



LEE COUNTY
SOUTHWEST FLORIDA

239-533-8585

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Tammy Hall
District Four

Frank Mann
District Five

Doug Meurer
Interim County Manager

Andrea Fraser
Interim County Attorney

Diana M. Parker
County Hearing Examiner

February 14, 2013

**NEALE MONTGOMERY
PAVESE LAW FIRM
1833 HENDRY STREET
FORT MYERS FL 33901**

Re: PELICAN LANDING DRI
Senate Bill 2156 Extension (F)
DRI2012-00035

Dear NEALE MONTGOMERY:

Lee County acknowledges receipt of your request for extension of the build out date, commencement and completion dates, and any required mitigation as provided for under Florida Statute 252.363. The extension provided under Florida Statute 252.363 is the result of Office of the Governor Executive Order Number Executive Order 12-199 (Tropical Storm Isaac). Pursuant to that Executive Order and Florida Statute 252.363, Lee County recognizes the length of time related to this extension is for a period of 6 months plus 60 days for Case Number DRI2012-00035, State DRI #1-9293-121.

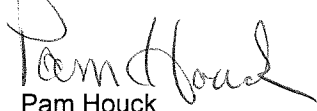
Please note the request for Executive Order 12-140 (as extended by Executive Orders 12-192 and 12-217) was previously acknowledged under DRI2012-00018, a copy of which is attached.

Lee County will not issue a codified Amendment to the DRI Development Order at this time. In the future, if the DRI Development Order is amended, Lee County will amend the DRI Development to provide for the extension. Please keep a copy of this letter for your records and submit this letter with the next application for a Notice of Proposed Change for this DRI so that the time extension can be included in the amended DRI Development Order. If the DRI Development Order is not amended before the expiration date, please ensure you have a copy of this letter to prove entitlement to the extension provided under this Executive Order.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development
Division of Zoning



Pam Houck
Director

cc: Donna Marie Collins, Chief Assistant County Attorney



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County Attorney

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County Hearing Examiner

January 14, 2013

MS NEALE MONTGOMERY
PAVESE LAW FIRM
1833 HENDRY STREET
FORT MYERS FL 33901

Re: PELICAN LANDING
Senate Bill 2156 Extension (F)
DRI2012-00018

Dear MS NEALE MONTGOMERY:

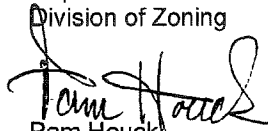
Lee County acknowledges receipt of your request for extension of the build out date, commencement and completion dates, and any required mitigation as provided for under Florida Statute 252.363. The extension provided under Florida Statute 252.363 is the result of Office of the Governor Executive Order Number 12-140 (as extended by Executive Orders 12-192 and 12-217). Pursuant to that Executive Order and Florida Statute 252.363, Lee County recognizes the length of time related to this extension is for a period of 6 months plus 91 days.

Lee County will not issue a codified Amendment to the DRI Development Order at this time. In the future, if the DRI Development Order is amended, Lee County will amend the DRI Development to provide for the extension. Please keep a copy of this letter for your records and submit this letter with the next application for a Notice of Proposed Change for this DRI so that the time extension can be included in the amended DRI Development Order. If the DRI Development Order is not amended before the expiration date, please ensure you have a copy of this letter to prove entitlement to the extension provided under this Executive Order.

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Division of Zoning



Pam Houck
Director

cc: Donna Marie Collins, Chief Assistant County Attorney

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January 14, 2013

MS NEALE MONTGOMERY
PAVESE LAW FIRM
1833 HENDRY STREET
FORT MYERS FL 33901

Re: **PELICAN LANDING**
Senate Bill 2156 Extension (F)
DRI2012-00018

Dear MS NEALE MONTGOMERY:

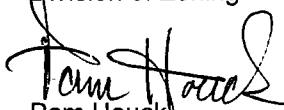
Lee County acknowledges receipt of your request for extension of the build out date, commencement and completion dates, and any required mitigation as provided for under Florida Statute 252.363. The extension provided under Florida Statute 252.363 is the result of Office of the Governor Executive Order Number 12-140 (as extended by Executive Orders 12-192 and 12-217). Pursuant to that Executive Order and Florida Statute 252.363, Lee County recognizes the length of time related to this extension is for a period of 6 months plus 91 days.

Lee County will not issue a codified Amendment to the DRI Development Order at this time. In the future, if the DRI Development Order is amended, Lee County will amend the DRI Development to provide for the extension. Please keep a copy of this letter for your records and submit this letter with the next application for a Notice of Proposed Change for this DRI so that the time extension can be included in the amended DRI Development Order. If the DRI Development Order is not amended before the expiration date, please ensure you have a copy of this letter to prove entitlement to the extension provided under this Executive Order.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development
Division of Zoning


Pam Houck
Director

cc: Donna Marie Collins, Chief Assistant County Attorney



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Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

February 23, 2012

**MS. NEALE MONTGOMERY
PAVESE LAW FIRM
1833 HENDRY STREET
FORT MYERS FL 33901**

Re: PELICAN LANDING
Senate Bill 2156 Extension (F)
DRI2012-00004

Dear MS. NEALE MONTGOMERY:

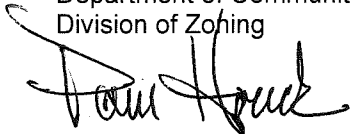
Lee County acknowledges receipt of your request for extension of the build out date, commencement and completion dates, and any required mitigation as provided for under Florida Statute 252.363. The extension provided under Florida Statute 252.363 is the result of Office of the Governor Executive Order Number 11-128 (extended by 11-172 and 11-202). Pursuant to that Executive Order and Florida Statute 252.363, Lee County recognizes the length of time related to this extension is for a period of 126 days plus 6 months.

Lee County will not issue a codified Amendment to the DRI Development Order at this time. In the future, if the DRI Development Order is amended, Lee County will amend the DRI Development to provide for the extension. Please keep a copy of this letter for your records and submit this letter with the next application for a Notice of Proposed Change for this DRI so that the time extension can be included in the amended DRI Development Order. If the DRI Development Order is not amended before the expiration date, please ensure you have a copy of this letter to prove entitlement to the extension provided under this Executive Order.

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Sincerely,

Department of Community Development
Division of Zoning



Pam Houck
Director

cc: Donna Marie Collins, Chief Assistant County Attorney

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

WHEREAS, Bayside Community Improvement District filed an application on behalf of the property owner, Dean G. Prevolos Trustee for the Dean G. Prevolos Trust, to amend the Pelican Landing DRI Development Order #1-9293-121; and

WHEREAS, a public hearing was advertised and held on August 16, 2006 before the Lee County Zoning Hearing Examiner, Diana M. Parker, who gave full consideration to the evidence in the record for Case #DRI2005-00001 and DCI2005-00005; and

WHEREAS, a second public hearing was advertised and held on December 4, 2006, 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 amend the Pelican Landing DRI Development Order and DRI Map H to;
 1. Add a 1.45-acre tract for the purpose of constructing a maintenance facility for Bayside Community Improvement District (BCID); and
 2. Reduce the number of residential dwelling units from 4,400 to 3,912 residential units and change the mix of unit types to allow an increase in single family units from 665 to 930 units and a reduction in multi-family units from 3,735 to 2,982; and
- b. Determine whether the proposed changes constitute a substantial deviation from the original development approvals warranting further Development of Regional Impact review; and
- c. Rezone 1.45 acres from Residential Single-Family (RS-1) to a Residential Planned Development (RPD) to permit a maintenance facility for Bayside Community Development District (CDD) having a 2,400-square-foot

12/4/06

maintenance building and an 800 square-foot-office, outdoor material storage, equipment washing area and fuel island.

