordance with the Notice of Proposed Change, Zoning Resolution and Master Concept Plan; and~~

e. ~~With respect to regional recommendation A(4), the words "to the satisfaction of the county" are added following the phrase "representatives of the transit system."~~

f. ~~The developer's obligation for signalization or improvement to the intersection of U.S. 41 and San Carlos Blvd. pursuant to regional recommendation D(1) shall equal the percentage of total traffic trips through the intersection that originates within the Villages of San Carlos based on actual traffic counts.~~

g. ~~The developer's obligation to contribute to the construction of a fire station pursuant to local recommendation II b(2) shall be as outlined in the letter of San Carlos Park Fire Department to Mike Kloehn dated Sept. 24, 1980 and shall not exceed \$55,000.~~

2. ~~The subject property is concurrently rezoned to Residential Planned Development, Commercial Planned Development, and Community Facilities Planned Development for a total of 3,300 residential units, a 15 acre commercial site allowing a maximum of 88,799 square feet of gross floor area, a 38.2 acre community park site, a 25 acre school site, a 17.3 acre wastewater treatment site, and two, one acre child care sites. Table 12-2 of the original Application for Development Approval, Proposed Land uses, is amended by Exhibit C hereto.~~

3. ~~The Director of Code Enforcement shall monitor the development of this project to assure its compliance with this Development Order. Prior to issuance, all applications for permits or approvals for construction or other work within this project required under the ordinance and regulations of this county for construction and other work within this project shall be submitted to and reviewed by the Director of Current Planning for consistency of the proposed construction or other work with this Development Order.~~

I. ENVIRONMENTAL AND NATURAL RESOURCES

A. AIR QUALITY

~~Due to the large increase in vehicular traffic, the proposed project is expected to have significant air quality impacts.~~

RECOMMENDATIONS

1. ~~Any DRI Development Order issued by Lee County should contain the provision stating that the applicant shall~~ The Developer must ~~utilize particulate emission reduction techniques during each construction phase of the project.~~

2. ~~Any DRI Development Order Issued by Lee County should contain the provision stating that the applicant apply for~~ The Developer must obtain ~~a Complex Source~~

Permit from the Florida Department of Environmental ~~Regulation~~ Protection for each roadway that exceeds the appropriate vehicle trip threshold.

## **B. WETLANDS**

~~The South Florida Water Management District has indicated that changes in to the project's water management system will be necessary in order to ensure the preservation of the 24-acre cypress dome as a viable wetland.~~

### **RECOMMENDATIONS**

1. ~~Any DRI Development Order issued by Lee County should contain the provision stating that prior to permit application to the South Florida Water Management District, the applicant shall~~ The Developer must ~~redesign the water management system to the South Florida Water Management District's satisfaction in order to ensure preservation of the 24~~23.80~~-acre cypress dome.~~

2. ~~Any DRI Development Order issued by Lee County should contain the provision stating that after development of the project has begun,~~ The Developer must monitor ~~the conditions of the cypress dome will be monitored so that potential impacts of improper water management or pollutant impacts of stormwater run off can be mitigated before any serious damage occurs to the preserve.~~

## **~~II.~~ PUBLIC SERVICES**

### **A C. EDUCATION**

~~The proposed project would have a significant impact upon the Lee County Schools system by adding a minimum of 2,470 students by project completion. The additional students would require sizable outlays in operation costs and capital funds.~~

### **RECOMMENDATION**

~~Any DRI Development Order issued by Lee County should contain the provision stating that the applicant~~ The Developer must ~~dedicate or ensure the dedication to the Lee County School Board, no later than 90 days after the effective date of the First Development Order Amendment, the 25~~ 25.03 ~~acre site identified on the Master Concept Plan~~ Map H ~~to be used for the construction of a school facility. Consistent with the requirements of §380.06(16)(b), Florida Statutes, the Developer shall be~~ is ~~entitled to impact fee credit for the dedication if a school~~

impact fee is enacted at a later date, such credit is provided for, and is pursuant to the terms of the ordinance, or if required by law.<sup>2</sup>

#### **B D. FIRE PROTECTION<sup>3</sup>**

~~To adequately service the project, the San Carlos Park Fire Department has indicated that it will be necessary to build, man, and equip a fire station on the project site. The Lee County Fire Official has indicated that certain design considerations will have to be included.~~

#### **RECOMMENDATIONS**

1. ~~Any DRI Development Order issued by Lee County should contain the provision that the Applicant~~ The Developer must contribute to the construction of a fire station to the specifications of the San Carlos Park Fire District as stated by the District in their letters of August 22<sup>nd</sup>, 1980 to Mr. Alan C. Freeman, and September 24, 1980 to Mr. Mike Kloehn (appendix pp 46-49)

2. ~~Any DRI Development Order Issued by Lee County should contain the provision that the Applicant~~ The Developer must incorporate the requirements of the Fire Official as stated in attached Exhibit E into the subject project ~~(Copy of these requirements in the appendix, pg. 50).~~

3. Consistent with the requirements of §380.06(16)(b), Florida Statutes, the Developer ~~shall be~~ is entitled to fire impact fee credits equal to the cost contribution given to the San Carlos Park Fire District ~~if allowed by and pursuant to the terms of the impact fee ordinance, or if required by law~~ in accord with LDC Chapter 2.

#### **C E. RECREATION AND OPEN SPACE**

~~The applicant has indicated that an adequate amount of park and open space will be provided in the development in conjunction with a multi-use taxing district, the Lee County Department of Community Services or a homeowners association.~~

#### **RECOMMENDATIONS**

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<sup>2</sup>This Education condition was satisfied by the deed recorded at OR Book 2252, Page 1085 and OR 2252, Page 1101.

<sup>3</sup>~~This condition was~~ Conditions D.1 and D.2 were satisfied by the transfer of a .5 acre fire station site to the Alico Interchange Park DRI to create a 2.7 acre emergency services site within that project.

1. ~~Any DRI Development Order issued by Lee County should contain the provision stating that p~~Prior to development the applicant shall Developer must meet with representatives from the Lee County School Board and the Lee County Division of Community Services to determine which agency will be responsible for the development and maintenance of the ~~ten~~10-acre based community center.

2. ~~Any DRI Development Order issued by Lee County should contain the provision stating that based on the aforementioned meeting, the applicant shall~~ The Developer must dedicate the 10-acre parcel to the appropriate agency at the time mutually agreeable to both the applicant Developer and that agency.

3. ~~Any DRI Development Order issued by Lee County should contain the provision that prior to Phase I, the present land owners should either establish a homeowner~~ A property owner's association or petition the Lee County Commission to create a multi-use taxing district must be created to support the development's recreation areas other than the school based community center.

4. At the request of Lee County, the Developer ~~has originally~~ agreed to set aside a 38.24 acre site, as shown on the Master Concept Plan, for use as a public park. An additional 6.73 acres has been acquired by Lee County and added to the existing park site for a total of 44.97 acres. The park site is comprised of 15 acres transferred from Alico Interchange Park Development of Regional Impact with the addition of 23.2 acres volunteered by the Developer and another 6.73 acres transferred to Lee County. Consistent with the requirements of §380.06(16)(a), Florida Statutes, the Developer ~~shall be is~~ entitled to impact fee credits for the land dedication in accord with LDC Chapter 2 if allowed by and pursuant to the terms of the applicable ordinance, or if required by law. The park site ~~shall~~ must be conveyed to the Lee County Board of County Commissioners no later than 90 days after the effective date of the First Development Order Amendment or per the terms of a contractual agreement between the Developer and Lee County.<sup>4</sup>

5. The use of the ~~38.2~~ 44.97 acre park site ~~shall be is~~ limited as follows: the property ~~shall~~ must be utilized for a public park ~~and for no other purpose~~; any development of the park ~~shall~~ must be substantially in accord with the ~~site plan attached hereto as Exhibit B~~ approved Lee County Zoning Master Concept Plan; the development of the park will be consistent with the drainage concept plan for the Villages of San Carlos Development of Regional Impact. The County will be responsible for mitigating all traffic impacts created by the park in any future traffic analysis and mitigation required by §380.06, Florida Statutes, or by Lee County; the Developer and the County ~~shall~~ will exchange mutual utility easements to allow for the consistent development of the park and the surrounding property; the title to the property at the time of conveyance ~~shall~~ must be subject to all easements, restrictions and conditions of record common to property in the area of the site; and, all entrances and median cuts along Three Oaks Parkway ~~shall~~ must

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<sup>4</sup>This condition was satisfied by the recording of a Warranty Deed at OR Book 2327, Page 3519.

be in accord with the Master Concept Plan for the Villages of San Carlos Development of Regional Impact.

6. There ~~shall~~ may be no reduction in open space relative to the original Development Order as a result of this amendment.

### ~~III.~~ PUBLIC FACILITIES

#### **A F. WATER SUPPLY**

~~The applicant has stated that the potable water demand for the proposed project will reach 1.17 MGD by project buildout in 1995. In its review of the ADA the South Florida Water Management District has indicated that San Carlos Utilities appears to have an adequate water supply to provide water to the Villages of San Carlos until 1990.~~

#### RECOMMENDATION

~~Any DRI Development Order issued by Lee County should contain the provision stating that p Prior to the start of Phase III (1990), the applicant Developer must demonstrate to the satisfaction of the South Florida Water Management District that an adequate water supply exists for that phase.~~

#### **B G. WASTEWATER MANAGEMENT**

~~Gulf Utility Lee County Utilities currently operates a wastewater treatment plant that serves the area.~~

#### **G H. TRANSPORTATION**

~~The proposed project will necessitate the construction of a north-south access road and the four-laning of San Carlos Boulevard. It should be noted that the four-laning of San Carlos Boulevard would occur in a residential neighborhood, with direct driveway access to the road.~~

#### RECOMMENDATIONS

1. ~~Any DRI Development Order issued by Lee County should contain the provision stating that the applicant or some other agency be required to construct the The north-south access road from its this site north to Alico Road must be constructed prior to the institution of Phase II, and south to Corkscrew Road as a required element of Phase III's development plan.<sup>5</sup>~~

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<sup>5</sup>This condition was satisfied by the construction of Three Oaks Parkway within the DRI Boundary.

2. ~~Any DRI Development Order issued by Lee County should contain the provision stating that the applicant~~ The Developer must meet with representatives of Lee County and San Carlos Park to determine the proportion of costs that each would be required to pay for the four-laning of San Carlos Boulevard.<sup>6</sup>

3. Consistent with the requirements of §380.06 (16)(a), Florida Statutes, the Developer ~~shall be~~ is entitled to road impact fee credits for the value of improvements outlined in ~~§ H.1) and 2) of the original Development Order, if such improvements are eligible pursuant to the terms of the applicable ordinance, or if required by law in accordance with LDC Chapter 2.~~

4. The Developer's obligation for signalization or improvement to the intersection of U.S. 41 and San Carlos Boulevard will be equal to the percentage of total traffic trips through the intersection that originates within the Villages of San Carlos based on actual traffic counts.

#### IV. — OTHER

##### A. — FISCAL

~~There are several alternatives available to the applicant to minimize the fiscal impacts of the project. These recommendations have been outlined in their appropriate sections.~~

~~10. Table 12-2 in the Application for Development Approval (Proposed Land Uses and Phasing Schedule) is deleted and is replaced by Exhibit C hereto.~~

### III. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER AND ADMINISTRATIVE REQUIREMENTS.

A. Resolution. This Development Order constitutes a resolution of Lee County adopted by the Board of County Commissioners in response to the DRI ADA and Notice of Proposed Change filed for Villages of San Carlos DRI.

B. Additional Developer Commitments. All commitments and impact mitigating actions volunteered by the Developer in the ADA and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order.

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<sup>6</sup>Based upon the traffic analysis submitted to support the Second DRI Development Order Amendment, San Carlos Boulevard is no longer adversely impacted by the proposed development as a result of the existing and committed improvements. Therefore, this condition is satisfied.

C. Master Plan of Development. Map H, dated September 8, 2006, is attached hereto as Exhibit D, and is incorporated by reference. The Developer may modify the boundaries of development areas and the location of internal roadways to accommodate topography, vegetation, market conditions, traffic circulation, or other site related conditions as long as the modification meets local development regulations. However, this provision may not be used to reduce the size of wetland preserve areas. Precise wetland boundaries will be determined by the South Florida Water Management District, as delegated by the Department of Environmental Protection and the Army Corps of Engineers.

D. Binding Effect. This Development Order is binding upon the Developer, and its assignees or successors in interest. Where the Development Order refers to lot owners, business owners or other specific references, those provisions are binding on the entities or individuals referenced. Those portions of this Development Order that clearly apply only to the project Developer are binding upon any builder/Developer who acquires a tract or parcel of land within the DRI. The Developer may impose or pass on the requirements of this DRI DO to ultimate purchasers through covenants that run with the land.

E. Reliance. The terms and conditions and phasing schedule set out in this Development Order constitute a basis upon which the Developer and the County may rely in future actions necessary to fully implement the final development contemplated by this Development Order. The development parameters and phasing schedule upon which this Development Order approval is based is set forth in Exhibits B and C. Changes to the development mix or phasing schedule may require a reanalysis of project impacts in order to rebut a presumption of substantial deviation.

F. Enforcement. All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party by action at law or equity. The cost of those proceedings, including reasonable attorney's fees, will be paid by the defaulting party.

G. Successor Agencies. References to governmental agencies will be construed to mean future instrumentalities that may be created and designated as successors in interest to, or which otherwise possess the powers and duties of the referenced governmental agencies in existence on the effective date of this Development Order.

H. Severability. If any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, that decision will not affect the remaining portions or sections of the Development Order, which will remain in full force and effect.

I. Applicability of Regulations. This Development Order does not negate the Developer's responsibility to comply with federal, state, regional and local regulations.

J. Further Review. Subsequent requests for local development permits do not require further DRI review pursuant to §380.06, Florida Statutes. However, upon a finding by the Board (after due notice to the Developer and public hearing) that any of the following conditions exist, the Board must order a termination of all development activity in that portion of the development affected by the substantial deviation until a DRI Application for Development Approval, Notice of Substantial Deviation or Notice of Proposed Change has been submitted, reviewed and approved in accordance with §380.06, Florida Statutes.

1. There is a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans that create a reasonable likelihood of adverse regional impacts or other regional impacts that have not been evaluated in the review by the Regional Planning Council; or

2. Expiration of the period of effectiveness of the Development Order. Any request to extend the effectiveness of this Development Order will be evaluated based on the criteria for the extension of the buildout date set forth in §380.06(19), Florida Statutes.

3. Conditions in the development order that specify circumstances in which the development will be required to undergo additional DRI review.

K. Commencement of Physical Development. Substantial physical development of the project has commenced and has continued without interruption. Further development must occur in accordance with the development parameters and phasing schedule set forth in Exhibits B and C.

L. Buildout and Termination Dates. The project has a buildout date of December 31, 2010, and a termination date of December 31, 2016. This term is based on the recognition that a local Development Order, which is valid for six years, may be obtained prior to December 31, 2010. No permits for development will be issued by the County subsequent to the termination date unless the conditions set forth in §380.06(15)(g) are applicable.

M. Assurance of Compliance. The administrative director of the Lee County Department of Community Development, or designee, will be the local official responsible for assuring compliance with this Development Order. Lee County is primarily responsible for monitoring the development and enforcing the provisions of the development order. No permits or approvals will be issued if the Developer fails to act in substantial compliance with the development order.

N. Credits Against Local Impact Fees. Pursuant to §380.06(16), the Developer may be eligible for credits for contributions, construction, expansion, or acquisition of public facilities, if the Developer is also subject by local ordinances to impact fees or exactions to meet the same needs. However, no credit will be provided for internal on-site facilities

required by County regulations or to any off-site facilities to the extent those facilities are necessary to provide safe and adequate services to the development.

O. Protection of Development Rights. Assuming the project can comply with the County's Concurrency Management Program at the time development permits are requested, the project will not be subject to down-zoning, unit density reduction, intensity reduction or prohibition of development until December 31, 2011. If the County demonstrates at a public hearing that substantial changes have occurred in the conditions underlying the approval of this Development Order, or finds that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by Lee County to be essential to public health, safety and welfare, then down-zoning unit density reduction or prohibition of development may occur.

P. The Developer's Annual Report required by F.S. 380.06 shall be submitted on May 1<sup>st</sup> of each year, beginning May 1<sup>st</sup>, 1982 and continuing until development of the project is completed. The report shall summarize the development activities during the preceding year, the cumulative total of completed residential units, the extent of the development of commercial development, and the status of the improvements and other developer commitments required by this Development Order. The Annual Report shall be submitted to:

LOCAL AGENCY: \_\_\_\_\_ Director of Code Enforcement  
Lee County, Florida  
REGIONAL AGENCY: \_\_\_\_\_ S. W. Fla. Regional Planning Council  
STATE AGENCY: \_\_\_\_\_ State land Planning Agency

Biennial Reports. The Developer must submit a report biennially to the Lee County Department of Community Development, the SWFRPC and Florida DCA on Form RPM-BSP-Annual Report-1. The content of the report must include the information set forth in Exhibit F, and must also be consistent with the rules of the FDCA. The first monitoring report must be submitted to the DRI coordinator for SWFRPC, DCA, and Lee County not later than one year after the effective date of this Development Order. Further reporting must be submitted every two years thereafter, until buildout, whether actual or declared. Failure to comply with this reporting procedure is governed by §380.06(18), Florida Statutes, which provides for the temporary suspension of the DRI Development Order.

The Developer must file the biennial monitoring reports until actual or declared buildout of the project. Southwest Florida Capital Corporation is the party responsible for filing the biennial monitoring reports until one or more successor entities are named in the development order. The Developer must inform successors in title to the undeveloped portion of the real property covered by this Development Order of the biennial reporting requirement. Tenants or owners of individual lots or units have no obligation to comply with this reporting condition.

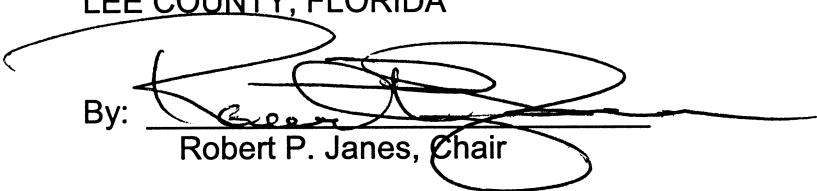
Q. Transmittal and Effective Date. The County will forward certified copies of this Development Order to the SWFRPC, the Developer, and appropriate state agencies. This Development Order is rendered as of the date of that transmittal, but will not be effective until the expiration of the statutory appeal period (45 days from rendition) or until the completion of any appellate proceedings, whichever time is greater. In accordance with the requirements of §380.06(15)(f), Florida Statutes, once this development order is effective, the Developer must record notice of its adoption in the office of the Clerk of the Circuit Court of Lee County.