The property is located in the Outlying Suburban 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 6-page Master Concept Plan labeled:

- | | | |
|----|----------------|-------------------------------|
| a. | Sheet 3 of 11 | Master Concept Plan |
| b. | Sheet 7 of 11 | Landscape Betterment Plan |
| c. | Sheet 8 of 11 | Planting Plans |
| d. | Sheet 9 of 11 | Landscape Details |
| e. | Sheet 10 of 11 | Entry Details and Notes |
| f. | Sheet 11 of 11 | Buffer Wall Details and Notes |

date stamped received on February 16, 2007, last revised December 2006, and attached hereto 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.

The development will be limited to a 2,400-square-foot maintenance building and an 800-square-foot office, outdoor material storage, equipment washing area and fuel island.

2. The following limits apply to the project and uses:

a. **Schedule of Uses**

ACCESSORY USES: BUILDINGS AND STRUCTURES
ADMINISTRATIVE OFFICES
ENTRANCE GATES AND GATE HOUSES
ESSENTIAL SERVICES
FENCES AND WALLS
MAINTENANCE FACILITY (see Condition #4), Limited to:
Equipment washing area
Horticultural Services

Lawn and Garden Services
Outdoor material storage
Self-Service Fuel Pump, limited to one having a maximum storage
capacity of 1,000 gallons of gasoline
PARKING LOT, ACCESSORY
SIGNS, in accordance with Chapter 30 of the LDC

b. **Site Development Regulations**

Minimum Lot Area and Dimensions:

Area: 40,000 square feet
Width: 150 feet
Depth: 400 feet

Minimum Setbacks:

Street: Variable according to the functional classification of the
street or road (LDC §34-2191 *et seq.*)

Side: east side 25 feet
west side 15 feet

Rear: 25 feet

Maximum Lot Coverage: 50 percent

Maximum Building Height: 18 feet

3. **Environmental Conditions**

Prior to local development order approval, the development order plans must include a landscape plan in substantial compliance with the "Landscape Betterment Plan" stamped received on July 19, 2006 with the following revisions and clarifications:

- a. The east, north and west property line must include buffer plantings of seven trees per 100 linear feet and a double continuous hedge (minimum 3-gallon container size; 24-inch height at planting; shrubs must be allowed to grow to their natural height); and
- b. The south property line must include buffer plantings of 12 trees per 100 linear feet (at least 50% being native canopy species) and a double continuous hedge (minimum 3-gallon container size; 24-inch height at planting; shrubs must be allowed to grow to their natural height); and

- c. A minimum 8-foot tall wall or wall and berm combination must be provided around the entire property as depicted on the Master Concept Plan, received on July 19, 2006; and
- d. The pine trees must be South Florida slash pine (*Pinus elliottii densa*); and
- e. No more than 50% of the buffer trees may be palms; and
- f. All pine and oak trees must be a minimum 16-foot height, 4-inch caliper at time of planting; and
- g. Firecracker plant (*russelia equisetiformis*) must be replaced with a non-invasive shrub.
- h. Prior to issuance of a local development order for the maintenance facility, the applicant must submit a landscape plan to embellish the landscaping on the south side of Coconut Road to protect the second story views of the condos within the Merano development. [This will require landscape embellishment along approximately 300 feet of Coconut Road frontage beginning at the southern prolongation of the western subject property boundary and proceeding east.]

4. Maintenance Facility

- a. The maintenance facility must only be used to service the horticultural and lawn and garden service needs of property within the Bayside CDD boundary, which service is further limited to only the common areas and rights-of-way within the Bayside CDD.
- b. The regular working hours for the maintenance facility will be from 7:00 a.m. to 3:00 p.m. Monday through Friday. The maintenance facility must be closed on Saturdays, Sundays and holidays. Ancillary activities, such as: cleaning machinery, removing horticultural debris, refueling and routine equipment maintenance and repairs may continue until 5:30 p.m. Monday through Friday, except on holidays, provided the entrance gates remain closed during that time period.

The maintenance facility may remain open after the scheduled hours in emergency situations, such as after a hurricane, major storm event or similar event to clean up debris.

- c. The entrance gates to the maintenance facility may remain open during the regular working hours to facilitate the maintenance operation. No equipment or machinery may be visible from Coconut Road while the gates are open during regular business hours. However, the entrance gates must remain closed at all

other times, except when equipment and trucks are actually entering or leaving the property.

- d. All routine maintenance and repair work done on machinery and equipment must be carried on entirely within the maintenance building. The overhead doors on the east side of the maintenance building must remain closed when such maintenance work is being performed.

The maintenance building must be insulated with sound attenuating materials to reduce adverse impacts on the adjoining properties.

- e. No chipping or shredding of horticultural waste is permitted on the site and all horticultural waste must be stored in the designated location (30 yard roll off pad) on site for later removal. All horticultural waste must be removed at least once a week. Horticultural waste or other material must not be stored higher than eight feet in height.
 - f. Light standards must be no higher than 15 feet and lighting values must be in accordance with LDC §34-625, Outdoor Lighting Standards.
 - g. All fertilizer and maintenance liquids (i.e. spray fertilizer, weed killer, insect spray, etc.) must be stored inside the maintenance building.
- 5. Prior to local development order approval, the existing Joint Access Agreement, with the adjacent parcel to the west (beach parking lot) must be amended or extinguished.
 - 6. Local development order approval must include conditions requiring the design of the entrance gates to be visually and aesthetically pleasing and architecturally consistent with the finished wall.
 - 7. Accessory uses, including accessory parking, must be located on the same tract, lot, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, lot, parcel or outparcel. This condition is not intended to prohibit a joint parking agreement and the use of the beach parking lot to the west for employee parking, if such a need arises. (See Condition 9 below.)
 - 8. The developer must connect to the Bonita Springs Utilities sewer and potable water system.
 - 9. If additional employee parking spaces are required, the applicant must apply for special exception approval for joint use of parking lots with the beach parking lot on the west boundary.
 - 10. No development blasting is permitted as part of this project.

11. Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.
12. 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. 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 general function, as well as all other Lee Plan provisions.
14. The 1,000-gallon fuel storage container and pumping station must be relocated to the area designated "Dumpster Pad," or similar location, along the west boundary of the site, so as to have it located as far as possible from the adjoining residential properties to the north and east.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285(a), Table 1, Connection Separation, requirement to provide a minimum separation of 330 feet on collector streets, to allow a minimum separation of approximately 209 feet from the proposed driveway for the subject parcel to the existing driveway immediately to the east. This deviation is APPROVED.
2. Deviation (2) seeks relief from the LDC §10-416(d)(6) requirement to provide a solid wall or combination berm and solid wall, not less than eight feet in height, that is constructed not less than 25 feet from abutting property, if the project's road, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, with landscaping between the wall and abutting properties that includes a minimum of five trees and 18 shrubs per 100 linear feet, to allow a wall 7.5 feet from the property lines with enhanced buffer plantings as described on the Landscape Betterment Plan. This deviation is APPROVED, SUBJECT TO Condition 3 above.

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: Twelfth Development Order Amendment

The applicant has indicated that the STRAP number for the subject property is: 08-47-25-00-00003.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning and DRI DO amendment requests, as conditioned, by demonstrating compliance with the Lee Plan, the LDC, Section 380.06 Florida Statutes, and other applicable codes or regulations.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable 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.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.
6. The requests to add land and change the mix of single-family and multi-family dwelling units, as conditioned, do not create new or additional unreviewed regional impacts and do not constitute a Substantial Deviation under F.S. §380.06(19).

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

Robert P. Janes	Aye
A. Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Franklin B. Mann	Aye

DULY PASSED AND ADOPTED this 4th day of December 2006.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Charlie Green*
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 MAR 21 PM 1:28

May 11, 2004

RECEIVED
JAN 20 2005DCI 2005 00005 DESCRIPTION

PERMIT COUNTER

**A PARCEL LYING IN
SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

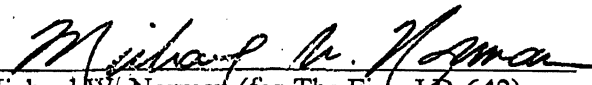
A tract or parcel of land lying in Section 8, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the East Half (E-1/2) of the Northwest Quarter (NW-1/4) of said Section 8 run S 89° 41' 30" E along the East/West Quarter (E/W-1/4) section line for 513.75 feet to the southwest corner of the lands described in deed recorded in Official Record Book 3354 at Page 3248, Public Records of Lee County, Florida; thence run N 01° 25' 30" W departing said fraction line along the west line of said deed for 40.01 feet to an intersection with the line that is 40 feet north of (as measured on a perpendicular) and parallel with said fraction line, said line being the north maintained right-of-way line of Coconut Road and the Point of Beginning.

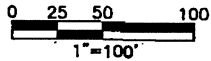
From said Point of Beginning continue N 01° 25' 30" W along said deed line for 367.99 feet to an intersection with the south line of Lot 20, Block 17 of unrecorded El Dorado Acres as shown on map as recorded in Official Record Book 291 at Page 898, Public Records of Lee County, Florida; thence run S 89° 41' 30" E along the south line of said block for 171.25 feet to an intersection with the west line of Lot 10, said Block 17; thence run S 01° 25' 30" E along the west line of said Lot 10 and the west line of Lot 6 and Lot 5 of said Block 17 and the east line of said deed for 367.99 feet to an intersection with the north line of said maintained right-of-way line of Coconut Road; thence run N 89° 41' 30" W along said maintained right-of-way line for 171.25 feet to the Point of Beginning.

Parcel contains 1.45 acres, more or less.

Subject to easements, restrictions and reservations of record. Bearings hereinabove mentioned are based on the unrecorded plat of El Dorado Acres wherein the center line of Coconut Road bears S 89° 41' 30" E.


Michael W. Norman (for The Firm LB-642)
Professional Land Surveyor
Florida Certificate No. 4500

20023590 Parcel 051104



POC DESC
SW CORNER
E 1/2 OF NW 1/4
SECTION 8

DCI 2005 00005

RECEIVED
JAN 20 2005

PERMIT COUNTER

20
BLOCK 17

08-47-25-02-00000.0150
(OR 2576, PG 424)

08-47-25-02-00000.0200
(OR 2118, PG 1818)

08-47-25-02-00000.0100
(OR 2896, PG 2606)

08-47-25-02-00000.0060
(OR 2567, PG 4082)

08-47-25-02-00000.0050
(OR 2892, PG 281)

08-47-25-00-00003.02CE
(OR 3522, PG 3626)

08-47-25-00-00003.01CE
(OR 3522, PG 3626)

S89°41'30"E 171.25'

N01°25'30"W

08-47-25-00-00003.0000
(OR 3354, PG 3248)

367.99'

S01°25'30"E

367.98'

POB DESC
N89°41'30"W 171.25'

MAINTAINED RIGHT-OF-WAY
PER PLAT OF EL DORADO ACRES
(OR 291, PG 898)

S89°41'30"E 513.75'

1/4 SECTION LINE

N01°25'30"W
40.01'

COCONUT ROAD
SW CORNER
(OR 3354, PG 3248)

DEED LINE

RIGHT-OF-WAY
PER C.C.M.B. 6, PG 28

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE UNRECORDED EL DORADO ACRES PLAT WHEREIN THE CENTERLINE OF COCONUT ROAD BEARS S 89°41'30" E.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING
5. OR = OFFICIAL RECORDS BOOK
6. PG = PAGE
7. DESC. = DESCRIPTION
8. DESCRIPTION ATTACHED.
9. C.C.M.B. = COUNTY COMMISSIONERS MINUTES BOOK

THIS IS NOT A SURVEY

Michael W. Norman
MICHAEL W. NORMAN (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500

DATE SIGNED: MAY 11 2004
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PARCEL IN
SECTION 8, TOWNSHIP 47 S, RANGE 25 E
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
F.P. #642 F.P. #642

SKETCH TO ACCOMPANY
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
5/04	0235	08-4		1