Commissioner Judah made a motion to adopt this Development Order Amendment, seconded by Commissioner Mann. The vote was as follows:

|                 |        |
|-----------------|--------|
| Robert P. Janes | Aye    |
| Brian Bigelow   | Aye    |
| Ray Judah       | Aye    |
| Tammara Hall    | Absent |
| Frank Mann      | Aye    |

DULY PASSED AND ADOPTED this 20<sup>th</sup> day of August 2007.

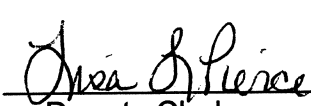
BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

By: 

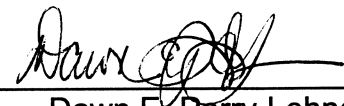
Robert P. Janes, Chair

ATTEST:

Charlie Green, Clerk

By: 

Deputy Clerk

By: 

Dawn E. Perry-Lehnert  
County Attorney's Office



Exhibits:

- A. Legal Description
  - Overall legal -2 pages
  - CPD-2 pages
  - CFPD-6 pages
  - RPD-13 pages
  - Existing Three Oaks ROW - 5 pages
  - Three Oaks Realignment ROW - 3 pages
- B. Phasing Schedule
- C. Revised Land Use Parameters
- D. Master Development Plan (Map H)
- E. Fire Official Requirements
- F. Biennial Monitoring Report Requirements

ZONING SKETCH OF  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
LEE COUNTY, FLORIDA

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!

**ZONING SKETCH NOTES:**

1. BASIS OF BEARINGS SHOWN HEREON TAKEN FROM THE WEST LINE OF THE N.E.1/4 OF SECTION 22-46-25, AS BEING N.00°38'30"W.
2. FIELD NOTES IN SECTION 10-46-25.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS ZONING SKETCH DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D.).

FLOOD ZONE: "B"  
ELEVATION: N/A N.G.V.D.  
COMMUNITY # 125124  
PANEL # 0475  
SUFFIX: C  
REVISION DATE: 5/5/03

THIS ZONING SKETCH IS CERTIFIED TO:  
PAUL H. FREEMAN  
ALAN C. FREEMAN  
NEIL D. FREEMAN  
ATTORNEYS' TITLE INSURANCE FUND, INC.  
HERITAGE NATIONAL BANK

COORDINATES ARE FLORIDA WEST ZONE (COMPUTED).

**LEGEND:**

- SET IRON PIN (CAP #4631)
- FOUND IRON PIN (I.R.)
- CONCRETE MONUMENT (C.M.)
- ▨ CONCRETE (CONC.)
- P.R.M. PERMANENT REFERENCE MONUMENT
- P.C.P. PERMANENT CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.C. POINT OF CURVATURE
- O.R. OFFICIAL RECORDS BOOK
- (1) CURVE NUMBER
- CL CENTERLINE
- R/W RIGHT-OF-WAY
- (P) AS PER PLAT
- (D) AS PER DEED
- (S) AS PER SURVEY
- (M) AS MEASURED
- P.U.E. PUBLIC UTILITY EASEMENT
- L.M.E. LAKE MAINTENANCE EASEMENT
- D.E. DRAINAGE EASEMENT

Curve number 1

Radius= 5823.58'

Delta= 09°26'23"

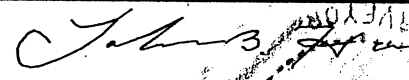
Arc= 959.46'

Chord= 958.37'

Chord Brg.= S.10°43'39"E.

500 0 500 1000 1500

SCALE IN FEET

|                                                                                                                                  |              |          |                |
|----------------------------------------------------------------------------------------------------------------------------------|--------------|----------|----------------|
| <br><b>AUGUST 19, 2004</b>                   |              |          |                |
| JOHN B. HARRIS, PSM<br>FLORIDA LAND SURVEYOR #4631                                                                               |              |          |                |
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |              |          |                |
| REVISED:                                                                                                                         | DESCRIPTION: |          | BY             |
|                                                                                                                                  |              |          |                |
|                                                                                                                                  |              |          |                |
|                                                                                                                                  |              |          |                |
| DRAWN:                                                                                                                           |              | SCALE    | PROJ. #        |
| FBH                                                                                                                              | JBH          | 1"=1000' | THREE OAKS R-W |
| SKETCH DATE                                                                                                                      |              | FILE NO. | SHEET- 1       |
| 8/17/05                                                                                                                          |              | 46-25-10 | OF - 1         |
| FLORIDA CERTIFICATE OF AUTHORIZATION # LB 6921                                                                                   |              |          |                |

**RECEIVED**  
NOV 08 2005  
A SURVEY!

DCI 2005-00054

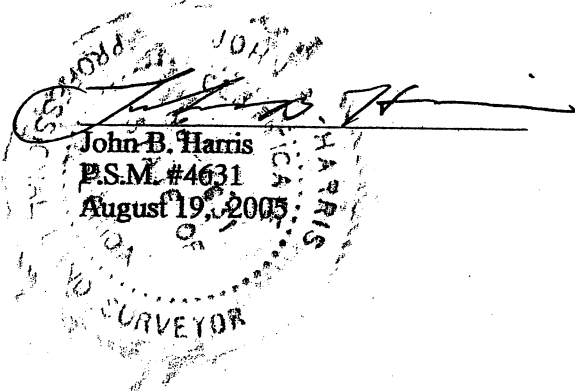
EXHIBIT A  
Page 1 of 31

# EXHIBIT "A"

## DESCRIPTION:

Beginning at the Southwest corner of the Northeast Quarter (N.E.1/4) of Section 22, Township 46 South, Range 25 East, Lee County, Florida; thence run N.00°38'30"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 22 for 2606.31 feet to the Northwest corner of the Northeast Quarter (N.E.1/4) of said Section 22; thence run N.00°19'59"W. along the West line of the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida, to the Southwest corner of the Northeast Quarter (N.E.1/4) of said Section 15; thence run N.00°19'48"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 15 for 2635.07 feet to the Southwest corner of the Southeast Quarter (S.E.1/4) of Section 10, Township 46 South, Range 25 East, Lee County, Florida; thence run N.01°23'47"W. along the West line of the Southeast Quarter (S.E.1/4) of said Section 10 for 2664.23 feet to the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 10; thence run N.89°18'02"E. along the North line of the Southeast Quarter (S.E.1/4) of said Section 10 for 835.53 feet to a point on a curve on the Westerly right-of-way line of Interstate Highway # 75; thence run Southeasterly along said Westerly right-of-way line for 959.46 feet along the arc of a curve concave Northeasterly, with a radius of 5823.58 feet, a delta of 09°26'23", a chord bearing of S.10°43'39"E. and a chord distance of 958.37 feet; thence run S.14°13'23"E. along said Westerly right-of-way line for 9906.32 feet to a point on the South line of the Northwest Quarter (N.W.1/4) of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence run S.89°16'12"W. along the South line of said Northwest Quarter (N.W.1/4) for 664.67 feet to the Southeast corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°15'53"W. along the South line of Northeast Quarter of said Section 22 for 2658.61 feet to the point of beginning.

Said tract contains 494.77 acres, more or less.



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NOV 08 2005

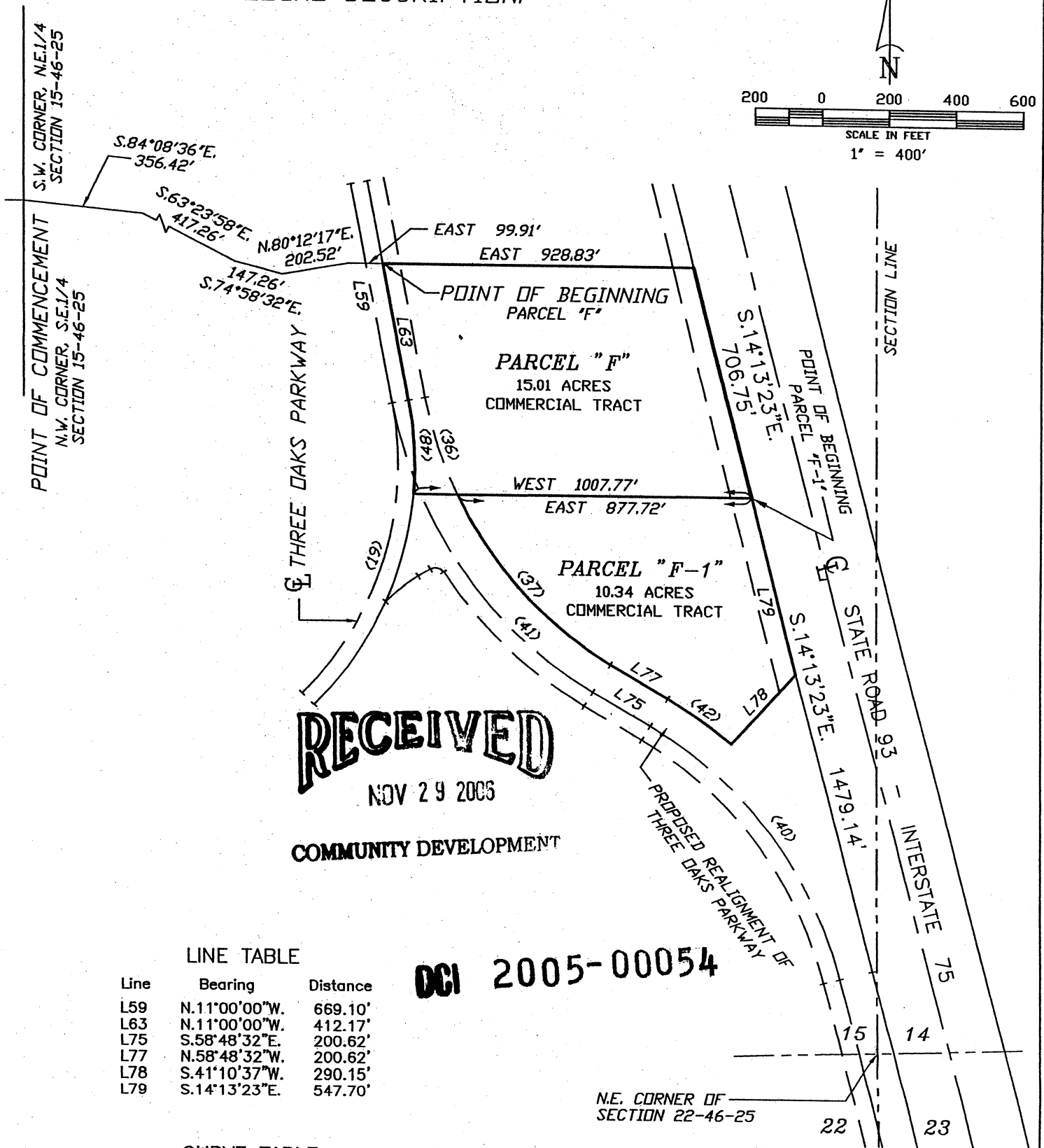
**DCI 2005-00054**

**CPD**  
**SHEET 1 OF 2**  
**ZONING SKETCH OF**  
**PART OF SECTION 15**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |  |
| PROJECT # THREE OAKS R/W 9                                                                                                       |  |
| FILE #: 46-25-10                                                                                                                 |  |
| SKETCH DATE: 5/2/06                                                                                                              |  |
|                                                                                                                                  |  |
|                                                                                                                                  |  |

THIS IS NOT A SURVEY.

SEE SHEET 2 OF 2 FOR  
LEGAL DESCRIPTION.



*John B. Harris*

JOHN B. HARRIS, PSM  
FLORIDA LAND SURVEYOR #4631  
FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

CPD  
SHEET 2 OF 2

DESCRIPTION: (Parcel "F")

A tract or land lying in the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 202.52 feet; thence run East for 99.91 feet to the point of beginning; thence continue East for 928.83 feet to a point on the Westerly right-of-way line of Highway I-75; thence run S.14°13'23"E. for 706.75 feet; thence run West for 1008.33 feet; thence run Northwesterly for 281.80 feet along the arc of a curve concave Southwesterly having a radius of 1030.00 feet, chord bearing N.03°09'44"W. and a chord distance of 280.92 feet; thence run N.11°00'00"W. for 412.17 feet to the point of beginning.

Tract herein described contains 15.01 acres.

TOGETHER WITH:

DESCRIPTION: (Parcel "F" - 1")

A tract of land lying in the Southeast Quarter (S.E.1/4) of Section 15, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of said Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 202.52 feet; thence run East for 99.91 feet; thence continue East for 928.83 feet to a point on the Westerly right-of-way line of Highway I - 75; thence run S.14°13'23"E. along said Westerly right-of-way line for 706.75 feet to the point of beginning; thence continue S.14°13'23"E. along said Westerly right-of-way line for 547.70 feet; thence run S.41°10'37"W. for 290.15 feet to a point on a curve; thence run Northwesterly for 235.17 feet along the arc of a curve concave Southwesterly, with a radius of 1350.00 feet, a delta of 09°58'51", a chord bearing of N.53°49'06"W. and a chord distance of 234.87 feet to a point of tangency; thence run N.58°48'32"W. for 200.62 feet to a point of curvature; thence run Northwesterly for 694.32 feet along the arc of a curve concave Northeasterly, with a radius of 1200.00 feet, a delta of 33°09'05", a chord bearing of N.42°13'59"W. and a chord distance of 684.68 feet; thence run East for 877.82 feet to the point of beginning.

Tract herein described contains 10.34 acres.

DCI 2005-00054

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COMMUNITY DEVELOPMENT

**CFPD**  
**SHEET 1 OF 6**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, & 22**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 6  
 FILE # 46-25-10  
 SKETCH DATE: 5/2/06

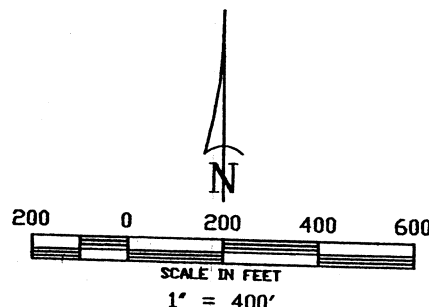
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LINE TABLE

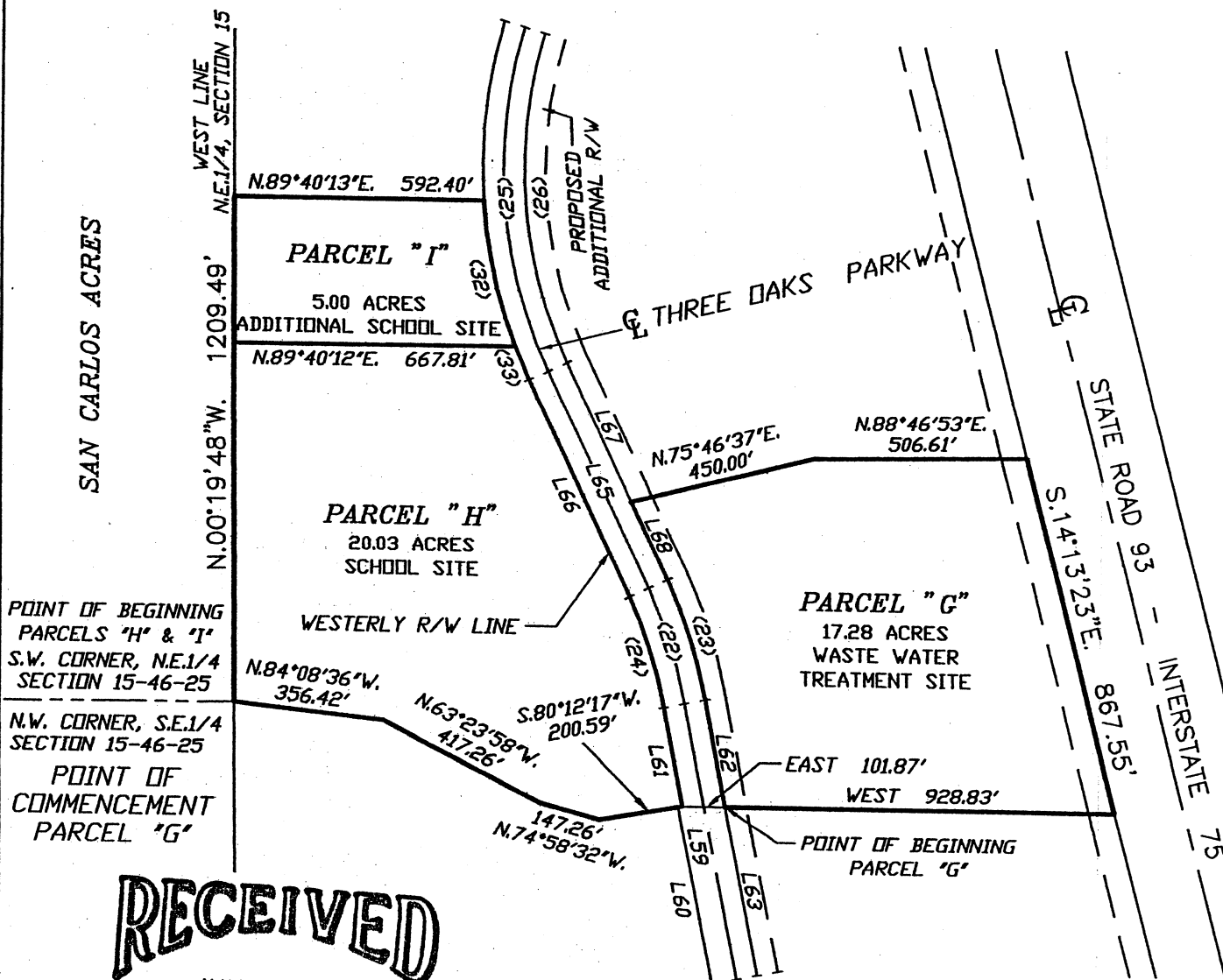
| Line | Bearing       | Distance |
|------|---------------|----------|
| L59  | N.11°00'00"W. | 669.10'  |
| L60  | N.11°00'00"W. | 431.52'  |
| L61  | S.11°00'00"E. | 237.83'  |
| L62  | N.11°00'00"W. | 256.93'  |
| L65  | N.25°00'25"W. | 570.00'  |
| L66  | S.25°00'25"E. | 570.00'  |
| L67  | N.25°00'25"W. | 366.45'  |
| L68  | N.25°00'25"W. | 203.55'  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|----------|-----------|---------|---------|---------------|
| 22  | 1170.00' | 14°00'25" | 286.03' | 285.32' | S.18°00'13"E. |
| 23  | 1220.00' | 14°00'25" | 298.25' | 297.51' | N.18°00'12"W. |
| 24  | 1120.00' | 14°00'25" | 273.80' | 273.12' | S.18°00'12"E. |
| 25  | 1170.00' | 41°29'57" | 847.43' | 829.03' | N.04°15'26"W. |
| 26  | 1120.00' | 41°29'58" | 811.21' | 793.60' | N.04°15'26"W. |
| 32  | 1220.00' | 16°54'26" | 360.01' | 358.70' | S.12°27'53"E. |
| 33  | 1220.00' | 04°05'15" | 87.02'  | 87.00'  | S.22°57'48"E. |



SEE SHEET 2 OF 6 FOR  
LEGAL DESCRIPTION.