Zoning Map

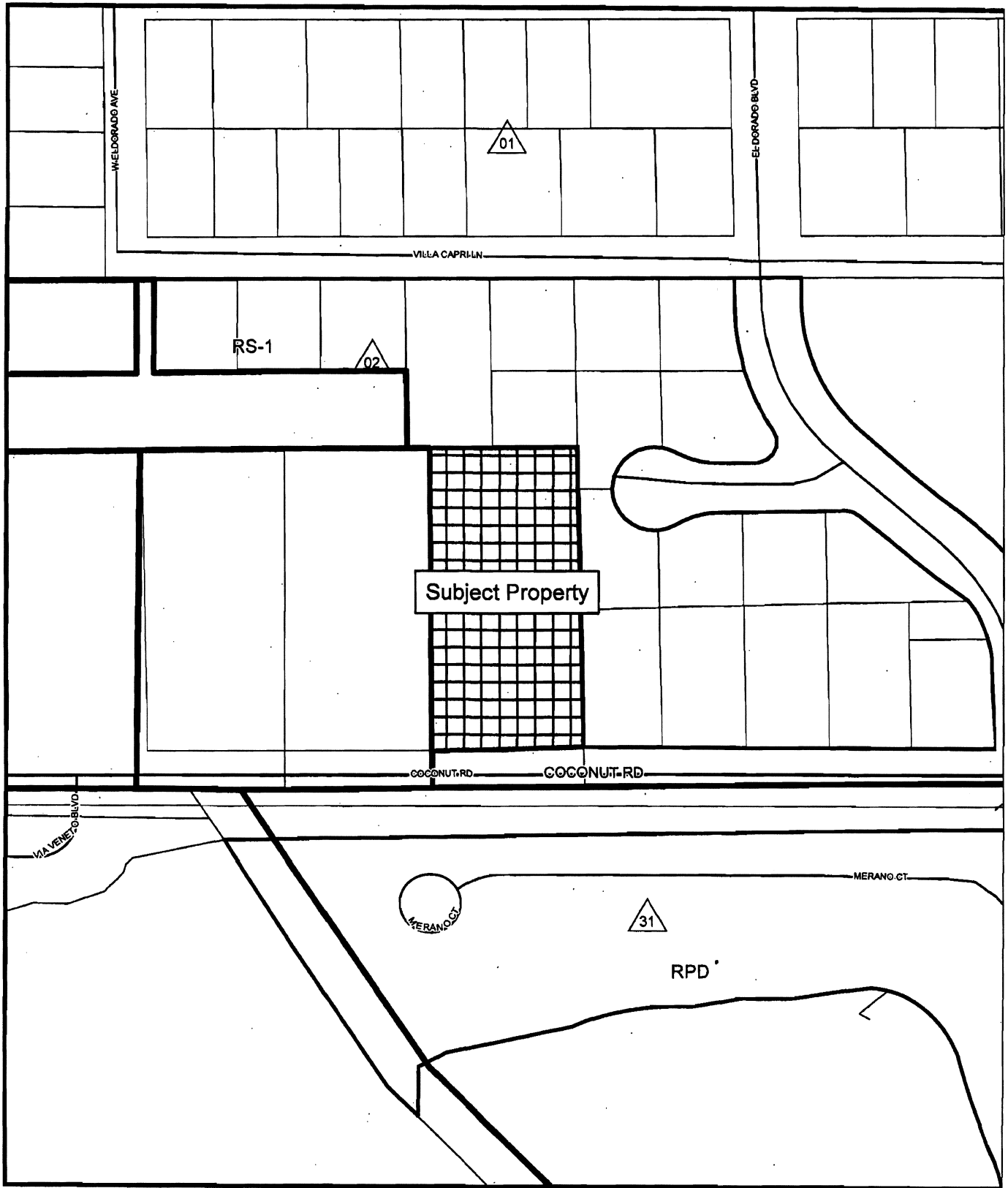
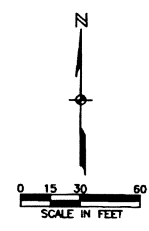
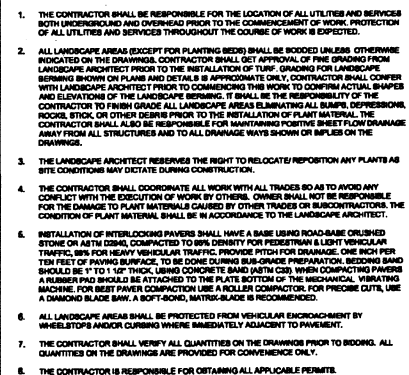
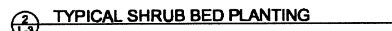


EXHIBIT B





DATE SEPT 2005	PROJECT NO. 20023590-07	FILE NO.	SCALE AS SHOWN	SHEET 3 OF 11
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FROM ONE ANOTHER WHEN PRACTICAL

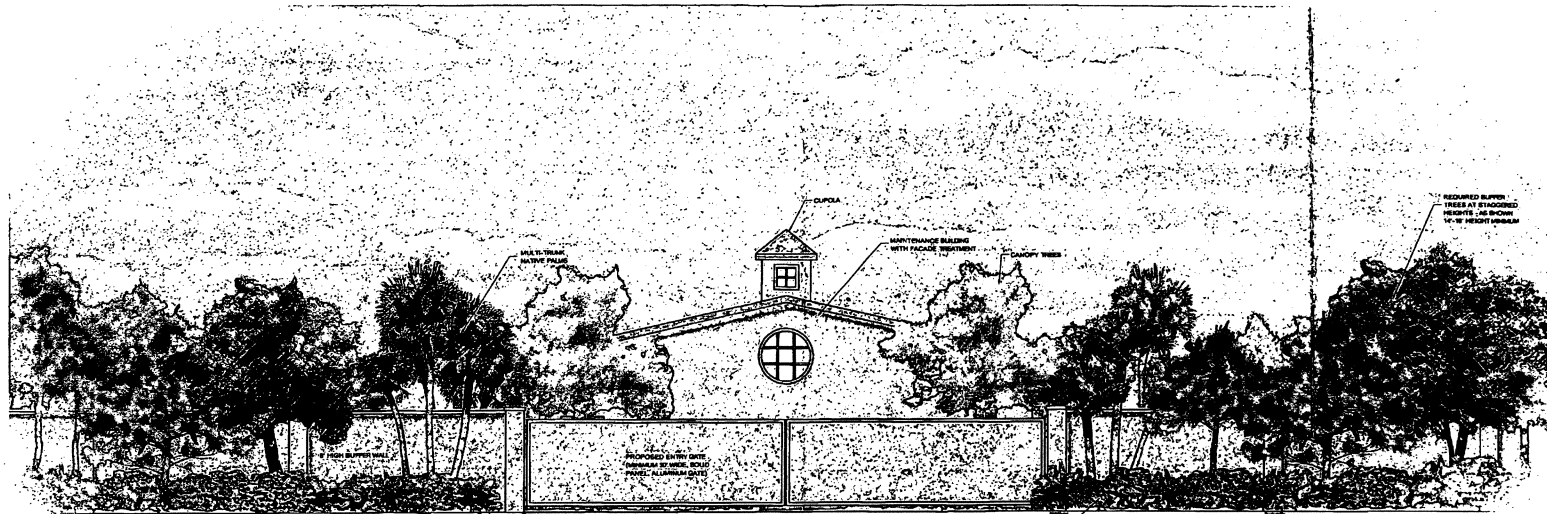
RECEIVED

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

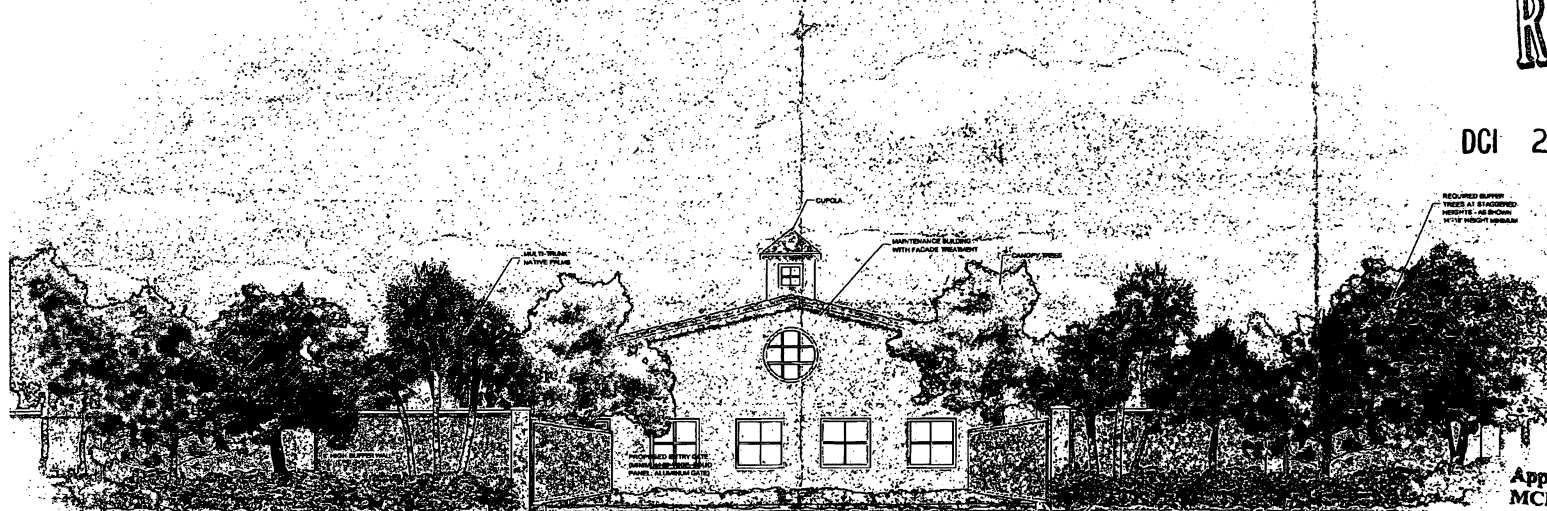
RECEIVED
FEB 16 2007
LANDSCAPE DETAILS
DCI 2005-00005

EXHIBIT C
Page 4 of 6



CLOSED GATE ENTRY DETAIL

1"=5'



OPEN GATE ENTRY DETAIL

1"=5'

RECEIVED
FEB 16 2007

DCI 2005-00005

Approved as Exhibit C
MCP Page 5 of 6
Resolution # 2-06-069

N:\20023590-07\MCP\3590-MCP.dwg (10 ENTRY DETAILS AND NOTES) rev. Feb 15, 2007 - 2:44pm

REVISIONS	

SEVERN - TRENT
FOR BAYSIDE CDD

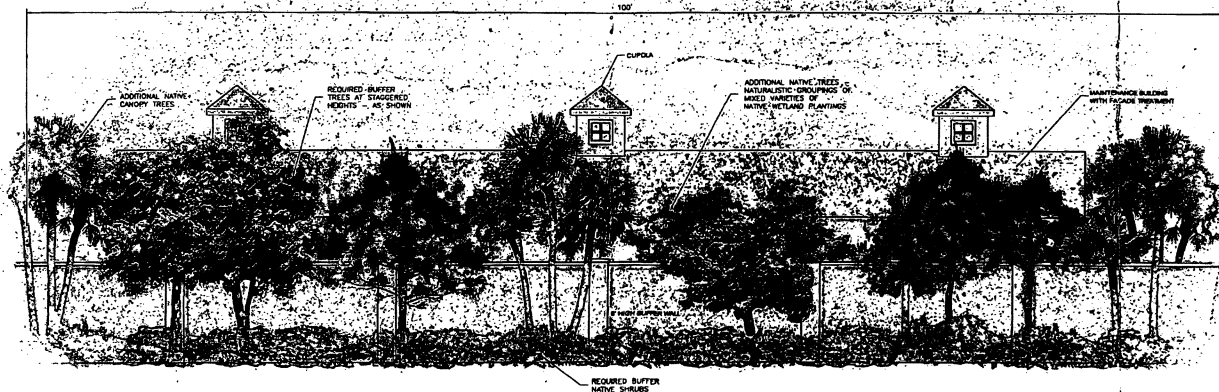
BAYSIDE CDD
MAINTENANCE FACILITY
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

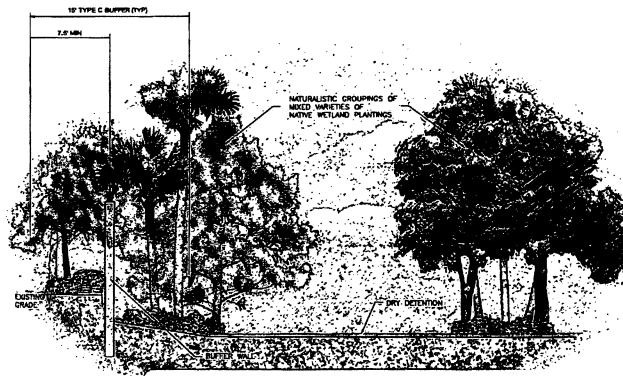
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0048
FAX (239) 334-3661
E.B. #642 & L.B. #642

ENTRY DETAILS AND NOTES

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
SEPT 2005	20023590-07		AS SHOWN	10 OF 11



BUFFER WALL DETAIL - TYPICAL 100' SECTION 1"=5'



ENHANCED TYPE C BUFFER/DRY DETENTION - TYPICAL 1"=5'

RECEIVED
FEB 16 2007

DCI 2005-00005

Approved as Exhibit C
MCP Page 6 of 6
Resolution # 2-06-069

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REVISIONS		

SEVERN - TRENT
FOR BAYSIDE CDD

BAYSIDE CDD
MAINTENANCE FACILITY
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

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E.B. #642 & L.B. #642

BUFFER DETAILS AND NOTES

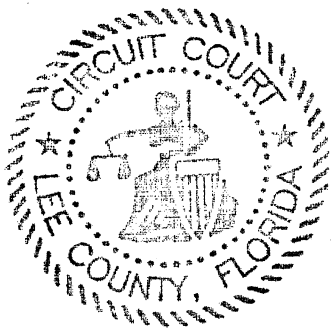
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
SEPT 2005	20023590-07		AS SHOWN	11 OF 11

EXHIBIT "F"
 PELICAN LANDING DRI
 DEVELOPMENT PARAMETERS
 (updated through 3-1-04 January 2006)

		Existing	Build out Total
Land Use	Units ¹	(1998)	(20089)
Residential	DU	1083	4,400 <u>3,912</u>
Single Family	DU	402	665 930
Multi Family	DU	596	3,735 <u>2,982</u>
Retail ²	GFA	11,000	300,000
Office ³	GFA	134,738	475,000
Hotel/Motel	Rooms	0	750
Recreation Uses			
Pelican Nest Golf Course/Clubhouse/ Practice Range	Holes	21	30
Colony Range Club/ Golf Course/ Clubhouse/Practice Range	Holes	19	19
Resort Golf Course/ Clubhouse Practice Range	Holes	0	28
Tennis Center	Courts	12	24
Coconut Marina	Boat Slips		
	Wet	24	48
	Dry	0	150
Redfish Point	GFA	5,000	5,000
	Boat Slips		
	Wet	15	15
Other ⁴	Boat Slips		
	Wet	2	2
	Accessory Parking	0	3.2
	CDD's		
	<u>Maintenance</u>		
	<u>Facility</u>		<u>1.45</u>

Footnotes:

- 1 Units
 DU - Dwelling Units
 GFA - Square Feet of Gross Floor Area
- 2 Includes conference center, community center and clubhouse/marina
- 3 Includes "Foundations"
- 4 Ancillary Use



State of Florida
County of Lee

I Charlie Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

Given under my hand and official seal at Fort Myers, Florida, this 21st day of March, A.D. 2009

CHARLIE GREEN, CLERK

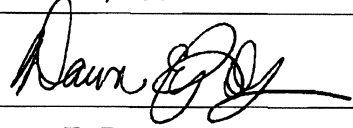
By David L. Pierce
Deputy Clerk

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

DATE: March 15, 2007

To: Commissioner Robert P. Janes
Chairman, BOCC

FROM:


Dawn E. Perry-Lehnert
Assistant County Attorney

**RE: Pelican Landing DRI
Twelfth Amendment
State DRI #1-9293-121
County Case #DRI2005-00001**

The Board of County Commissioners approved the Twelfth Amendment for the Pelican Landing DRI Development Order on December 4, 2006. The original development order amendment and zoning resolution have been attached to this memorandum for execution. Kindly execute both documents at your earliest convenience and then forward them to Lisa Pierce in the Minutes Department.