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JUN 19 2006

COMMUNITY DEVELOPMENT

DCI 2005-00054

John B. Harris

May 16, 2006

JOHN B. HARRIS, PSM  
 FLORIDA LAND SURVEYOR #4631

FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

**CFPD**  
**SHEET 2 OF 6**

**DESCRIPTION: (Parcel "H" and "I")**

A tract or parcel of land lying in Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Southwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.00°19'48"W. along the West line of said Northeast Quarter (N.E.1/4) for 1209.49 feet; thence run N.89°40'13"E. for 592.40 feet to the Westerly right-of-way line of Three Oaks Parkway, said point being on a curve; thence run Southeasterly along said Westerly right-of-way line for 360.01 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of 16°54'26", a chord bearing of S.12°27'53"E. and a chord distance of 358.70 feet to Southeasterly corner of Tract "I"; thence continue Southeasterly along said Westerly right-of-way line for 87.02 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of 04°05'15", a chord bearing of S.22°57'48"E. and a chord distance of 87.00 feet to a point of tangency; thence run S.25°00'25"E. along said Westerly right-of-way line for 570.00 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 273.80 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 14°00'25", a chord bearing of S.18°00'12"E. and a chord distance of 273.12 feet to a point of tangency; thence run S.11°00'00"E. along said Westerly right-of-way line for 237.83 feet; thence run S.80°12'17"W. for 200.59 feet; thence run N.74°58'32"W. for 147.26 feet; thence run N.63°23'58"W. for 417.26 feet; thence run N.84°08'36"W. for 356.42 feet to the point of beginning.

Said tract contains 25.03 acres.

**TOGETHER WITH:**

**DESCRIPTION: (Parcel "G")**

A tract or parcel of land lying in Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 200.59 feet; thence run East for 101.87 feet to the Easterly right-of-way line of Three Oaks Parkway (100 feet wide) and the point of beginning; thence run N.11°00'00"W. along said Easterly right-of-way line for 256.93 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 298.25 feet along the arc of a curve concave Southwesterly, a radius of 1220.00 feet, a delta of 14°00'25", a chord bearing of N.18°00'12"W. and a chord distance of 297.51 feet to a point of tangency; thence run N.25°00'25"W. along said Easterly right-of-way line for 203.55 feet; thence run N.75°46'37"E. for 450.00 feet; thence run N.88°46'53"E. for 506.61 feet to the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 867.55 feet; thence run West for 928.83 feet to the point of beginning.

Said tract contains 17.28 acres.

EXHIBIT A  
Page 6 of 31

**RECEIVED**  
JUN 19 2006

**DCI 2005-00054**

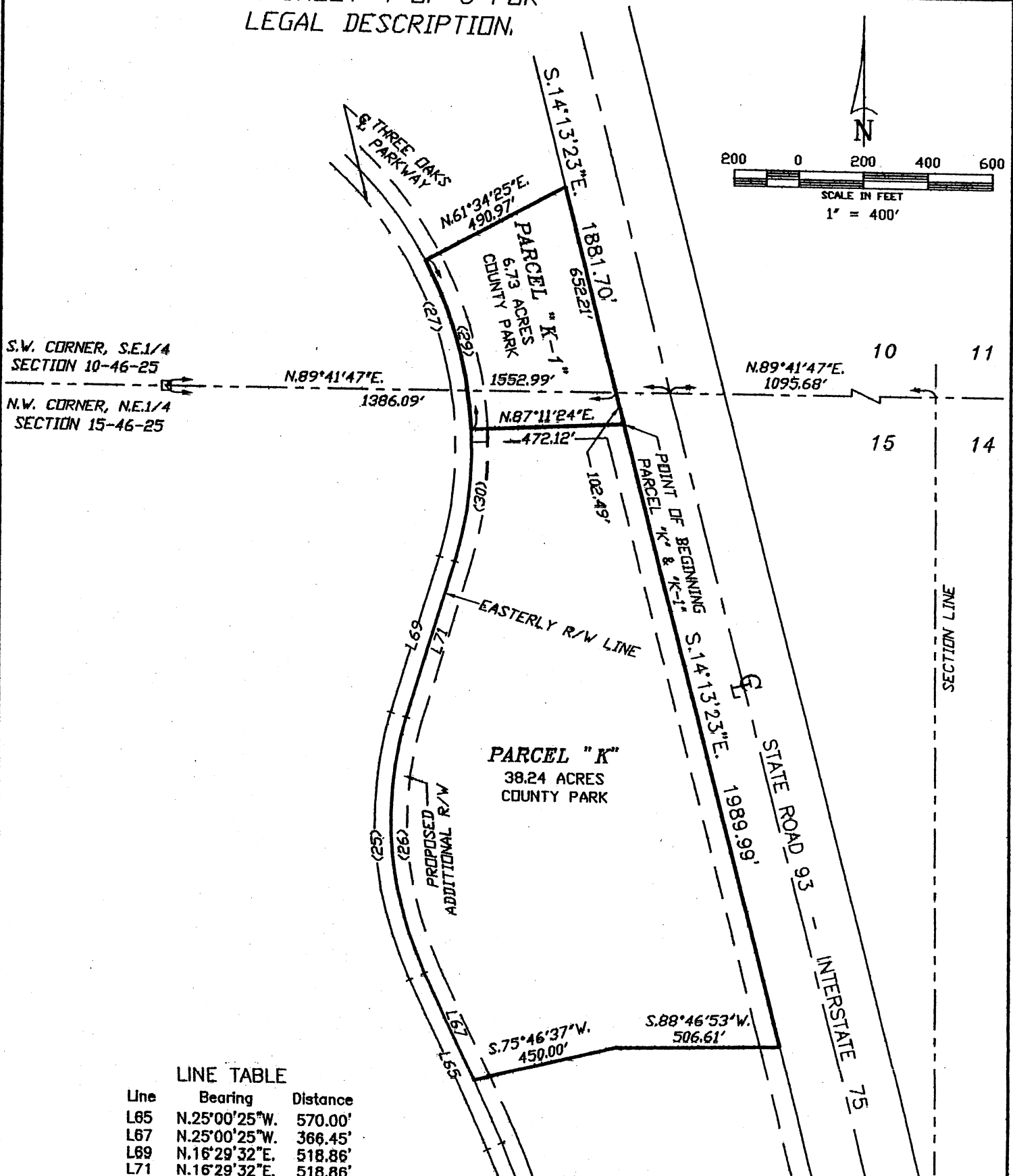
COMMUNITY DEVELOPMENT

**CFPD**  
**SHEET 3 OF 6**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, & 22**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.  
 SEE SHEET 4 OF 6 FOR  
 LEGAL DESCRIPTION.

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 7  
 FILE # 46-25-10  
 SKETCH DATE: 5/2/06



**RECEIVED**

JUN 19 2006

COMMUNITY DEVELOPMENT

**CFPD**  
**SHEET 4 OF 6**

**DESCRIPTION: (Parcels "K" and "K-1")**

A tract or parcel of land lying in Sections 10 and 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.89°41'47"E. along the North line of said Northeast Quarter (N.E.1/4) for 1386.09 feet to a point on the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 102.49 feet to the point of beginning (being the Northeasterly corner of Tract "K"); thence continue S.14°13'23"E. along said Westerly right-of-way line for 1989.99 feet; thence run S.88°46'53"W. for 506.61 feet; thence run S.75°46'37"W. for 450.00 feet to the Easterly right-of-way line of Three Oaks Parkway (100 feet wide); thence run N.25°00'25"W. along said Easterly right-of-way line for 366.45 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 811.21 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 41°29'58", a chord bearing of N.04°15'26"W. and a chord distance of 793.60 feet to a point of tangency; thence run N.16°29'32"E. along said Easterly right-of-way line for 518.86 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 411.00 feet along the arc of a curve concave Northwesterly, with a radius of 1220.00 feet, a delta of 19°18'06", a chord bearing of N.06°50'28"E. and a chord distance of 409.06 feet to the Northwesterly corner of said Tract "K"; thence run Northwesterly along said Easterly right-of-way line for 545.50 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 25°37'07", a chord bearing of N.15°37'12"W. and a chord distance of 540.96 feet; thence run N.61°34'25"E. for 490.97 feet to the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 652.21 feet to the North line of the aforesaid Section 15; thence continue S.14°13'23"E. along said Westerly right-of-way line for 102.49 feet to the point of beginning.

Said tract contains 44.97 acres.

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EXHIBIT A  
Page 8 of 31

COMMUNITY DEVELOPMENT

**DCI 2005-00054**

CFPD  
SHEET 5 OF 6  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, & 22  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

THIS IS NOT A SURVEY.

CURVE TABLE

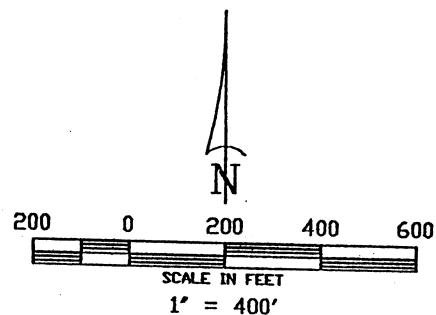
| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 3   | 935.00'  | 02°46'26" | 45.26'   | 45.26'   | N.14°11'43"W. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 10  | 1050.00' | 63°19'06" | 1160.00' | 1101.91' | N.44°27'22"W. |
| 11  | 1050.00' | 12°09'02" | 222.67'  | 222.25'  | N.06°42'37"W. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 14  | 1735.28' | 28°22'50" | 859.54'  | 850.78'  | N.13°32'55"E. |
| 18  | 1735.28' | 01°50'49" | 55.94'   | 55.94'   | N.30°04'50"E. |
| 49  | 1735.28' | 01°25'05" | 42.95'   | 42.95'   | N.28°26'53"E. |

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

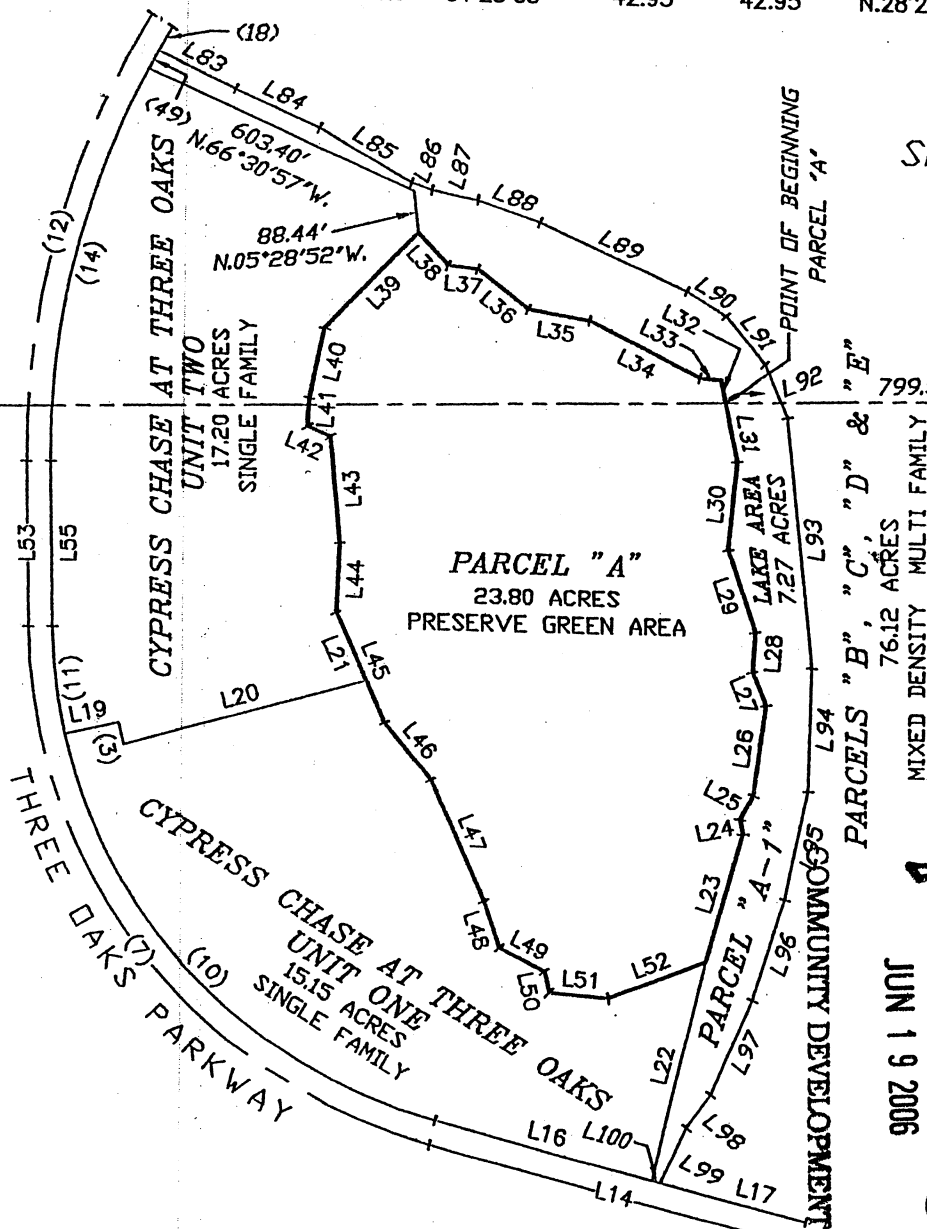
PROJECT # THREE OAKS R/W 8

FILE #: 46-25-10

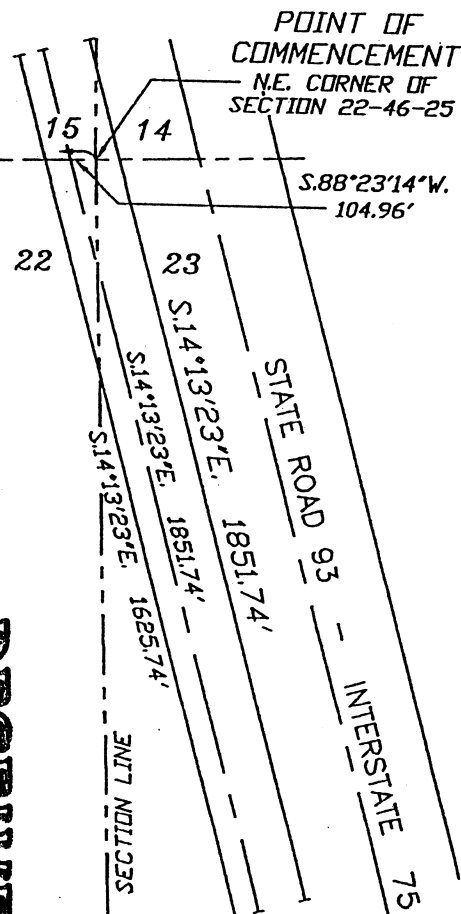
SKETCH DATE: 5/2/06



SEE SHEET 6 OF 6 FOR  
LEGAL DESCRIPTION.



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LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L16  | S.76°06'19"E. | 465.58'  |
| L17  | S.76°06'19"E. | 313.88'  |
| L19  | N.77°11'36"E. | 115.00'  |
| L20  | N.74°25'10"E. | 523.27'  |
| L21  | N.24°06'06"W. | 154.44'  |
| L22  | N.13°53'41"E. | 466.31'  |
| L23  | S.16°07'18"W. | 277.66'  |
| L24  | S.12°01'00"E. | 31.69'   |
| L25  | S.28°46'02"W. | 58.04'   |
| L26  | S.07°46'15"W. | 187.96'  |
| L27  | S.22°04'52"E. | 74.60'   |
| L28  | S.03°46'03"W. | 83.16'   |
| L29  | S.18°15'48"E. | 181.53'  |
| L30  | S.05°28'43"W. | 189.06'  |
| L31  | S.11°21'17"E. | 126.05'  |
| L32  | S.11°21'17"E. | 48.99'   |
| L33  | S.85°52'53"E. | 43.93'   |
| L34  | S.63°39'28"E. | 257.78'  |
| L35  | S.80°44'01"E. | 129.45'  |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L36  | S.51°37'12"E. | 133.97'  |
| L37  | S.84°18'29"E. | 62.62'   |
| L38  | S.42°37'55"E. | 92.21'   |
| L39  | N.43°02'34"E. | 282.53'  |
| L40  | N.11°56'54"E. | 148.96'  |
| L41  | N.03°34'16"E. | 59.13'   |
| L42  | N.65°49'54"W. | 52.65'   |
| L43  | N.04°55'00"W. | 227.32'  |
| L44  | N.02°47'39"E. | 146.80'  |
| L45  | N.24°06'06"W. | 247.63'  |
| L46  | N.39°51'14"W. | 150.22'  |
| L47  | N.23°58'15"W. | 274.03'  |
| L48  | N.18°34'28"W. | 100.55'  |
| L49  | N.62°41'55"W. | 106.20'  |
| L50  | N.11°41'32"W. | 44.89'   |
| L51  | N.85°57'36"W. | 123.50'  |
| L52  | S.68°40'50"W. | 219.04'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L55  | N.00°38'30"W. | 349.45'  |
| L83  | S.64°44'50"E. | 177.95'  |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L84  | S.66°30'07"E. | 191.21'  |
| L85  | S.60°30'15"E. | 219.67'  |
| L86  | S.70°58'05"E. | 45.72'   |
| L87  | S.79°10'17"E. | 96.62'   |
| L88  | S.71°11'03"E. | 137.25'  |
| L89  | S.65°27'58"E. | 336.91'  |
| L90  | S.57°59'19"E. | 96.55'   |
| L91  | S.39°13'50"E. | 128.89'  |
| L92  | S.23°08'49"E. | 120.26'  |
| L93  | S.05°40'34"E. | 530.21'  |
| L94  | S.01°29'07"W. | 255.42'  |
| L95  | S.12°01'41"W. | 230.68'  |
| L96  | S.17°34'52"W. | 221.62'  |
| L97  | S.23°18'32"W. | 218.47'  |
| L98  | S.37°33'24"W. | 84.75'   |
| L99  | S.26°14'39"W. | 124.11'  |
| L100 | N.76°06'19"W. | 17.13'   |

**CFPD**  
**SHEET 6 OF 6**

**DESCRIPTION: (Parcel "A")**

A tract or parcel of land lying in Section 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of said Section 22; thence run S.88°23'40"W. for 799.59 feet along the North line of the Northeast Quarter (N.E.1/4) of said Section 22 to the point of beginning; thence run S.11°21'17"E. for 126.05 feet; thence run S.05°28'43"W. for 189.06 feet; thence run S.18°15'48"E. for 181.53 feet; thence run S.03°46'03"W. for 83.16 feet; thence run S.22°04'52"E. for 74.60 feet; thence run S.07°46'15"W. for 187.96 feet; thence run S.28°46'02"W. for 58.04 feet; thence run S.12°01'00"E. for 31.69 feet; thence run S.16°07'18"W. for 277.66 feet; thence run S.68°40'50"W. for 219.04 feet; thence run N.85°57'36"W. for 123.50 feet; thence run N.11°41'32"W. for 44.89 feet; thence run N.62°41'55"W. for 106.20 feet; thence run N.18°34'28"W. for 100.55 feet; thence run N.23°58'15"W. for 274.03 feet; thence run N.39°51'14"W. for 150.22 feet; thence run N.24°06'06"W. for 247.63 feet; thence run N.02°47'39"E. for 146.80 feet; thence run N.04°55'00"W. for 227.32 feet; thence run N.65°49'54"W. for 52.65 feet; thence run N.03°34'16"E. for 59.13 feet; thence run N.11°56'54"E. for 148.96 feet; thence run N.43°02'34"E. for 282.53 feet; thence run S.42°37'55"E. for 92.21 feet; thence run S.84°18'29"E. for 62.62 feet; thence run S.51°37'12"E. for 133.97 feet; thence run S.80°44'01"E. for 129.45 feet; thence run S.63°39'28"E. for 257.78 feet; thence run S.85°52'53"E. for 43.93 feet; thence run S.11°21'17"E. for 48.99 feet to the point of beginning.