Please note, the delay of this submission for the Chairman's signature is due to required revisions to the approved Master Concept Plan (MCP) by the project applicant. Lee County Land Development Code (LDC) Section 34-377(b)(6) requires the project MCP to be conformed to the Board's approval. Consequently, changes had to be made to the MCP before the resolution could be signed.

By copy of this memorandum to Lisa Pierce, I request that a clerk attest to the Chairman's signature on each document. Once this has been accomplished, please prepare 4 certified copies of the executed development order and all exhibits and one fully executed copy of the zoning resolution and forward these documents to my office no later than March 22, 2007.

Thank you for your assistance.

DPL/tlb
Attachments

cc: (w/o attachments)
Timothy Jones, Chief Assistant County Attorney
Lisa Pierce, Supervisor, Minutes Department

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MINUTES OFFICE
2007 MAR 20 AM 7:39

TWELFTH AMENDED DEVELOPMENT ORDER¹
FOR

PELICAN LANDING

A DEVELOPMENT OF REGIONAL IMPACT

STATE DRI #1-9293-121
COUNTY CASE DRI2005-00001

WHEREAS, on November 28, 2000, WCI Communities, Inc., the owner of the Pelican Landing Development of Regional Impact (DRI) most recently requested an amendment to the original Development Order (DO) adopted August 29, 1994, as amended; and

WHEREAS, this document incorporates the Development Order Amendments for Pelican Landing DRI adopted: 1) March 22, 1995 (incorporating the terms of a settlement agreement); 2) August 16, 1995, which incorporated the conditions of the Spring Creek West DRI as set forth in the Eighth Amendment to Spring Creek DRI #10-7677-9; 3) November 4, 1996; 4) November 17, 1997; 5) September 21, 1998; 6) June 21, 1999; 7) December 6, 1999; 8) August 7, 2000 to add 140 acres; 9) February 26, 2002 to revise the legal description and clearly define the jurisdictional line between the City and County; 10) October 7, 2002 to accomplish the following: (a) adjust the original buildout date (from December 31, 2002 to May 21, 2004) and termination date (from December 31, 2005 to May 21, 2007) to reflect the one year and 141 days the effectiveness of the Development Order was tolled as a result of the 1996 appeal and challenge; and (b) extend the buildout and termination dates by 4 years and 364 days to May 20, 2009 and May 20, 2012, respectively; and, the conditions proposed for the twelfth amendment to the Pelican Landing DRI Development Order; and

WHEREAS, the City of Bonita Springs has adopted a substantially similar development order that is applicable within its jurisdiction; and

WHEREAS, a Notice of Proposed Change was submitted by Bayside Improvement Community Development District on January 25, 2005 to amend the legal description and Map H to (a) include a 1.45 acre tract for the purpose of constructing a maintenance facility, and, (b) reduce the number of residential dwelling units from 4,400 to 3,912 residential units and change the mix of units types to allow an increase in single family units from 665 to 930 unit and a reduction in multi-family units from 3,735 to 2,982; and

¹ This is a codification and a restatement of all DRI Development Orders rendered with respect to Pelican Landing within Lee County, including actions taken on March 25, 1995, August 16, 1995, November 17, 1997, September 21, 1998, June 21, 1999, December 6, 1999, August 7, 2000, February 26, 2002, October 7, 2002, and December 4, 2006.

WHEREAS, under F.S. §380.06(19), the proposed change must be reviewed cumulatively with previous changes to the DRI Development Order to determine whether they constitute a substantial deviation from the terms of the original DRI Development Order approvals; and

WHEREAS, the Board of County Commissioners has reviewed the proposed amendment and found that the changes do not constitute a substantial deviation; and

WHEREAS, the Board of County Commissioners of Lee County, Florida, has considered the report and recommendations of the Southwest Florida Regional Planning Council, the Lee County Staff, the Lee County Hearing Examiner, the documents and comments upon the record made before the Board in public hearing, and after full consideration of those reports, recommendations, comments, and documents, the Board of County Commissioners of Lee County, Florida, finds and determines that:

I. FINDINGS OF FACT/CONCLUSIONS OF LAW

A. The "Pelican Landing DRI" is a partially built master planned community on a total of ~~2748.25~~ 2749.7± acres located approximately three miles north of the Lee/Collier County Line. Approximately 1249.8 acres of the Pelican Landing DRI are located within the City of Bonita Springs; approximately ~~1216.45~~ 1217.9 acres of the Pelican Landing DRI are located within the unincorporated area of Lee County; and approximately 282± acres of the ~~2748.25~~ 2749.7±-acre total constitutes the Spring Creek West DRI, which is located in the City of Bonita Springs. The property is bounded on the west by Estero Bay, on the east by US 41, and on the south by Spring Creek. Coconut Road provides the general northern boundary of Pelican Landing; however, a part of the project is located north of Coconut Road.

The proposal is to construct ~~4,400~~ 3,912 residential units, of which 665 930 are single-family and ~~3,735~~ 2,982 multi-family, 300,000 square feet of gross floor area of retail commercial, and 475,000 square feet of gross floor area of office commercial. The retail uses will provide up to 2,048 parking spaces and the office uses will provide up to 1,587 parking spaces. The project will also include 750 hotel/motel rooms, a 50,000-square-foot conference center, 65 wet boat slips and 150 dry boat slips, various recreational amenities including, but not limited to: golf, tennis, canoe parks; an existing boat ramp on the Baywinds Parcel and a beach park for the benefit of the owners in Pelican Landing. There are 143.81 acres of upland habitat preserve, 678.5 acres of salt and freshwater wetlands, 247.49 acres of water management lakes, 162.16 acres of public and private rights-of-way, 3.2± acres of "off-site" parking, 6 acres of utilities and an .11-acre cemetery site.

Water supply and wastewater treatment, and reclaimed water, when available, will be provided by Bonita Springs Utilities, Inc. The project buildout date is May 20, 2009.

B. **LEGAL DESCRIPTION:** The Pelican Landing DRI is located in Sections 05, 06, 07, 08, 09, 16, 17, 18, 20, and 21, Township 47 South, Range 25 East, and Sections 13 and

24, Township 47 South, Range 24 East, Lee County, Florida, as more particularly described in attached Exhibits A, B, C and D.