Said tract contains 23.80 acres.

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COMMUNITY DEVELOPMENT

EXHIBIT A  
Page 10 of 31

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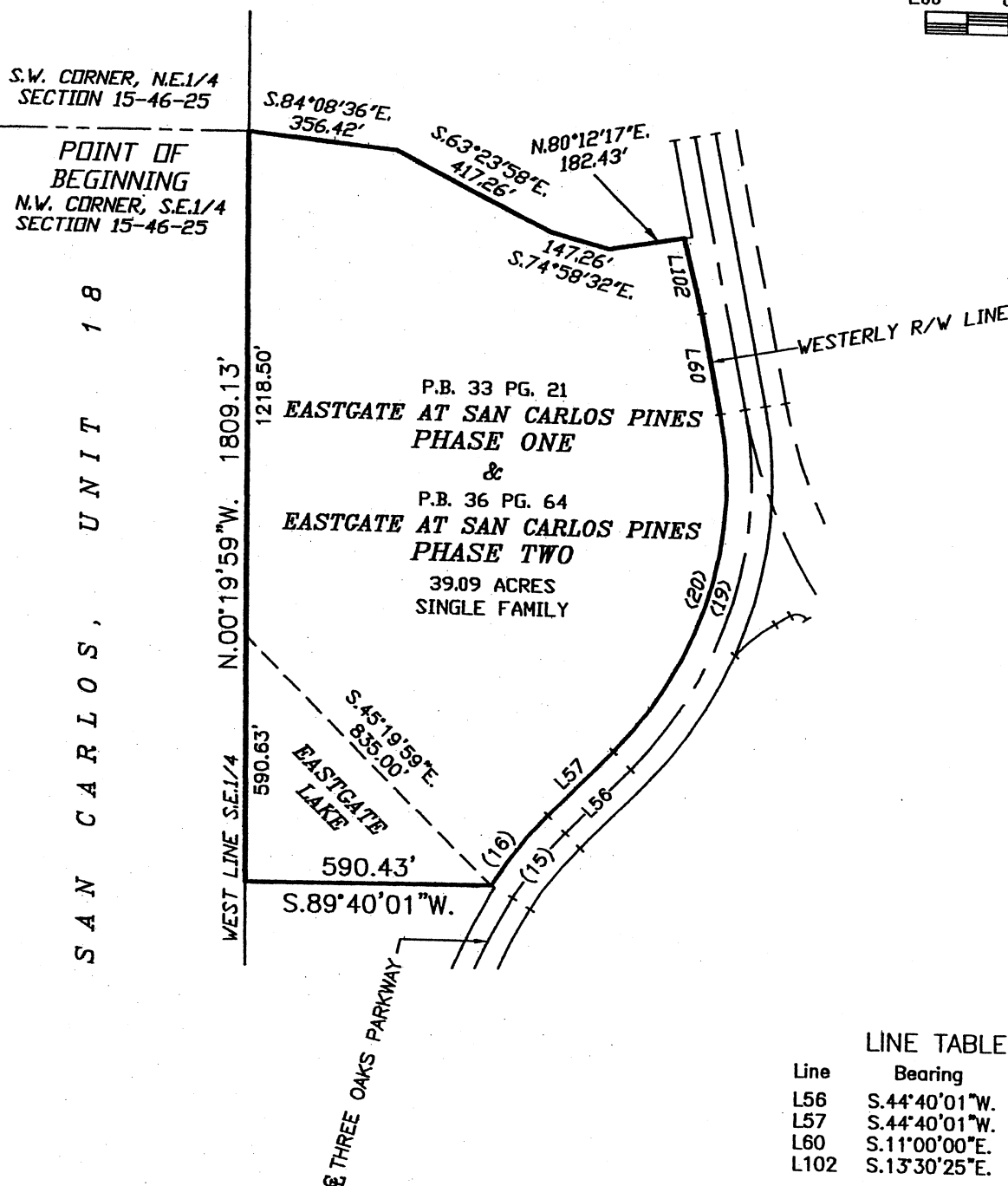
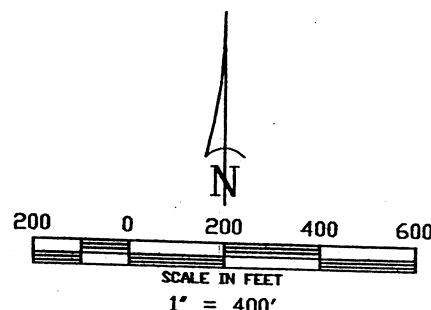
**RPD**  
**SHEET 1 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 1  
 FILE # 46-25-10  
 SKETCH DATE: 5/2/06

THIS IS NOT A SURVEY.

SEE SHEET 2 OF 13 FOR  
 LEGAL DESCRIPTION.



LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L56  | S.44°40'01"W. | 222.08'  |
| L57  | S.44°40'01"W. | 222.08'  |
| L60  | S.11°00'00"E. | 246.44'  |
| L102 | S.13°30'25"E. | 185.59'  |

CURVE TABLE

| NO. | RADIUS  | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|---------|-----------|---------|---------|---------------|
| 15  | 860.00' | 13°39'14" | 204.94' | 204.46' | N.37°50'22"E. |
| 16  | 920.00' | 13°39'14" | 219.24' | 218.72' | S.37°50'24"W. |
| 19  | 980.00' | 55°40'01" | 952.14' | 915.13' | S.16°49'45"W. |
| 20  | 920.00' | 55°40'01" | 893.85' | 859.10' | S.16°49'45"W. |

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COMMUNITY DEVELOPMENT

DCI 2005-00054

*John B. Harris*  
 May 15, 2006

JOHN B. HARRIS, PSM  
 FLORIDA LAND SURVEYOR #4631

FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

**RPD**  
**SHEET 2 OF 13**

**DESCRIPTION: (Eastgate)**

A tract or parcel of land lying in the Southeast Quarter of Section 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15; thence run S.84°08'36"E. for 356.42 feet; thence run S.63°23'58"E. for 417.26 feet; thence run S.74°58'32"E. for 147.26 feet; thence run N.80°12'17"E. for 182.43 feet to a point on the Westerly right-of-way line of Three Oaks Parkway; thence run S.13°30'25"E. along said Westerly right-of-way line for 185.59 feet; thence run S.11°00'00"E. along said Westerly right-of-way line for 246.44 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 893.85 feet along the arc of a curve concave Northwesterly, with a radius of 920.00 feet, a delta of 55°40'01", a chord bearing of S.16°49'45"W. and a chord distance of 859.10 feet to a point of tangency; thence run S.44°40'01"W. along said Westerly right-of-way line for 222.08 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 219.24 feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of 13°39'14", a chord bearing of S.37°50'24"W. and a chord distance of 218.72 feet; thence run S.89°40'01"W. for 590.43 feet to a point on the West line of the aforesaid Southeast Quarter (S.E.1/4); thence run N.00°19'59"W. along said West line for 1809.13 feet to the point of beginning.

Said tract contains 39.09 acres.

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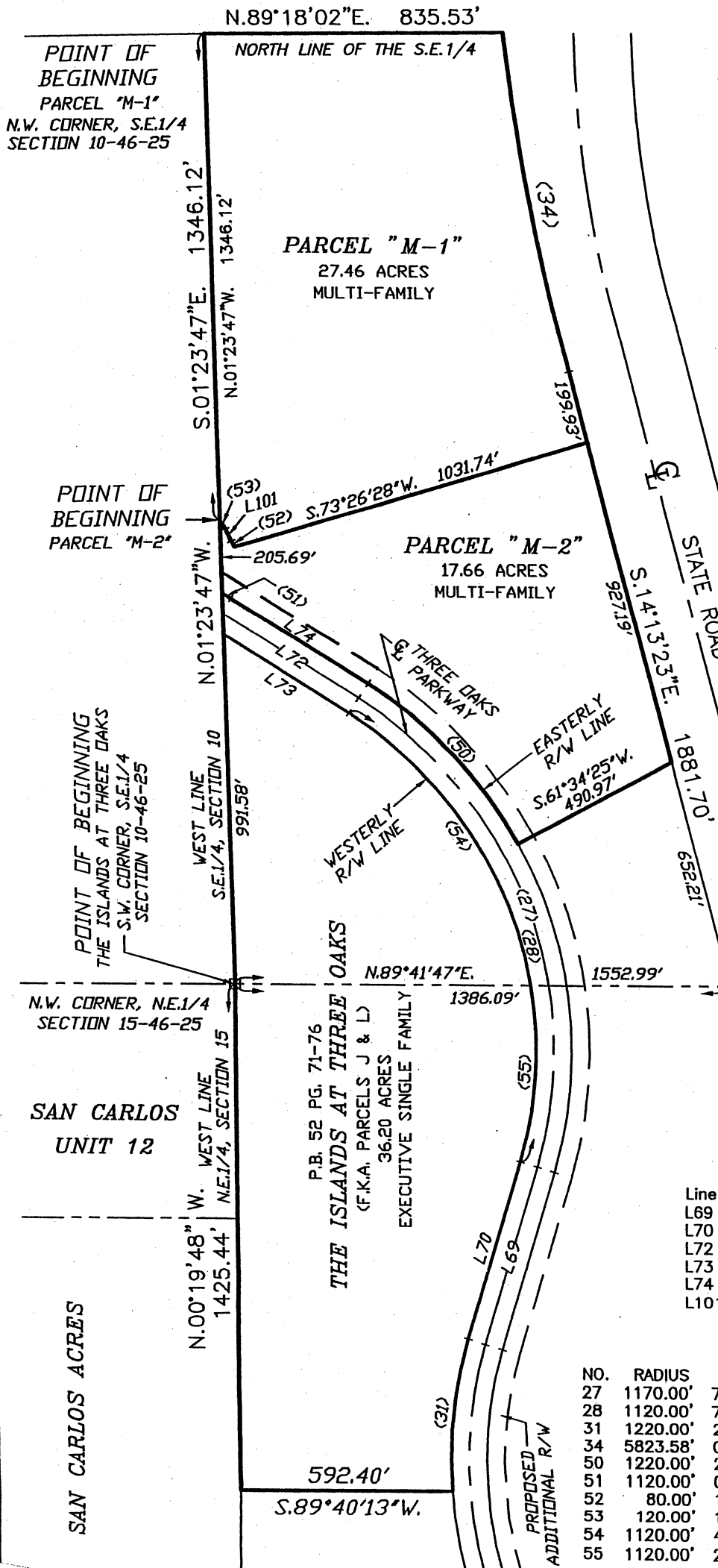
COMMUNITY DEVELOPMENT

EXHIBIT A  
Page 12 of 31

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**RPD**  
**SHEET 3 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

|                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------|
| HARRIS - JORGENSEN, INC.<br>2706 S.E. SANTA BARBARA PLACE<br>CAPE CORAL, FLORIDA<br>PHONE: (239) 772-9939<br>FAX: (239) 772-1315 |
| PROJECT # THREE OAKS R/W 2                                                                                                       |
| FILE #: 46-25-10                                                                                                                 |
| SKETCH DATE: 5/2/06                                                                                                              |
|                                                                                                                                  |
|                                                                                                                                  |



THIS IS NOT A SURVEY.  
 SEE SHEET 4 & 5 OF 13  
 FOR LEGAL DESCRIPTION.

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COMMUNITY DEVELOPMENT

**RPD**  
**SHEET 4 OF 13**

**DESCRIPTION: (Parcel M-1)**

A tract or parcel of land lying in the Southeast Quarter of Section 10, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest corner of the aforesaid Southeast Quarter (S.E.1/4); thence run N.89° 18'02"E. along the North line of said Southeast Quarter (S.E.1/4) for 835.53 feet to the Westerly right-of-way line of Interstate Highway #75, said point lying on a curve; thence run Southeasterly along said Westerly right-of-way line for 959.34 feet along the arc of a curve concave Northeasterly, with a radius of 5823.58 feet, a delta of 09°26'17", a chord bearing of S.10°43'41"E. and a chord distance of 958.25 feet to a point of tangency; thence run S.14°13'23"E. along said Westerly right-of-way line for 199.93 feet; thence run S.73°26'28"W. for 1031.74 feet to a point on a curve; thence run Northwesterly for 18.27 feet along the arc of a curve to the right having a radius of 80.00 feet, a delta of 13°04'55", a chord bearing of N.32°02'37"W. and a chord distance of 18.23 feet to a point of tangency; thence run N.25°30'09"W. for 37.14 feet to a point of curvature; thence run Northwesterly for 29.05 feet along the arc of a curve to the left having a radius of 120.00 feet, a delta of 13°52'19", a chord bearing of N.32°26'18"W. and a chord distance of 28.98 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of said Section 10; thence run N.01°23'47"W. along said West line for 1346.12 feet to the point of beginning.

Said tract contains 27.46 acres.

**TOGETHER WITH:**

**DESCRIPTION: (Parcel M-2)**

A tract or parcel of land lying in the Southeast Quarter (S.E.1/4) of Section 10, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run S.01°23'47"E. along the West line of said Southeast Quarter (S.E.1/4) for 1346.12 feet to the point of beginning, said point being on a curve; thence run Southeasterly for 29.05 feet along the arc of a curve to the left having a radius of 120.00 feet, a delta of 13°52'19", a chord bearing of S.32°26'18"E. and a chord distance of 28.98 feet to a point of tangency; thence run S.25°30'09"E. for 37.14 feet to a point of curvature; thence run Southeasterly for 18.27 feet along the arc of a curve to the right having a radius of 80.00 feet, a delta of 13°04'55", a chord bearing of S.32°02'37"E. and a chord distance of 18.23 feet; thence run N.73°26'28"E. for 1031.74 feet to a point on the Westerly right-of-way line of Interstate Highway #75; thence run S.14°13'23"E. along said Westerly right-of-way line for 927.19 feet; thence run S.61°34'25"W. for 490.97 feet to a point on the Easterly right-of-way line of three Oaks Parkway (100 feet wide), said point being on a curve; thence run Northwesterly along said Easterly right-of-way line for 618.06 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 29°01'36", a chord bearing of N.42°56'34"W. and a chord distance of 611.47 feet to a point of tangency; thence run N.57°27'22"W. along said Easterly right-of-way line for 451.58 feet to a point of curvature; thence run Northwesterly along said Easterly right-of-way line for 28.61 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 01°27'

continued on sheet 5 of 13

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EXHIBIT A  
Page 14 of 31

COMMUNITY DEVELOPMENT

RPD  
SHEET 5 OF 13

49", a chord bearing of N.56°43'28"W. and a chord distance of 28.61 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run N.01°23'47"W. along said West line for 205.69 feet to the point of beginning.

Said tract contains 17.66 acres.

TOGETHER WITH:

DESCRIPTION: (The Islands at Three Oaks)

A tract or parcel of land lying in Sections 10 and 15, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Southwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run N.01°23'47"W. along the West line of said Southeast Quarter (S.E.1/4) for 991.58 feet to a point on the Westerly right-of-way line of Three Oaks Parkway; thence run S.57°27'22"E. along said Westerly right-of-way line for 412.66 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 943.00 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of 48°14'28", a chord bearing of S.33°20'07"E. and a chord distance of 915.40 feet to a point on the North line of the aforesaid Section 15; thence run Southwesterly along said Westerly right-of-way line for 502.49 feet along the arc of a curve concave Northwesterly, with a radius of 1120.00 feet, a delta of 25°42'20", a chord bearing of S.03°38'17"W. and a chord distance of 498.28 feet to a point of tangency; thence run S.16°29'32"W. along said Westerly right-of-way line for 518.86 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 436.61 feet along the arc of a curve concave Southeasterly, with a radius of 1220.00 feet, a delta of 20°30'19", a chord bearing of S.06°14'23"W. and a chord distance of 434.29 feet; thence run S.89°40'13"W. for 592.40 feet to a point on the West line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 15; thence run N.00°19'48"W. along the West line of said Northeast Quarter (N.E.1/4) for 1425.44 feet to the point of beginning.

Said tract contains 36.20 acres.

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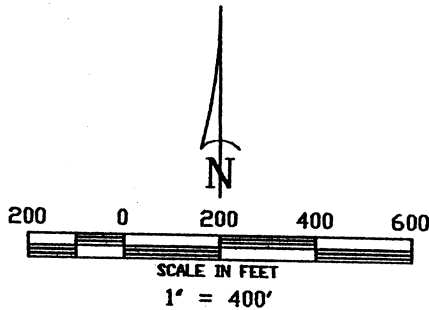
JUN 19 2006

COMMUNITY DEVELOPMENT

DCI 2005-00054

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 3  
FILE # 46-25-10  
SKETCH DATE: 5/2/06



**RPD**  
**SHEET 6 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

SEE SHEET 7 OF 13 FOR  
LEGAL DESCRIPTION.

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L15  | S.76°06'19"E. | 576.62'  |
| L18  | S.76°06'19"E. | 219.97'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L54  | S.00°38'30"E. | 349.45'  |

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 4   | 975.00'  | 71°40'13" | 1219.61' | 1141.64' | S.40°16'12"E. |
| 5   | 925.00'  | 71°28'12" | 1153.83' | 1080.47' | S.40°22'13"E. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 8   | 1150.00' | 14°24'41" | 289.25'  | 288.49'  | S.68°53'59"E. |
| 9   | 1150.00' | 61°03'08" | 1225.50' | 1168.24' | S.31°10'04"E. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 13  | 1835.28' | 31°39'17" | 1013.95' | 1001.11' | S.15°11'08"W. |

SAN CARLOS, UNIT 18

N.00°19'59"W. 2672.10'

863.15'

N.89°40'01"E.  
590.43'

S.58°59'46"E.  
10.00'

OAKS

THREE OAKS PARKWAY  
(13)  
(12)

PINE RUN AT THREE OAKS  
29.00 ACRES  
SINGLE FAMILY

P.B. 38, PG. 67

N.00°38'30"W. 2606.31'

1751.68'

WESTERLY R/W LINE

PINE GLEN AT THREE OAKS  
UNIT ONE  
30.14 ACRES  
SINGLE FAMILY

PINE GLEN AT THREE OAKS  
UNIT TWO  
21.30 ACRES  
SINGLE FAMILY

S.89°15'53"W. 2653.58'

S.E. CORNER, NE.1/4  
SECTION 22-46-25

DCI 2005-00054

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**RPD**  
**SHEET 7 OF 13**

**DESCRIPTON:** (Pine Run at Three Oaks and Pine Glen at Three Oaks, Units One and Two)

A tract of land lying in Sections 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Beginning at the Northwest Quarter corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run N.00°19' 59"W. along the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 15 for 863.15 feet; thence run N.89°40'01"E. for 590.43 feet; thence run S.58°59'46"E. for 10.00 feet to the Westerly right-of-way line of Three Oaks Parkway, said point lying on a curve; thence run Southwesterly along said Westerly right-of-way line for 1013.95 feet along the arc of a curve concave Southeasterly, with a radius of 1835.28 feet, a delta of 31°39' 17", a chord bearing of S.15°11'08"W. and a chord distance of 1001.11 feet to a point of tangency; thence run S.00°38'30"E. along said Westerly right-of-way line for 349.45 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 1225.50 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 61°03' 08", a chord bearing of S.31°10'04"E. and a chord distance of 1168.24 feet to a point common to the boundaries of Pine Run At Three Oaks and Pine Glen At Three Oaks Unit One; thence continue Southeasterly along said Westerly right-of-way line for 289.25 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 14°24'41", chord bearing of S.68°53'59"E. and a chord distance of 288.49 feet to a point of tangency; thence run S.76°06' 19"E. along said Westerly right-of-way line for 576.62 feet to a point on the common boundaries of Pine Glen At Three Oaks Unit One and Pine Glen At Three Oaks Unit Two; thence continue S.76°06'19"E. along said Westerly right-of-way line for 219.97 feet to a point of curvature; thence run Southeasterly along said Westerly right-of-way line for 1153.83 feet along the arc of a curve concave Southwesterly, with a radius of 925.00 feet, a delta of 71°28'12", a chord bearing of S.40°22'13"E. and a chord distance of 1080.47 feet to the Southeast corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°15' 53"W. along the South line of said Northeast Quarter (N.E.1/4) for 2653.58 feet to the Southwest corner of the Northeast Quarter (N.E.1/4) of said Section 22; thence run N.00°38'30"W. along the West line of the Northeast Quarter (N.E.1/4) of said Section 22 for 2606.31 feet to the point of beginning.

Said tract contains 80.44 acres.

EXHIBIT A  
Page 17 of 31

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**DCI 2005-00054**

RPD

SHEET 8 OF 13  
ZONING SKETCH OF

PART OF SECTIONS 10, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

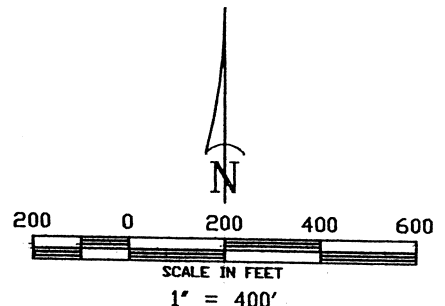
THIS IS NOT A SURVEY.  
SEE SHEET 9 OF 13 FOR  
LEGAL DESCRIPTION.

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 4  
FILE #: 46-25-10  
SKETCH DATE: 5/2/06

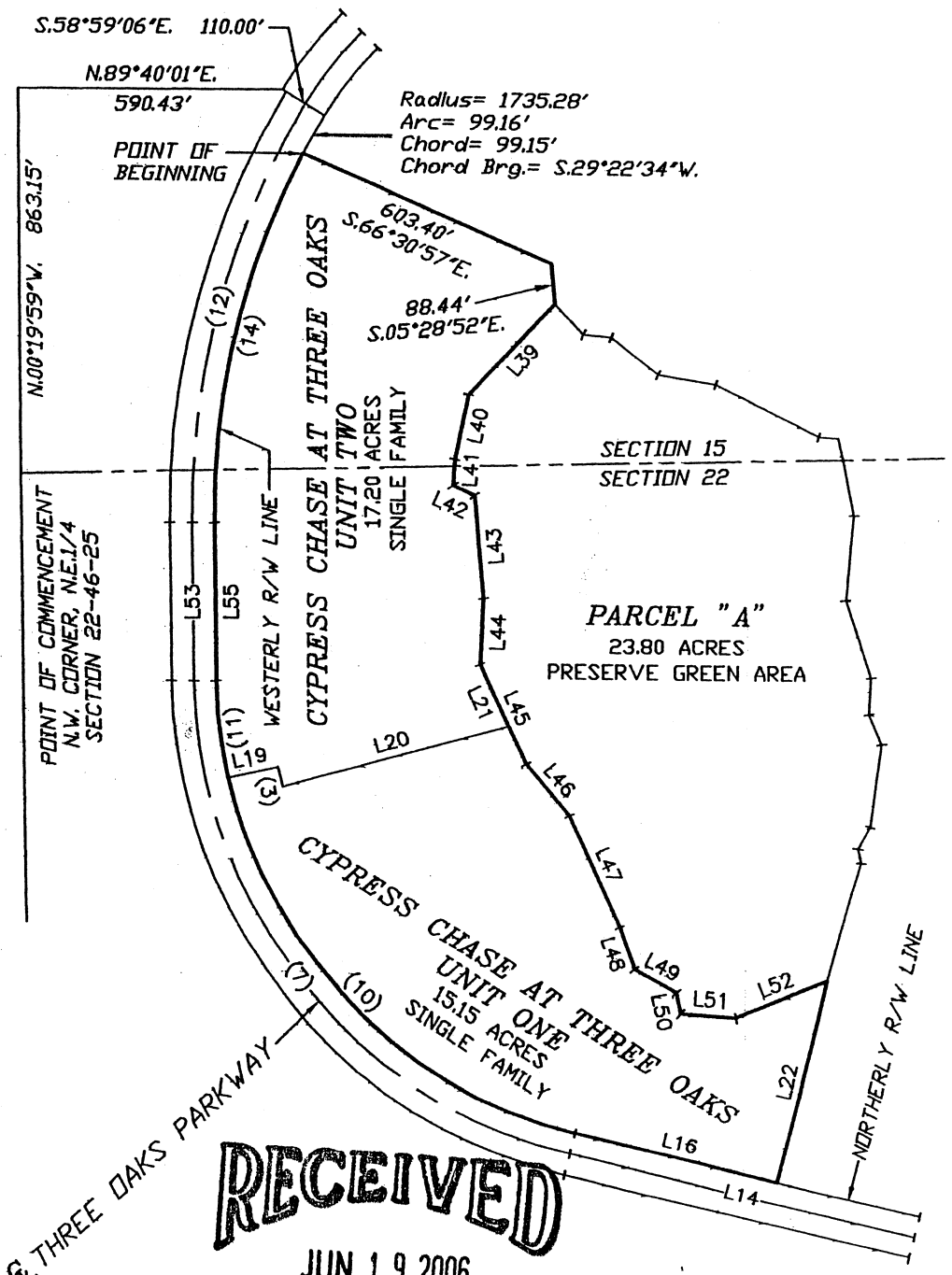
CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 3   | 935.00'  | 02°46'26" | 45.26'   | 45.26'   | N.14°11'43"W. |
| 7   | 1100.00' | 75°27'49" | 1448.80' | 1346.33' | N.38°22'25"W. |
| 10  | 1050.00' | 63°17'54" | 1160.00' | 1101.90' | N.44°27'22"W. |
| 11  | 1050.00' | 12°09'55" | 222.94'  | 222.52'  | N.06°43'27"W. |
| 12  | 1785.28' | 31°39'17" | 986.33'  | 973.83'  | N.15°11'08"E. |
| 14  | 1735.28' | 28°22'50" | 859.54'  | 850.78'  | N.13°32'55"E. |



LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L16  | N.76°06'19"W. | 465.58'  |
| L19  | N.77°11'36"E. | 115.00'  |
| L20  | N.74°25'10"E. | 523.27'  |
| L21  | N.24°06'06"W. | 154.44'  |
| L22  | S.13°53'41"W. | 466.31'  |
| L39  | S.43°02'34"W. | 282.53'  |
| L40  | S.11°56'54"W. | 148.96'  |
| L41  | S.03°34'16"W. | 59.13'   |
| L42  | S.65°49'54"E. | 52.65'   |
| L43  | S.04°55'00"E. | 227.32'  |
| L44  | S.02°47'39"W. | 146.80'  |
| L45  | S.24°06'06"E. | 247.63'  |
| L46  | S.39°51'14"E. | 150.22'  |
| L47  | S.23°58'15"E. | 274.03'  |
| L48  | S.18°34'28"E. | 100.55'  |
| L49  | S.62°41'55"E. | 106.20'  |
| L50  | S.11°41'32"E. | 44.89'   |
| L51  | S.85°57'36"E. | 123.50'  |
| L52  | N.68°40'50"E. | 219.04'  |
| L53  | N.00°38'30"W. | 349.45'  |
| L55  | N.00°38'30"W. | 349.45'  |



RPD  
SHEET 9 OF 13

DESCRIPTION: (Cypress Chase At Three Oaks Units One and Two)

A tract or parcel of land lying in Sections 15 and 22, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run N.00°19'59"W. along the West line of the aforesaid Section 15 for 863.15 feet; thence run N.89°40'01"E. for 590.43 feet; thence run S.58°59'06"E. for 110.00 feet to the Easterly right-of-way line of Three Oaks Parkway, said point being on a curve; thence run Southwesterly along said Easterly right-of-way line for 99.16 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a chord bearing of S.29°22'34"W. and a chord distance of 99.15 feet to the point of beginning; thence run S.66°30'57"E. for 603.40 feet; thence run S.05°28'52"E. for 88.44 feet; thence run S.43°02'34"W. for 282.53 feet; thence run S.11°56'54"W. for 148.96 feet; thence run S.03°34'16"W. for 59.13 feet; thence run S.65°49'54"E. for 52.65 feet; thence run S.04°55'00"E. for 227.32 feet; thence run S.02°47'39"W. for 146.80 feet; thence run S.24°06'06"E. for 247.63 feet; thence run S.39°51'14"E. for 150.22 feet; thence run S.23°58'15"E. for 274.03 feet; thence run S.18°34'28"E. for 100.55 feet; thence run S.62°41'55"E. for 106.20 feet; thence run S.11°41'32"E. for 44.89 feet; thence run S.85°57'36"E. for 123.50 feet; thence run N.68°40'50"E. for 219.04 feet; thence run S.13°53'41"W. for 466.31 feet to a point on the Northerly right-of-way line of Three Oaks Parkway; thence run N.76°06'19"W. along said Northerly right-of-way line for 465.58 feet to a point of curvature; thence run Northwesterly along said Northerly right-of-way line for 1160.00 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 63°17'54', a chord bearing of N.44°27'22"W. and a chord distance of 1101.90 feet to a common point between the boundaries of Cypress Chase At Three Oaks Units One and Two, said point lying on the Easterly right-of-way line of said Three Oaks Parkway; thence continue Northwesterly along said Easterly right-of-way line for 222.94 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 12°09'55", a chord bearing of N.06°43'27"W. and a chord distance of 222.52 feet to a point of tangency; thence run N.00°38'30"W. along said Easterly right-of-way line for 349.45 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 859.54 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 28°22'50", a chord bearing of N.13°32'55"E. and a chord distance of 850.78 feet to the point of beginning.

Said tract contains 32.35 acres.

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EXHIBIT A  
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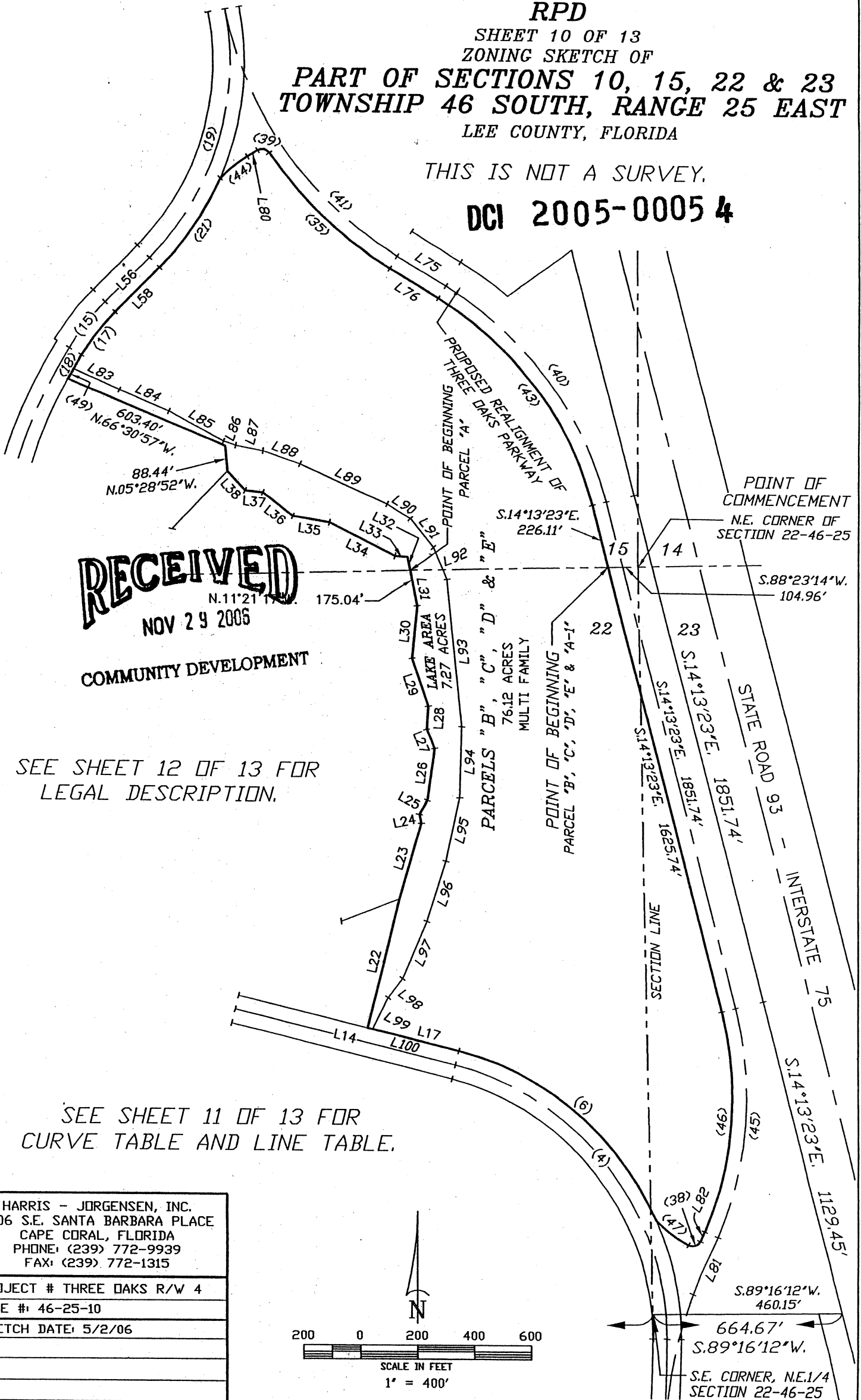
COMMUNITY DEVELOPMENT

DCI 2005-00054

**RPD**  
**SHEET 10 OF 13**  
**ZONING SKETCH OF**  
**PART OF SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

**DCI 2005-0005 4**



HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
FAX: (239) 772-1315

PROJECT # THREE OAKS R/W 5

FILE #: 46-25-10

SKETCH DATE: 5/2/06

RPD  
SHEET 11 OF 13  
ZONING SKETCH OF  
PART OF SECTIONS 10, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 4   | 975.00'  | 71°40'13" | 1219.61' | 1141.64' | S.40°16'12"E. |
| 6   | 1025.00' | 54°02'04" | 966.65'  | 931.23'  | N.49°05'43"W. |
| 16  | 920.00'  | 13°39'14" | 220.19'  | 218.72'  | N.37°50'24"E. |
| 17  | 810.00'  | 13°39'14" | 193.03'  | 192.57'  | N.37°51'19"E. |
| 18  | 1735.28' | 03°16'28" | 99.17'   | 99.16'   | N.29°11'10"E. |
| 19  | 980.00'  | 55°40'01" | 952.14'  | 915.13'  | S.16°49'45"W. |
| 21  | 1030.00' | 21°15'10" | 382.06'  | 379.87'  | N.34°02'00"E. |
| 35  | 1350.00' | 24°52'19" | 586.03'  | 581.44'  | S.46°22'22"E. |
| 38  | 30.00'   | 95°36'18" | 50.07'   | 44.45'   | S.68°59'39"W. |
| 39  | 30.00'   | 87°30'29" | 45.82'   | 41.49'   | S.77°41'27"E. |
| 40  | 1275.00' | 44°35'13" | 992.17'  | 967.32'  | S.36°30'58"E. |
| 41  | 1300.00' | 24°46'30" | 562.12'  | 557.76'  | S.46°25'17"E. |
| 43  | 1200.00' | 44°35'13" | 933.83'  | 910.44'  | S.36°30'56"E. |
| 44  | 470.00'  | 15°02'16" | 123.36'  | 123.00'  | N.51°02'10"E. |
| 45  | 1275.00' | 37°24'06" | 832.30'  | 817.60'  | S.04°28'40"W. |
| 46  | 1200.00' | 37°24'02" | 783.32'  | 769.48'  | S.04°28'42"W. |
| 47  | 469.00'  | 14°37'54" | 119.77'  | 119.44'  | N.57°51'55"W. |
| 49  | 1735.28' | 01°25'05" | 42.95'   | 42.95'   | N.28°26'53"E. |