Exhibit A identifies the boundaries of the Pelican Landing DRI as located within unincorporated Lee County.

Exhibit B identifies the boundaries of the DRI located within the City of Bonita Springs, except the Spring Creek West DRI portion.

Exhibit C identifies the boundaries of the Spring Creek West DRI, which is located in City of Bonita Springs.

Exhibit D is a sketch of the legal descriptions, set forth in Exhibits A, B and C.

C. The DRI property is currently zoned AG-2, RS-1, RM-6, PUD, RPD, CPD, TFC-2 and RM-2; the property is partially developed.

D. The Application for Development Approval as modified by the settlement agreement was determined to be consistent with the requirements of Section 380.06, Florida Statutes.

E. The development is not located in an area designated as an Area of Critical State Concern under the provisions of Sections 380.05 and 380.06(14), Florida Statutes.

F. The proposed Development Order Amendment does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development plan applicable to the area. The development is consistent with the State Comprehensive Plan if developed pursuant to the conditions set forth herein.

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 pursuant to the provisions of Section 380.06, Florida Statutes. The development, as proposed in the Application for Development Approval (ADA) amended by subsequent Notices of Proposed Change, and as modified by this Development Order Amendment, is generally consistent with the report and the recommendations of the SWFRPC pursuant to Section 380.06(11).

H. The development is located in the Urban Community, Outlying Suburban and Resource Protection Areas classifications of the Lee Plan with the Privately Funded Infrastructure Overlay and is consistent with the Lee County Comprehensive Plan and Lee County's Land Development Regulations if subject to the conditions contained in this Development Order Amendment.

I. The proposed conditions below meet the criteria found in Section 380.06(15)(d), Florida Statutes.

J. In accordance with the Development Order condition Section III. Condition 16. herein, the lands within the Spring Creek West DRI were incorporated into this Development Order. Those lands described as the Spring Creek West DRI will only be subject to those terms and conditions set forth in the Eighth Development Order Amendment for the Spring Creek West DRI. They will remain applicable to the property known as the Spring Creek West DRI in the same manner as they are presently applicable, except that ~~one annual~~ a biennial monitoring report that includes both Pelican Landing and Spring Creek West DRIs must be submitted. Additionally the Spring Creek West DRI legal description has been included within the Pelican Landing DRI. Since the Spring Creek West land is part of an almost completely developed vested DRI, there is no reason to alter the conditions within the Spring Creek West DRI Development Order. The Spring Creek West property is vested under the terms and conditions of the Spring Creek West DRI Development Order, and this property will not be considered in any cumulative analysis of Pelican Landing in accordance with Section III Condition 16.

K. A portion of the DRI property has been included in the incorporated limits of the City of Bonita Springs pursuant to legislation adopted during the 1999 Legislative session. The property now located in the City of Bonita Springs lies within the area described in section 6 of the Committee Substitute for Senate Bill 2626, 1st Engrossed. Pursuant to Florida Statutes section 380.06(15)(h), a separate DRI development order must be adopted by the City of Bonita Springs that incorporates the rights and obligations specified in this development order as they affect property located within the city limits. Also pursuant to that section of the Florida Statutes, the Pelican Landing DRI development order adopted by the county must be amended to remove property now located in the City of Bonita Springs. Conditions pertaining to the adoption of an amended DRI development order for property remaining within unincorporated Lee County are set forth in Section II. L. of this development order.

II. ACTION ON REQUEST AND CONDITIONS OF APPROVAL

NOW, THEREFORE, LET IT BE ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, in public meeting duly constituted and assembled on December 4, 2006 that the proposed amendments to the Pelican Landing DRI Development Order are hereby APPROVED, SUBJECT TO the following conditions, restrictions and limitations.

For the purposes of this Development Order, the term "developer" or "Applicant" includes successors or assigns, and all references to County Ordinances and codes include future amendments.

A. **Historical/Archaeological Sites**

1. The Zenith Mound Archaeological Site (State Master File #8LL1436) and the Johnson Cemetery (State Master File #8111440) will be preserved in perpetuity and will

be recorded as "preserve" on all appropriate plats, site plans, and the Master Development Plan for Pelican Landing DRI.

2. If any additional archaeological/historical sites are uncovered during development activities, all work in the immediate vicinity of such sites will cease. The developer will immediately contact the Florida Department of State, Division of Historical Resources, the SWFRPC, and Lee County and advise them of the discovery. The developer will have a State-certified archaeologist determine the significance of the findings and recommend appropriate preservation and mitigation actions, if necessary.

B. Housing

1. There are no regionally significant housing impacts for the first planning horizon of the DRI Development Order, which ends on December 31, 1997. Utilizing supply data not adjusted to account for the fact that housing sells for less than the listed price, Planning Horizon II (January, 1998, through December 2002) would have an unmet need of 99 affordable units for very low income and no unmet need for low income households. Utilizing supply data adjusted to account for the fact that housing sells for less than the listed price, Planning Horizon II would have an unmet need of only 38 affordable housing units for very low income households and still no unmet need for low income households. The aforementioned data is based on the existing studies.

The supply adjustment figures mentioned above are based on actual sales prices relative to listed prices. Affordability thresholds for owner-occupied affordable housing are determined using PITI (Principal, Interest, Taxes, and Insurance) calculations methodology as outlined in the DCA 1991 Draft methodology.

2. The Southwest Florida Regional Planning Council, the Florida Department of Community Affairs, and Lee County accept the Developer's contribution of \$20,000.00 to assist existing and prospective employees within the Pelican Landing DRI to locate affordable housing. The \$20,000.00 will be contributed to the Lee County Affordable Housing Trust Fund by January 2, 1997. Lee County may use all, or a portion, of the funds to conduct a needs assessment study, and the County will commit to use SHIP funds to assist a minimum of 8 qualified employees within the Pelican Landing DRI obtain a home. Qualified employees must be first time home buyers, employed by a business located within the Pelican Landing DRI, including employees of WCI. The applicants for funding must meet the program guidelines including, but not limited to, income limitations and repayment obligations. The funds will only be used to provide interest free deferred payment assistance to qualifying home buyers for either closing costs or down payments associated with the purchase loan.

C. Hurricane Preparedness

1. The developer provided Lee County with the funds for the provision and connection of a portable diesel powered generator for the Gateway Elementary School. The generator must be equipped with a fuel tank, capable of generating enough power to handle

the demands of ventilation fans, lighting, life safety equipment (alarms and intercom), and refrigeration and cooking equipment. The developer will be responsible for the initial electrical hook-up costs. The selection of the generator will be in coordination with Lee County Emergency Management Staff.

2. The Lee County Emergency Management staff will act as a liaison between the developer and the Lee County School District staff, and will make all of the necessary arrangements for the location of the generator on Lee County School Board property.

3. The provision of the generator serves to mitigate the shelter and evacuation impacts of the project at buildout. Should Lee County ever adopt an impact fee, or other type of levy or assessment to provide funding for shelter space and improvements thereto, the developer will be entitled to a credit against the fee or levy in the amount of the cost of the generator, if eligible under the terms of that impact fee or levy.