LINE TABLE

| Line | Bearing       | Distance |
|------|---------------|----------|
| L14  | S.76°06'19"E. | 796.59'  |
| L17  | N.76°06'19"W. | 313.88'  |
| L22  | N.13°53'41"E. | 466.31'  |
| L23  | N.16°07'18"E. | 277.66'  |
| L24  | N.12°01'00"W. | 31.69'   |
| L25  | N.28°46'02"E. | 58.04'   |
| L26  | N.07°46'15"E. | 187.96'  |
| L27  | N.22°04'52"W. | 74.60'   |
| L28  | N.03°46'03"E. | 83.16'   |
| L29  | N.18°15'48"W. | 181.53'  |
| L30  | N.05°28'43"E. | 189.06'  |
| L31  | N.11°21'17"W. | 126.05'  |
| L32  | N.11°21'17"W. | 48.99'   |
| L33  | N.85°52'53"W. | 43.93'   |
| L34  | N.63°39'28"W. | 257.78'  |
| L35  | N.80°44'01"W. | 129.45'  |
| L36  | N.51°37'12"W. | 133.97'  |
| L37  | N.84°18'29"W. | 62.62'   |
| L38  | N.42°37'55"W. | 92.21'   |
| L56  | N.44°40'01"E. | 222.08'  |
| L58  | N.44°40'01"E. | 222.08'  |
| L75  | S.58°48'32"E. | 200.62'  |
| L76  | S.58°48'32"E. | 200.62'  |
| L80  | N.58°33'18"E. | 42.96'   |
| L81  | N.23°10'43"E. | 223.99'  |
| L82  | S.23°10'43"W. | 38.83'   |
| L83  | S.64°44'50"E. | 177.95'  |
| L84  | S.66°30'07"E. | 191.21'  |
| L85  | S.60°30'15"E. | 219.67'  |
| L86  | S.70°58'05"E. | 45.72'   |
| L87  | S.79°10'17"E. | 96.62'   |
| L88  | S.71°11'03"E. | 137.25'  |
| L89  | S.65°27'58"E. | 336.91'  |
| L90  | S.57°59'19"E. | 96.55'   |
| L91  | S.39°13'50"E. | 128.89'  |
| L92  | S.23°08'49"E. | 120.26'  |
| L93  | S.05°40'34"E. | 530.21'  |
| L94  | S.01°29'07"W. | 255.42'  |
| L95  | S.12°01'41"W. | 230.68'  |
| L96  | S.17°34'52"W. | 221.62'  |
| L97  | S.23°18'32"W. | 218.47'  |
| L98  | S.37°33'24"W. | 84.75'   |
| L99  | S.26°14'39"W. | 124.11'  |
| L100 | N.76°06'19"W. | 331.01'  |

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RPD  
SHEET 12 OF 13

DESCRIPTION: (Parcels "B", "C", "D" and "E" )

A tract or parcel of land lying in Sections 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of the aforesaid Section 22; thence run S.88°23'14"W. along the North line of said Section 22 for 104.96 feet to the point of beginning, said point lying on the Westerly right-of-way line of the Three Oaks Parkway realignment project (County Project # CN-02-06); thence run S.14°13'23"E. along said Westerly right-of-way line for 1625.74 feet to a point of curvature; thence run Southwesterly along said Westerly right-of-way line for 783.32 feet along the arc of a curve concave Westerly, with a radius of 1200.00 feet, a delta of 37°24'02", a chord bearing of S.04°28'42"W. and a chord distance of 769.48 feet to a point of tangency; thence run S.23°10'43"W. along said Westerly right-of-way line for 38.83 feet to a point on a curve; thence run Southwesterly along the aforesaid right-of-way line for 50.07 feet along the arc of a curve ( not radial to the previously described line ) concave Northerly, with a radius of 30.00 feet, a delta of 95°36'18" ( 95°37'07" per right-of-way map ), a chord bearing of S.68°59'39"W. and a chord distance of 44.45 feet to a point on a non-compound curve; thence run Northwesterly along said right-of-way line for 119.77 feet ( 120.03 per right-of-way map ) along the arc of a curve concave Northerly, with a radius of 469.00 feet; a delta of 14°37'54" ( 14°39'51" per right-of-way map ), a chord bearing of N.57°51'55"W. and a chord distance of 119.44 feet to a point on a curve on the Northeasterly right-of-way line of Three Oaks Parkway ( 100 feet wide ); thence run Northwesterly along said Northeasterly right-of-way line for 966.65 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 54°02'04", a chord bearing of N.49°05'43"W. and a chord distance of 931.23 feet to a point of tangency; thence run N.76°06'19"W. along said Northeasterly right-of-way line for 331.01 feet to the Southeasterly corner of Cypress Chase At Three Oaks, Unit One, as recorded in Plat Book 41, Pages 29 and 30, Public Records of Lee County, Florida; thence run N.13°53'41"E. along the Easterly line of said Cypress Chase At Three Oaks, Unit One for 466.31 feet; thence run N.16°07'18"E. for 277.66 feet; thence run N.12°01'00"W. for 31.69 feet; thence run N.28°46'02"E. for 58.04 feet; thence run N.07°46'15"E. for 187.96 feet; thence run N.22°04'52"W. for 74.60 feet; thence run N.03°46'03"E. for 83.16 feet; thence run N.18°15'48"W. for 181.53 feet; thence run N.05°28'43"E. for 189.06 feet; thence run N.11°21'17"W. for 175.04 feet; thence run N.85°52'53"W. for 43.93 feet; thence run N.63°39'28"W. for 257.78 feet; thence run N.80°44'01"W. for 129.45 feet; thence run N.51°37'12"W. for 133.97 feet; thence run N.84°18'29"W. for 62.62 feet; thence run N.42°37'55"W. for 92.21 feet to a point on the Easterly line of Cypress Chase At Three Oaks, Unit Two as recorded in Plat Book 43, Pages 49 and 50, Public Records of Lee County, Florida; thence run N.05°28'52"W. along the Easterly line of said Cypress Chase At Three Oaks, Unit Two for 88.44 feet to the Northeasterly corner of said Cypress Chase At Three Oaks, Unit Two; thence run N.66°30'57"W. along the Northerly line of said Cypress Chase At Three Oaks, Unit Two for 603.40 feet to the Northwesterly corner of said Cypress Chase At Three Oaks, Unit Two, said point lying on the Easterly right-of-way line of Three Oaks Parkway ( 50.00 feet from centerline ); thence run Northeasterly along said Easterly right-of-way line ( not radial to the previously described line ) for 99.17 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 03°16'28", a chord bearing of N.29°11'10"E. and a chord distance of 99.16 feet to a point of compound curvature; thence run Northeasterly along said Easterly right-of-way line for 193.03 feet along the arc of a curve concave Southeasterly, with a radius

continued of sheet 13 of 13

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**SHEET 13 OF 13**

of 810.00 feet, a delta of  $13^{\circ}39'14''$ , a chord bearing of  $N.37^{\circ}51'19''E.$  and a chord distance of 192.57 feet to a point of tangency; thence run  $N.44^{\circ}40'01''E.$  along said Easterly right-of-way line for 222.08 feet to a point of curvature; thence run Northeasterly along said Easterly right-of-way line for 382.06 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of  $21^{\circ}15'10''$ , a chord bearing of  $N.34^{\circ}02'00''E.$  and a chord distance of 379.87 feet to a point on a curve on the right-of-way line of the aforesaid realignment of Three Oaks Parkway; thence run Northeasterly along the right-of-way line of said realignment for 123.36 feet ( 122.84 per right-of-way map ) along the arc of a curve concave Southeasterly, with a radius of 470.00 feet, a delta of  $15^{\circ}02'16''$  (  $14^{\circ}58'31''$  per right-of-way map ), a chord bearing of  $N.51^{\circ}02'10''E.$  (  $N.51^{\circ}04'03''E.$  per right-of-way map ), and a chord distance of 123.00 feet ( 122.49 feet per right-of-way map ) to a point of tangency; thence run  $N.58^{\circ}33'18''E.$  along the right-of-way line of said realignment for 42.96 feet to a point of curvature; thence run Southeasterly along said realignment for 45.82 feet along the arc of a curve concave Southerly, with a radius of 30.00 feet, a delta of  $87^{\circ}30'29''$ , a chord bearing of  $S.77^{\circ}41'27''E.$  and a chord distance of 41.49 feet to a point of reverse curvature; thence run Southeasterly along said right-of-way line of said realignment for 586.03 feet along the arc of a curve concave Northeasterly, with a radius of 1350.00 feet, a delta of  $24^{\circ}52'19''$ , a chord bearing of  $S.46^{\circ}22'22''E.$  and a chord distance of 581.44 feet to a point of tangency; thence run  $S.58^{\circ}48'32''E.$  along said right-of-way of said realignment for 200.62 feet to a point of curvature; thence run Southeasterly along said right-of-way line of said realignment for 933.83 feet along the arc of a curve concave Southwesterly, with a radius of 1200.00 feet, a delta of  $44^{\circ}35'13''$ , a chord bearing of  $S.36^{\circ}30'56''E.$  and a chord distance of 910.44 feet to a point of tangency; thence run  $S.14^{\circ}13'23''E.$  along the right-of-way line of said realignment for 226.11 feet to the point of beginning.

Said tract contains 76.12 acres.

DCI 2005-0005 4

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COMMUNITY DEVELOPMENT

ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
**LEE COUNTY, FLORIDA**  
 THIS IS NOT A SURVEY.

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS ROW  
 FILE #: 46-25-10  
 SKETCH DATE: 10/26/06

SHEET 1 OF 5

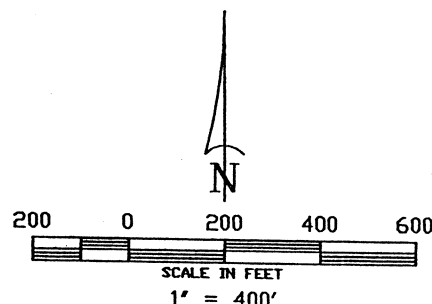
CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 1   | 1120.00' | 01°27'49" | 28.61'   | 28.61'   | S.56°43'28"E. |
| 2   | 1220.00' | 73°56'49" | 1574.55' | 1467.53' | S.20°28'57"E. |
| 17  | 1120.00' | 73°56'49" | 1445.49' | 1347.24' | N.20°28'57"W. |

POINT OF COMMENCEMENT N.89°18'02"E. 835.53'

N.W. CORNER, S.E.1/4 SECTION 10-46-25

NORTH LINE OF THE S.E.1/4



DCI 2005-00054  
 LINE TABLE

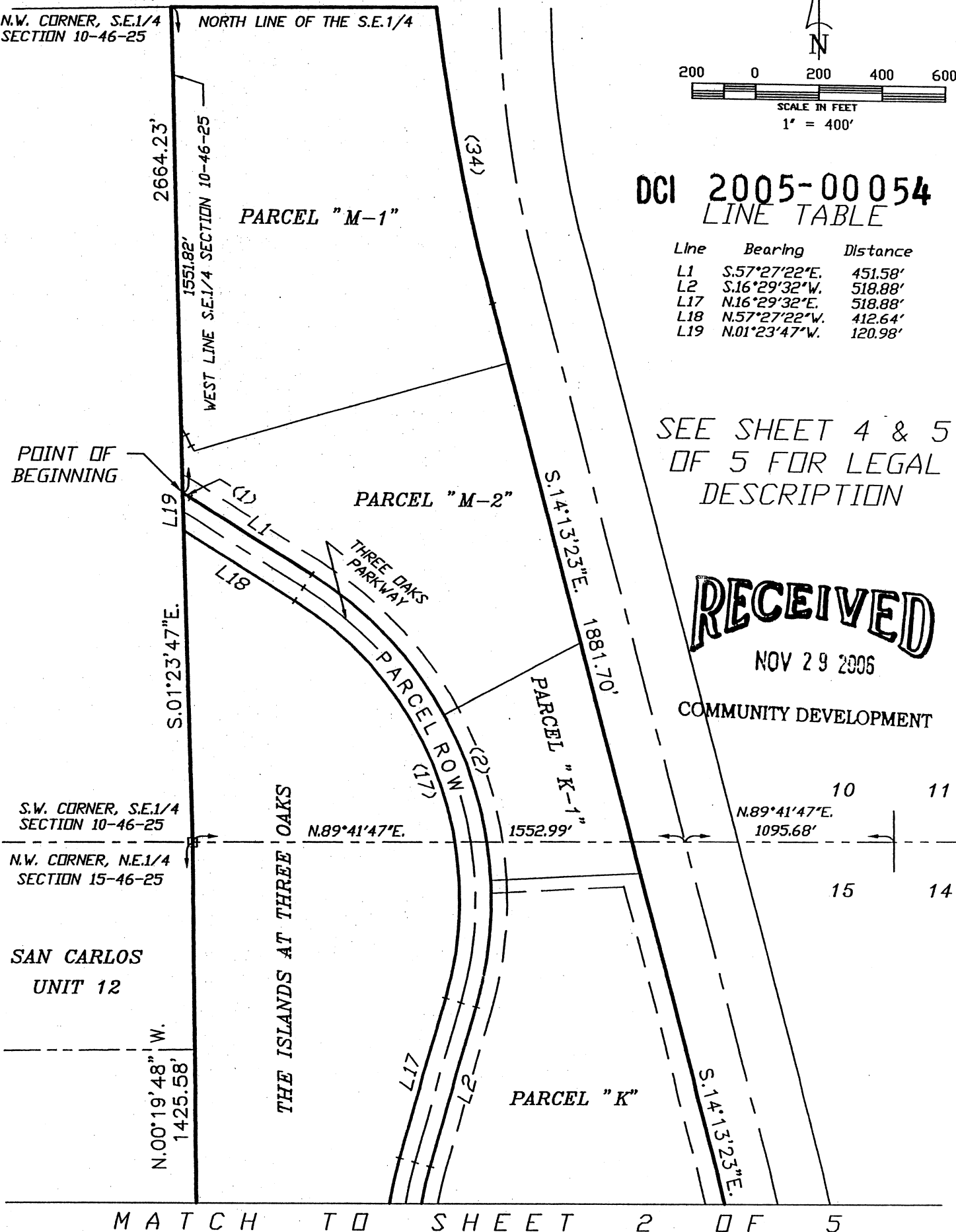
| Line | Bearing       | Distance |
|------|---------------|----------|
| L1   | S.57°27'22"E. | 451.58'  |
| L2   | S.16°29'32"W. | 518.88'  |
| L17  | N.16°29'32"E. | 518.88'  |
| L18  | N.57°27'22"W. | 412.64'  |
| L19  | N.01°23'47"W. | 120.98'  |

SEE SHEET 4 & 5  
 OF 5 FOR LEGAL  
 DESCRIPTION

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COMMUNITY DEVELOPMENT



MATCH TO SHEET 2 OF 5

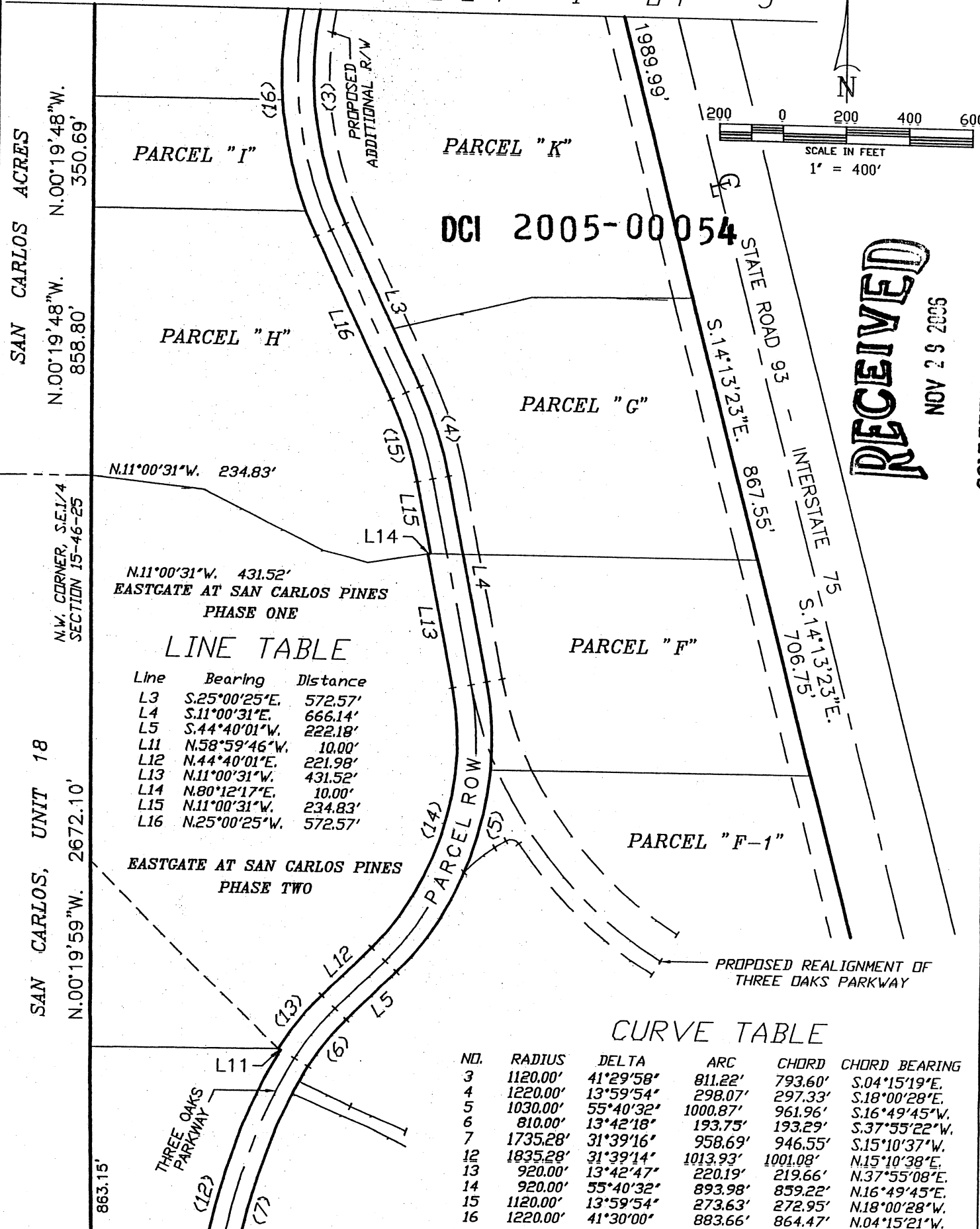
ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
 LEE COUNTY, FLORIDA  
 THIS IS NOT A SURVEY.

HARRIS - JORGENSEN, INC.  
 2706 S.E. SANTA BARBARA PLACE  
 CAPE CORAL, FLORIDA  
 PHONE: (239) 772-9939  
 FAX: (239) 772-1315

PROJECT # THREE OAKS ROW  
 FILE #: 46-25-10  
 SKETCH DATE: 10/26/06

SHEET 2 OF 5

MATCH TO SHEET 1 OF 5



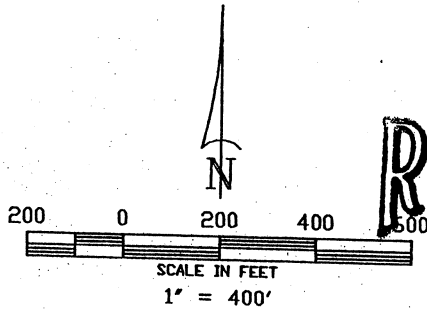
MATCH TO SHEET 3 OF 5

ZONING SKETCH OF  
**EXISTING THREE OAKS PARKWAY RIGHT-OF-WAY**  
**SECTIONS 10, 15, 22 & 23**  
**TOWNSHIP 46 SOUTH, RANGE 25 EAST**  
 LEE COUNTY, FLORIDA  
 THIS IS NOT A SURVEY.

HARRIS - JORGENSEN, INC.  
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PROJECT # THREE OAKS ROW  
 FILE #: 46-25-10  
 SKETCH DATE: 10/26/06

SHEET 3 OF 5



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COMMUNITY DEVELOPMENT

LINE TABLE

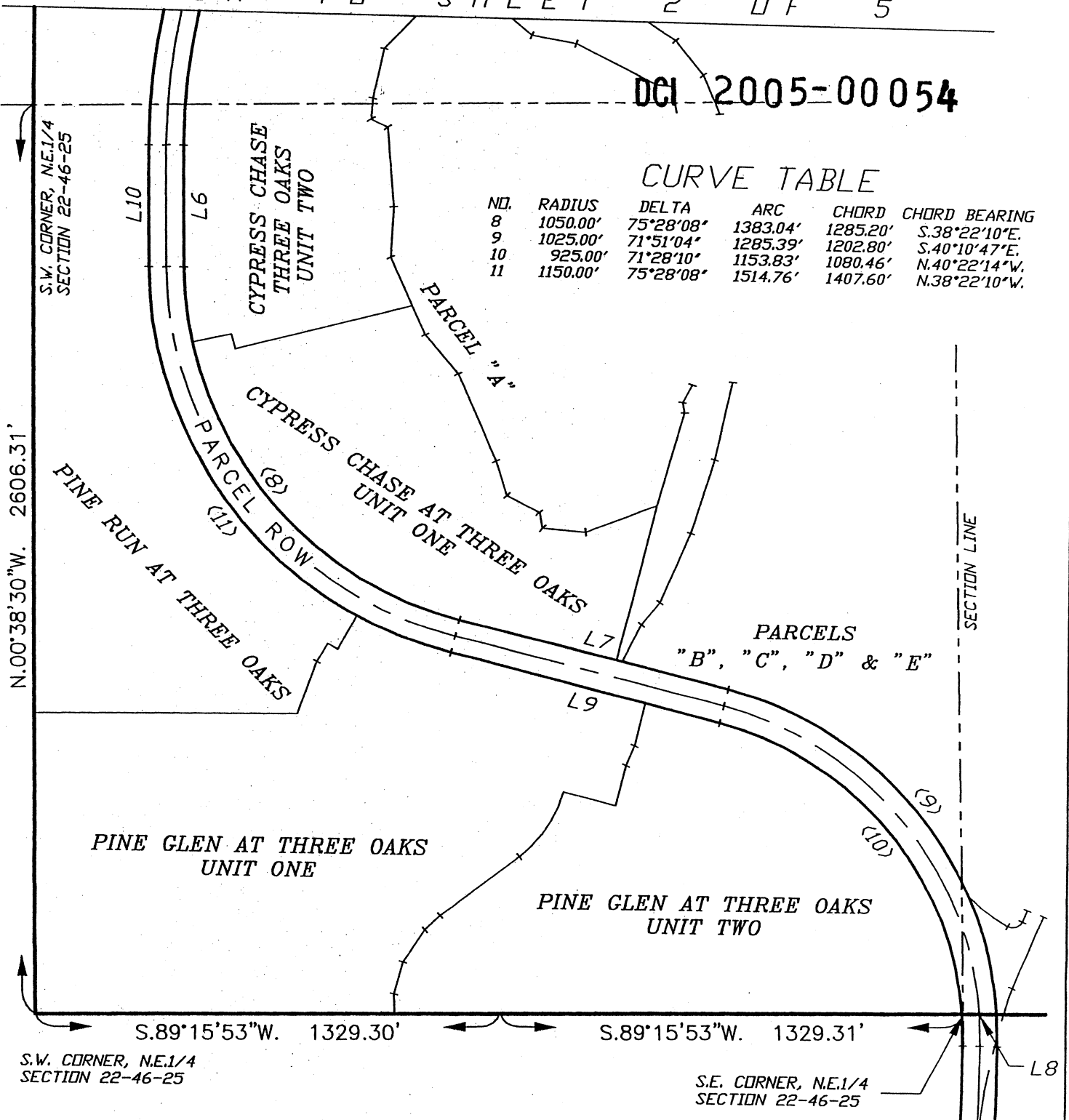
| Line | Bearing       | Distance |
|------|---------------|----------|
| L6   | S.00°38'30"E. | 349.45'  |
| L7   | S.76°06'19"E. | 796.59'  |
| L8   | S.89°16'11"W. | 100.21'  |
| L9   | N.76°06'19"W. | 796.59'  |
| L10  | N.00°38'30"W. | 349.45'  |

M A T C H    T O    S H E E T    2    O F    5

DCI 2005-00054

CURVE TABLE

| NO. | RADIUS   | DELTA     | ARC      | CHORD    | CHORD BEARING |
|-----|----------|-----------|----------|----------|---------------|
| 8   | 1050.00' | 75°28'08" | 1383.04' | 1285.20' | S.38°22'10"E. |
| 9   | 1025.00' | 71°51'04" | 1285.39' | 1202.80' | S.40°10'47"E. |
| 10  | 925.00'  | 71°28'10" | 1153.83' | 1080.46' | N.40°22'14"W. |
| 11  | 1150.00' | 75°28'08" | 1514.76' | 1407.60' | N.38°22'10"W. |



ROW  
SHEET 4 OF 5

DESCRIPTION: ( Existing Right-of-Way of Three Oaks Parkway )

A tract or parcel of land lying in Sections 10, 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northwest corner of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run S.01°23'47"E. along the West line of said Southeast Quarter (S.E.1/4) for 1551.82 feet to the point of beginning, said point being on a curve; thence run Southeasterly for 28.61 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 01°27'49", a chord bearing of S.56°43'28"E. and a chord distance of 28.61 feet to a point of tangency; thence run S.57°27'22"E. for 451.58 feet to a point of curvature; thence run Southeasterly for 1574.55 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 73°56'49", a chord bearing of S.20°28'57"E. and a chord distance of 1467.53 feet to a point of tangency; thence run S.16°29'32"W. for 518.88 feet to a point of curvature; thence run Southeasterly for 811.22 feet along the arc of a curve concave Northeasterly, with a radius of 1120.00 feet, a delta of 41°29'58", a chord bearing of S.04°15'19"E. and a chord distance of 793.60 feet to a point of curvature; thence run S.25°00'25"E. for 572.57 feet to a point of curvature; thence run Southeasterly for 298.07 feet along the arc of a curve concave Southwesterly, with a radius of 1220.00 feet, a delta of 13°59'54", a chord bearing of S.18°00'28"E. and a chord distance of 297.33 feet to a point of tangency; thence run S.11°00'31"E. for 666.14 feet to a point of curvature; thence run Southwesterly for 1000.87 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of 55°40'32", a chord bearing of S.16°49'45"W. and a chord distance of 961.96 feet to a point of tangency; thence run S.44°40'01"W. for 222.18 feet to a point of curvature; thence run Southwesterly for 193.75 feet along the arc of a curve concave Southeasterly, with a radius of 810.00 feet, a delta of 13°42'18", a chord bearing of S.37°55'22"W. and a chord distance of 193.29 feet to a point of compound curvature; thence run Southwesterly for 958.69 feet along the arc of a curve concave Southeasterly, with a radius of 1735.28 feet, a delta of 31°39'16", a chord bearing of S.15°10'37"W. and a chord distance of 946.55 feet to a point of tangency; thence run S.00°38'30"E. for 349.45 feet to a point of curvature; thence run Southeasterly for 1383.04 feet along the arc of a curve concave Northeasterly, with a radius of 1050.00 feet, a delta of 75°28'08", a chord bearing of S.38°22'10"E. and a chord distance of 1285.20 feet to a point of tangency; thence run S.76°06'19"E. for 796.59 feet to a point of curvature; thence run Southeasterly for 1285.39 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 71°51'04", a chord bearing of S.40°10'47"E. and a chord distance of 1202.80 feet to a point on the South line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 22; thence run S.89°16'11"W. along said South line for 100.21 feet to a point on a curve; thence run Northwesterly for 1153.83 feet along the arc of a curve concave Southwesterly, with a radius of 925.00 feet, a delta of 71°28'10", a chord bearing of N.40°22'14"W. and a chord distance of 1080.46 feet to a point of tangency; thence run N.76°06'19"W. for 796.59 feet to a point of curvature; thence run Northwesterly for 1514.76 feet along the arc of a curve concave Northeasterly, with a radius of 1150.00 feet, a delta of 75°28'08", a chord bearing of N.38°22'10"W. and a chord distance of 1407.60 feet to a point of tangency; thence run N.00°38'30"W. for 349.45 feet to a point of curvature; thence run Northeasterly for 1013.93 feet along the arc of a curve concave Southeasterly, with a radius of 1835.28 feet, a delta of 31°39'14", a chord bearing of N.15°10'38"E. and a chord distance of 1001.08 feet; thence run N.58°59'46"W. for 10.00 feet to a point on a curve; thence North Northeasterly for 220.19 feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of 13°42'47", a chord bearing of N.37°55'08"E. and a chord distance of 219.66 feet to a point of tangency; thence run N.44°40'01"E. for 221.98 feet to a point of curvature; thence run Northeasterly for 893.98

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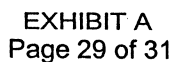
**ROW**  
**SHEET 5 OF 5**

feet along the arc of a curve concave Southeasterly, with a radius of 920.00 feet, a delta of  $55^{\circ}40'32''$ , a chord bearing of  $N.16^{\circ}49'45''E.$  and a chord distance of 859.22 feet to a point of tangency; thence run  $N.11^{\circ}00'31''W.$  for 431.52 feet; thence run  $N.80^{\circ}12'17''E.$  for 10.00 feet; thence run  $N.11^{\circ}00'31''W.$  for 234.83 feet to a point on a curve; thence run Northwesterly for 273.63 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of  $13^{\circ}59'54''$ , a chord bearing of  $N.18^{\circ}00'28''W.$  and a chord distance of 272.95 feet to a point of tangency; thence run  $N.25^{\circ}00'25''W.$  for 572.57 feet to a point of curvature; thence run Northwesterly for 883.66 feet along the arc of a curve concave Northeasterly, with a radius of 1220.00 feet, a delta of  $41^{\circ}30'00''$ , a chord bearing of  $N.04^{\circ}15'21''W.$  and a chord distance of 864.47 feet to a point of tangency; thence run  $N.16^{\circ}29'32''E.$  for 518.88 feet to a point of curvature; thence run Northwesterly for 1445.49 feet along the arc of a curve concave Southwesterly, with a radius of 1120.00 feet, a delta of  $73^{\circ}56'49''$ , a chord bearing of  $N.20^{\circ}28'57''W.$  and a chord distance of 1347.24 feet to a point of tangency; thence run  $N.57^{\circ}27'22''W.$  for 412.64 feet to a point on the West line of the Southeast Quarter (S.E.1/4) of the aforesaid Section 10; thence run  $N.01^{\circ}23'47''W.$  along said West line for 120.98 feet to the point of beginning.

Said tract contains 25.81 acres, more or less.

THIS IS NOT A SURVEY.

SHEET 1 OF 3



**ZONING SKETCH OF  
ADDITIONAL RIGHT-OF-WAY OF THREE  
OAKS PARKWAY REALIGNMENT  
SECTIONS 14, 15, 22 & 23  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA**

THIS IS NOT A SURVEY.

HARRIS - JORGENSEN, INC.  
2706 S.E. SANTA BARBARA PLACE  
CAPE CORAL, FLORIDA  
PHONE: (239) 772-9939  
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PROJECT # THREE OAKS ROW

FILE #: 46-25-10

SKETCH DATE: 10/26/06

SHEET 2 OF 3

**LINE TABLE**

| Line | Bearing       | Distance |
|------|---------------|----------|
| L1   | N.89°59'27"E. | 129.95'  |
| L2   | S.58°48'32"E. | 200.62'  |
| L3   | N.41°10'37"E. | 290.09'  |
| L4   | S.89°15'15"W. | 568.50'  |
| L5   | N.23°10'43"E. | 37.76'   |
| L6   | N.58°48'32"W. | 200.62'  |
| L7   | S.58°33'18"W. | 42.33'   |

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**CURVE TABLE**

| NO. | RADIUS   | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-----|----------|-----------|---------|---------|---------------|
| 1   | 1200.00' | 33°07'57" | 693.92' | 684.30' | N.42°14'34"W. |
| 2   | 1350.00' | 09°59'09" | 235.29' | 234.99' | S.53°48'57"E. |
| 3   | 1025.00' | 19°29'28" | 348.69' | 347.01' | N.14°07'52"W. |
| 4   | 470.00'  | 17°31'42" | 143.79' | 143.23' | S.52°16'43"E. |
| 5   | 30.00'   | 95°46'42" | 50.15'  | 44.51'  | N.71°04'04"E. |
| 6   | 1200.00' | 37°24'02" | 783.32' | 769.48' | N.04°28'42"E. |
| 7   | 1200.00' | 44°35'13" | 933.83' | 910.44' | N.36°30'56"W. |
| 8   | 1350.00' | 24°52'44" | 586.19' | 581.60' | N.46°22'10"W. |
| 9   | 30.00'   | 87°30'54" | 45.82'  | 41.50'  | N.77°41'15"W. |
| 10  | 470.00'  | 15°03'12" | 123.48' | 123.13' | S.51°01'42"W. |
| 11  | 1030.00' | 18°40'28" | 335.71' | 334.23' | N.14°02'03"E. |

COMMUNITY DEVELOPMENT

**DCI 2005-00054**

**ROW - A**  
**SHEET 3 OF 3**

**DESCRIPTION:** ( Additional right-of-way of Three Oaks Parkway Realignment )

A tract or parcel of land lying in Sections 14, 15, 22 and 23, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Northeast corner of the aforesaid Section 22; thence run S.88°23'14"W. along the North line of said Section 22 for 104.96 feet to the point of beginning; thence run N.14°13'23"W. for 225.06 feet to a point of curvature; thence run Northwesterly for 933.83 feet along the arc of a curve concave Southwesterly, with a radius of 1200.00 feet, a delta of 44°35'13", a chord bearing of N.36°30'56"W. and a chord distance of 910.44 feet to a point of tangency; thence run N.58°48'32"W. for 200.62 feet to a point of curvature; thence run Northwesterly for 586.19 feet along the arc of a curve concave Northeasterly, with a radius of 1350.00 feet, a delta of 24°52'44", a chord bearing of N.46°22'10"W. and a chord distance of 581.60 feet to a point of reverse curvature; thence run Northwesterly for 45.82 feet along the arc of a curve concave Southwesterly, with a radius of 30.00 feet, a delta of 87°30'54", a chord bearing of N.77°41'15"W. and a chord distance of 41.50 feet to a point of tangency; thence run S.58°33'18"W. for 42.33 feet to a point of curvature; thence run Southwesterly for 123.48 feet along the arc of a curve concave Southeasterly, with a radius of 470.00 feet, a delta of 15°03'12", a chord bearing of S.51°01'42"W. and a chord distance of 123.13 feet to a point of cusp; thence run Northeasterly for 335.71 feet along the arc of a curve concave Northwesterly, with a radius of 1030.00 feet, a delta of 18°40'28", a chord bearing of N.14°02'03"E. and a chord distance of 334.23 feet; thence run N.89°59'27"E. for 129.95 feet to a point on a curve; thence run Southeasterly along the arc of a curve concave Northeasterly, with a radius of 1200.00 feet, a delta of 33°07'57", a chord bearing of S.42°14'34"E. and a chord distance of 684.30 feet to a point of tangency; thence run S.58°48'32"E. for 200.62 feet to a point of curvature; thence run Southeasterly for 235.29 feet along the arc of a curve concave Southwesterly, with a radius of 1350.00 feet, a delta of 09°59'09", a chord bearing of S.53°48'57"E. and a chord distance of 234.99 feet; thence run N.41°10'37"E. for 290.09 feet to a point on the Westerly right-of-way line of Interstate Highway No. 75; thence run S.14°13'23"E. along said Westerly right-of-way line for 3912.42 feet to a point on the South line of the Northeast Quarter (N.E.1/4) of the aforesaid Section 23; thence run S.89°15'15"W. along said South line for 568.50 feet to a point on a curve; thence run Northwesterly for 348.69 feet along the arc of a curve concave Southwesterly, with a radius of 1025.00 feet, a delta of 19°29'28", a chord bearing of N.14°07'52"W. and a chord distance of 347.01 feet to a point of cusp; thence run Southeasterly for 143.79 feet along the arc of a curve concave Northeasterly, with a radius of 470.00 feet, a delta of 17°31'42", a chord bearing of S.52°16'43"E. and a chord distance of 143.23 feet to a point of common curvature; thence run Northeasterly for 50.15 feet along the arc of a curve concave Northwesterly, with a radius of 30.00 feet, a delta of 95°46'42"E., a chord bearing of N.71°04'04"E. and a chord distance of 44.51 feet to a point of tangency; thence run N.23°10'43"E. for 37.76 feet to a point of curvature; thence run Northeasterly for 783.32 feet along the arc of a curve concave Northwesterly, with a radius of 1200.00 feet, a delta of 37°24'02", a chord bearing of N.04°28'42"E. and a chord distance of 769.48 feet to a point of tangency; thence run N.14°13'23"W. for 1626.79 feet to the point of beginning.

Said tract contains 23.20 acres, more or less.

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COMMUNITY DEVELOPMENT

DCI 2005-00054

# EXHIBIT B--REVISED LAND USE TABLE

| LAND USE TYPES                     | 1984-1988 |    | 1989-1993 |       | 1994-1999 |       | TOTAL |      |
|------------------------------------|-----------|----|-----------|-------|-----------|-------|-------|------|
|                                    | Acres     | %  | Units     | Acres | %         | Units | Acres | %    |
| 112-Single Family                  | 83        | 17 | 200       | 69    | 14        | 192   | 152   | 31   |
| Multi-Family <sup>1</sup>          |           |    |           |       |           |       |       |      |
| 116-Low Density                    |           |    |           | 79    | 16        | 664   | 79    | 16   |
| 117-High Density                   |           |    |           | 20    | 4         | 374   | 99    | 20   |
|                                    |           |    |           |       |           | 1870  | 119   | 24   |
| 121-Retail Sales<br>and Services   |           |    |           | 6     | 1         | 9     | 2     | 15   |
|                                    |           |    |           |       |           |       |       | 3    |
| 155-sewage Treatment<br>Facility   | 5         | 1  |           | 5     | 1         | 7     | 1     | 17   |
|                                    |           |    |           |       |           |       |       | 3    |
| 161-Educational<br>Facilities      |           |    |           |       |           | 25    | 5     | 25   |
|                                    |           |    |           |       |           |       |       | 5    |
| 170-Recreation*                    | 24        | 5  |           |       |           | 38    | 8     | 62   |
|                                    |           |    |           |       |           |       |       | 13   |
| 192-Open Land and<br>Other Streets | 26        | 5  |           |       |           |       |       | 26   |
|                                    |           |    |           |       |           |       |       | 5    |
| Total                              | 138       | 28 | 200       | 179   | 36        | 1230  | 178   | 36   |
|                                    |           |    |           |       |           | 1870  | 495   | 100  |
|                                    |           |    |           |       |           |       |       | 3300 |

\*In addition to the 24-acre preserve provided for recreation, 10 acres of property is provided for joint development by the School Board and Division of Community Services for recreation, as well as various park areas provided for as part of the multi-unit area facilities (See Question 27 A)

Note 1 32 acres of lakes comprised of the master drainage system along I-75 and lakes around the cypress preserve were all constructed during Phase I.

Note 2 Development Order effective date is May 13, 1981. This table is a three year extension to the original phasing.

EXHIBIT C TO FIRST DEVELOPMENT ORDER AMENDMENT  
FOR VILLAGES OF SAN CARLOS DEVELOPMENT OF REGIONAL IMPACT

2944

**EXHIBIT B - REVISED LAND USE TABLE (PHASING SCHEDULE)**

| <u>LAND USE TYPES</u>                 | <u>PHASE I</u><br><u>1984-2003</u> |                      |                         | <u>PHASE II</u><br><u>2004-2010</u> |                      |                          | <u>TOTAL PROJECT</u> |                      |                          |
|---------------------------------------|------------------------------------|----------------------|-------------------------|-------------------------------------|----------------------|--------------------------|----------------------|----------------------|--------------------------|
|                                       | <u>Parcel</u>                      | <u>Acres</u>         | <u>Units</u>            | <u>Parcel</u>                       | <u>Acres</u>         | <u>Units</u>             | <u>Parcel</u>        | <u>Acres</u>         | <u>Units</u>             |
| <u>Single Family</u>                  |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>Eastgate</u>                       | =                                  | <u>39.09</u>         | <u>114</u>              | =                                   | <u>0.00</u>          | <u>0</u>                 | =                    | <u>39.09</u>         | <u>114</u>               |
| <u>Pine Run</u>                       | =                                  | <u>29.00</u>         | <u>77</u>               | =                                   | <u>0.00</u>          | <u>0</u>                 | =                    | <u>29.00</u>         | <u>77</u>                |
| <u>Cypress Chase</u>                  | =                                  | <u>32.35</u>         | <u>78</u>               | =                                   | <u>0.00</u>          | <u>0</u>                 | =                    | <u>32.35</u>         | <u>78</u>                |
| <u>Pine Glen</u>                      | =                                  | <u>51.44</u>         | <u>112</u>              | =                                   | <u>0.00</u>          | <u>7</u>                 | =                    | <u>51.44</u>         | <u>119</u>               |
| <u>Total Single Family</u>            |                                    | <u>151.88</u>        | <u>381</u>              |                                     | <u>0.00</u>          | <u>7</u>                 |                      | <u>151.88</u>        | <u>388</u>               |
| <u>Multi Family</u>                   |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>The Islands</u>                    | <u>J, L,</u>                       | <u>36.20</u>         | <u>142</u>              | =                                   | <u>0</u>             | <u>0</u>                 | <u>J, L,</u>         | <u>36.20</u>         | <u>142</u>               |
| <u>South Parcel</u>                   | =                                  | <u>0</u>             | <u>0</u>                | <u>B, C, D, E</u>                   | <u>76.12</u>         | <u>1,170</u>             | <u>B, C, D, E</u>    | <u>76.12</u>         | <u>1,170</u>             |
| <u>North Parcel</u>                   | =                                  | <u>0</u>             | <u>0</u>                | <u>M-1, M-2</u>                     | <u>45.12</u>         | <u>800</u>               | <u>M-1, M-2</u>      | <u>45.12</u>         | <u>800</u>               |
| <u>Total Multi-Family</u>             |                                    | <u>36.20</u>         | <u>142</u>              |                                     | <u>121.24</u>        | <u>1,970</u>             |                      | <u>157.44</u>        | <u>2,112</u>             |
| <b><u>Total Residential - RPD</u></b> |                                    | <b><u>188.08</u></b> | <b><u>523</u></b>       |                                     | <b><u>121.24</u></b> | <b><u>1,977</u></b>      |                      | <b><u>309.32</u></b> | <b><u>2,500</u></b>      |
| <u>Retail Sales and Services</u>      |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>Three Oaks Town Center</u>         | <u>F</u>                           | <u>8.01</u>          | <u>41,000 sf</u>        | <u>F</u>                            | <u>7.00</u>          | <u>47,799 sf</u>         | <u>F</u>             | <u>15.01</u>         | <u>88,799 sf</u>         |
| <u>Three Oaks Commercial Addt.</u>    | <u>F-1</u>                         | <u>0.00*</u>         | <u>0</u>                | <u>F-1</u>                          | <u>10.34*</u>        | <u>70,000 sf</u>         | <u>F1</u>            | <u>10.34*</u>        | <u>70,000 sf</u>         |
| <b><u>Total CPD</u></b>               |                                    | <b><u>8.01</u></b>   | <b><u>41,000 sf</u></b> |                                     | <b><u>17.34</u></b>  | <b><u>117,799 sf</u></b> |                      | <b><u>25.35</u></b>  | <b><u>158,799 sf</u></b> |
| <u>Community Facilities</u>           |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>Three Oaks Sewage</u>              | <u>G</u>                           | <u>17.28</u>         |                         |                                     | <u>0.00</u>          |                          | <u>G</u>             | <u>17.28</u>         |                          |
| <u>Treatment Plant</u>                |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>Three Oaks Middle School</u>       | <u>H, I</u>                        | <u>25.03</u>         |                         |                                     | <u>0.00</u>          |                          | <u>H, I</u>          | <u>25.03</u>         |                          |
| <u>Three Oaks Community Park</u>      | <u>K, K-1</u>                      | <u>38.24</u>         |                         | <u>K-1</u>                          | <u>6.73</u>          |                          | <u>K, K-1</u>        | <u>44.97</u>         |                          |
| <u>Cypress Preserve</u>               | <u>A</u>                           | <u>23.80</u>         |                         |                                     | <u>0.00</u>          |                          | <u>A</u>             | <u>23.80</u>         |                          |
| <b><u>Total CFPD</u></b>              |                                    | <b><u>104.35</u></b> |                         |                                     | <b><u>6.73</u></b>   |                          |                      | <b><u>111.08</u></b> |                          |
| <u>Rights of Way</u>                  |                                    |                      |                         |                                     |                      |                          |                      |                      |                          |
| <u>Three Oaks Parkway - Current</u>   |                                    | <u>25.81</u>         |                         |                                     | <u>0.00</u>          |                          |                      | <u>25.81</u>         |                          |
| <u>Three Oaks Parkway - New*</u>      |                                    | <u>0</u>             |                         |                                     | <u>23.20</u>         |                          |                      | <u>23.20</u>         |                          |
| <b><u>Total ROW</u></b>               |                                    | <b><u>25.81</u></b>  |                         |                                     | <b><u>23.20</u></b>  |                          |                      | <b><u>49.01</u></b>  |                          |
| <b><u>Total DRI</u></b>               |                                    | <b><u>326.25</u></b> |                         |                                     | <b><u>168.51</u></b> |                          |                      | <b><u>494.76</u></b> |                          |

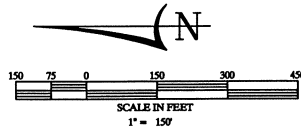
\* - Due to the realignment by Lee County DOT of Three Oaks Parkway, the South Parcel of high density multi family is proposed to be divided into: (1) new road right of way, (2) the portion remaining as contiguous residential, and (3) the new portion east of the new right of way which is proposed as commercial since it is now adjacent to the existing commercial site.

Exhibit C

REVISED LAND USE PARAMETERS

|                                            |                        |                         |
|--------------------------------------------|------------------------|-------------------------|
| Total Project                              |                        | 495 <u>494.76</u> acres |
| Residential Use (RPD)                      |                        |                         |
| Single Family                              | 392 <u>388</u> units   | 152 <u>151.88</u> acres |
| <del>Medium Density</del>                  | <del>664 units</del>   | <del>79 acres</del>     |
| <del>High Density</del>                    | <del>2,244 units</del> | <del>119 acres</del>    |
| <u>Multi-Family</u>                        | <u>2,112 units</u>     | <u>157.44 acres</u>     |
| Commercial Use (CPD)                       |                        |                         |
| Retail Sales and Service                   |                        | 45 <u>25.35</u> acres   |
| Institutional Use                          |                        |                         |
| School                                     |                        | 25 <u>25.03</u> acres   |
| Public Facilities                          |                        | 43 <u>66.29</u> acres   |
| <del>(Inclusive of Utility</del>           |                        |                         |
| <del>Easements and Roads)</del>            |                        |                         |
| <u>(Roads, Wastewater Treatment Plant)</u> |                        |                         |
| Open Space                                 |                        | 62 <u>68.77</u> acres   |
| <del>(Inclusive of Parks, Recreation</del> |                        |                         |
| <del>Lakes and Drainage)</del>             |                        |                         |
| <u>(Community Park, Cypress Preserve)</u>  |                        |                         |





Approved as Exhibit D  
Map H Page 2 of 2  
Resolution # 2-07-027

INTERSTATE 75

THREE OAKS PARKWAY

NORTH BRANCH  
ESTERO RIVER

ESTERO PKWY.

CYPRESS VIEW DR.

SHEET FLOW  
DISTRIBUTION SWALE

EXISTING 600' DRAINAGE EASEMENT

EXHIBIT MAP H

REVISED  
MASTER CONCEPT PLAN  
FOR  
VILLAGES OF SAN CARLOS  
BY

SOUTHWEST FLORIDA CAPITAL CORPORATION



SOURCE, INC.  
ENGINEERING PLANNING  
CONSULTING

JOB NO.  
110-08-87  
SHEET NO.  
C-2

DATE  
4-21-88  
DRAWN BY  
JHM  
FILE NAME

TRADITION E. PUGH, P.E.  
FLORIDA LICENSE NUMBER 42041  
DATE

1330 LAFAYETTE STREET • SUITE 200 • FT. WORTH, TX 76104  
TELEPHONE (214) 344-2340 FAX (214) 344-6778

\* STATIONS FOR THESE 'C's ARE BASED ON ORIGINAL CORLICO ROAD ALIGNMENT

Exhibit D  
Page 2 of 2

1/1/00 - 10/1/00 C.O. Nelson  
2 5/1/00 REVISED FOR SUFFICIENCY RESPONSE TEP  
1/1/00 NEW MAP H CREATED TEP

RECEIVED

JAN 12 2007

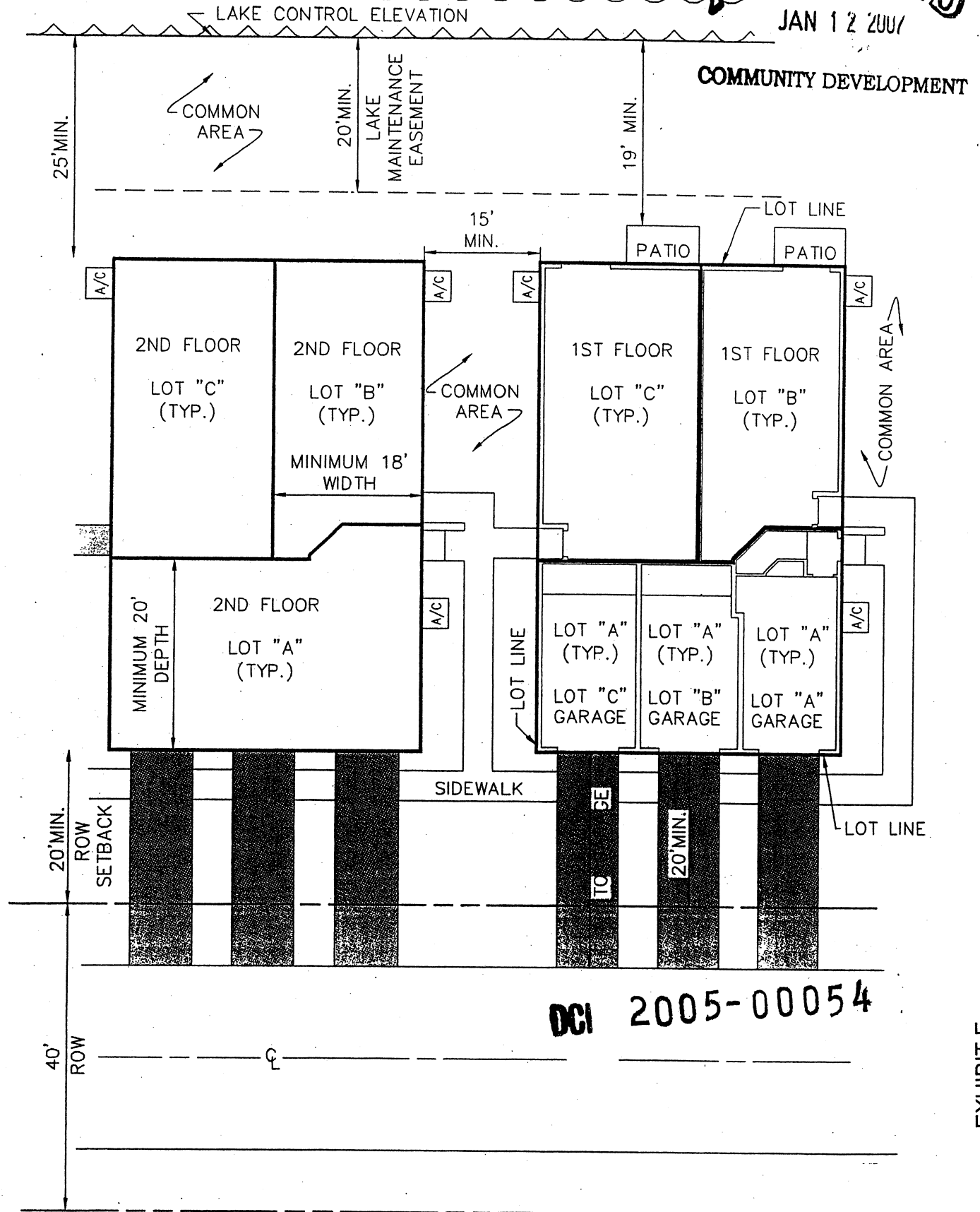


EXHIBIT E

EXHIBIT "A" - TRIPLEX LOT (PARCEL M-2 ONLY)

NOT TO SCALE

EXHIBIT F  
DRI  
BIENNIAL MONITORING REPORT REQUIREMENTS

The Biennial Monitoring Report that must be submitted by the Developer in accordance with Subsections 380.06(15) and 380.06(18), Florida Statutes, and 9J-2.025(7), Florida Administrative Code, must include the following:

- A. Any changes in the plan of development or in the representations contained in the application for development approval, or in the phasing for the reporting year and for the next year;
- B. A summary comparison of development activity proposed and actually conducted for the year;
- C. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold to separate entities or developers.
- D. Identification and intended use of lands purchased, leased, or optioned by the Developer adjacent to the original DRI site since the development order was issued;
- E. A specific assessment of the Developer's and the local government's compliance with each individual condition of approval contained in the DRI Development Order and the commitments which are contained in the application for development approval and which have been identified by the local government, the RPC, or the DCA as being significant;
- F. Any requests for substantial deviation determination that were filed in the reporting year and to be filed during the following year;
- G. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;
- H. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
- I. A statement that all persons have been sent copies of the biennial report in conformance with Subsections 380.06(15) and (18), Florida Statutes;
- J. A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to §380.06(15)(f), Florida Statutes.

NOTE: The Florida Administrative Code specifically requires that the development order specify the requirements for the biennial report. The Administrative Code requires that the biennial report will be submitted to DCA, the RPC, and the local government on Form RPM-BSP-Annual Report-1.

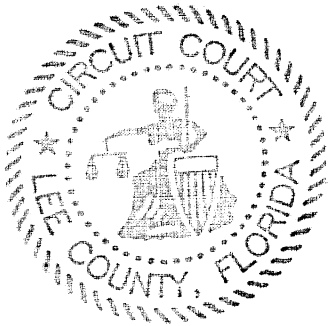
STATE OF FLORIDA

COUNTY OF LEE

I Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby certify that the above and foregoing is a true and correct copy of The Villages of San Carlos DRI – Second Development Order Amendment – Development Order 81-1, adopted by the Board of Lee County Commissioners at their meeting held on the August 20, 2007.

Given under my hand and seal, at Fort Myers, Florida, this 13th day of September 2007.

CHARLIE GREEN,  
Clerk of Circuit Court  
Lee County, Florida



By: *Anna L. Pierce*  
Deputy Clerk