4. The developer must notify all purchasers of real property within the residential portions of development, through the restrictive covenants, of the potential for storm surge flooding in feet above the Base Flood Elevation, according to the National Weather Services' storm surge model "SLOSH", and the National Flood Insurance Program.

5. The developer must prepare, in conjunction with Lee County Emergency Management and Division of Natural Resources staff, a brochure advising all marina owners of the measures that can be taken to minimize damage in the event of a hurricane. This brochure must address how boat owners can minimize damage to their vessels, the marina site, neighboring properties and the environment. The brochure must be provided to all boat owners and users at the marina.

6. Prior to the issuance of a Certificate of Occupancy for any Hotel, the developer or the hotel owner/manager must prepare a written hurricane preparation and evacuation/sheltering plan. This plan will be prepared in conjunction with Lee County Emergency Management Staff and must be coordinated with the hurricane evacuation plan for the overall DRI.

7. The Property Owner's Association must host an educational seminar, and will be responsible for obtaining the place for the seminar and for providing the invitations to the homeowners. The time will be coordinated with the Lee County Emergency Management staff, who will provide the education and information at the seminar and will advise the owners of the risks of natural hazards and the action they should take to mitigate the inherent dangers.

8. The developer must develop a hurricane evacuation plan for the DRI. The hurricane evacuation plan must address and include: a) operational procedures for the warning and notification of all residents and visitors prior to and during a hurricane watch and warning period; b) the educational program set forth in condition 7 above; c) hurricane

evacuation; d) the method of advising residents and visitors of hurricane shelter alternatives including hotels and public hurricane shelter locations; e) identification of the person(s) responsible for implementing the plan; and f) how the private security force will be integrated with the local Sheriff's personnel and the Division of Public Safety. The plan must be developed in coordination with the Lee County Emergency Management officials and found sufficient by those officials months after the effective date of the DRI Development Order. *Editorial note: The developer submitted an emergency plan to Lee County Emergency Management for review and approval. The plan must be re-submitted annually to address changes in the development parameters and changes in local hurricane evacuation and sheltering policies. The plan must comply with Lee County Administrative Code 7-7.*

9. The developer, and any successor landowner, will pay any All Hazards Tax properly levied by Lee County to provide for shelter space, upgrades to shelters, and to address other natural disasters.

10. Conditions C.1. through C.3. address the hurricane mitigation requirements for the initial 4050 units. The developer will mitigate the hurricane shelter impacts for units 4051 through 4400 by paying \$18.50 per unit to the Lee County Impact Fee Coordinator at the time of building permit approval. If the developer constructs an assisted living facility, the developer must comply with all aspects of Section 440.441(1)(b), F.S., as may be amended, including the preparation and submittal of a comprehensive emergency management plan that addresses emergency evacuation transportation and adequate sheltering arrangements for the ALF residents. The developer must update this plan annually. The County must use the funds paid pursuant to this condition to construct or upgrade hurricane shelter space in a location that will benefit the residents of the Pelican Landing Community. The eighteen dollar and fifty cents fee (1996 dollars) will be multiplied by the Dodge Data Service Building Cost Index for U.S. and Canadian cities for June 1 of each year subsequent to 1996, up to the time building permits are issued. This multiplier ensures payment of current dollars at the time the permits are issued. If the Building Cost Index is not available, the Consumer Price Index will be used instead, and applied by the method described above. If Lee County adopts an impact fee for hurricane shelters prior to, or during, the acquisition of building permits 4051 through 4400 then the Developer will pay the duly adopted impact fee, provided that fee is no less per unit than the per unit amount set out above, and this condition will have no further force and effect.

D. Marina Facilities

1. The developer must create a conservation easement precluding the construction of additional docking facilities beyond those specifically authorized in this Development Order. This conservation easement will be in addition to the 4,000-foot conservation easement already required in Spring Creek. The location and extent of the conservation easement will be contingent upon navigability of the waterway, and will be established in association with the Florida Department of Environmental Protection (FDEP) permits.

2. All docking and dry storage facilities must be constructed in accordance with the terms and conditions of any FDEP permit or lease, and in accordance with any Lee County dock permit.

3. The developer has constructed dock and channel markers within Estero Bay. The Lee County Division of Natural Resources Management will be permitted to mount regulatory signs on the docks and channel markers owned by the developer. Lee County will be responsible for insuring that the addition of the regulatory signs does not cause the developer to be in violation of any permit condition or FDEP, Coast Guard, or other agency regulation. The regulatory signs will remain the property and maintenance responsibility of the Lee County Division of Natural Resources Management.

4. The marina operator must dispense manatee awareness brochures to all users of the marina facilities. The brochures must also include information regarding channel locations, proper boating routes, and shallow water habitats to be avoided.

5. The developer and marina operator must insure that the marina lighting is directed away from adjacent mangroves and estuarine systems to reduce any negative impacts to the wildlife using these areas.

6. The marina operator will remove or cause to be removed from the marina any boat operator observed violating the guidelines set forth in the manatee awareness brochures or Lee County regulations regarding the protection of manatees.

7. The developer must designate and reserve one wet slip for the Florida Marine Patrol or the Lee County Sheriff's Special Response Unit, if needed by these agencies.

8. The shuttle boat captain and marina operator must keep a log of all manatee sightings. The log must reflect the locations, time and date of the sighting, the number of manatees, and the nature of their activity if it can be determined. The log should also note the name of the person recording the sighting. This information must be forwarded to Lee County and FDEP on a periodic basis.

9. The developer must construct an educational board on a Kiosk at the Beach Park. The educational board will be created in conjunction with the Lee County Division of Natural Resources Management, Marine Sciences Program and Turtle Time.

10. The developer will comply with all water quality monitoring requirements imposed by the FDEP and the SFWMD.

11. Any boat wash areas must have a closed loop system that captures and recirculates the water through a filtration or other acceptable system. Any boat repair and maintenance facilities must be in an enclosed, roofed, impervious surfaced area to limit the run-off of contaminated water during a storm event.

12. Once a year the marina operator must host an Educational and Hurricane Preparedness Workshop for all tenants in the wet slip area. The marina operator will provide the facility for the seminar and must insure that all tenants are invited. The marina operator will establish the date and time for the workshop in conjunction with Lee County Emergency Management and the Lee County Division of Natural Resources Management, Division of Marine Sciences. Lee County will provide a trained representative who will educate the tenants on natural resources awareness, manatees, safe boating practices and on proper procedures, prior to and during a hurricane.

13. The dry storage facilities must be located in a building or structure that is designed and constructed to meet all requirements of the Standard Building Code, as adopted by Lee County.

E. Vegetation and Wildlife/Wetlands

The developer has conducted Protected Species surveys in accordance with the Florida Game and Fresh Water Fish Commission (FGFWFC) [now known as the Florida Fish & Wildlife Conservation Commission (FWC)] guidelines and the Lee County Land Development Code. These surveys identified the presence of the following protected species: bald eagle, wood stork, little blue heron, tricolored heron, reddish egret, snowy egret, white ibis, piping plover, Southeastern snowy plover, least tern, American oystercatcher, black skimmer, brown pelican, Atlantic loggerhead sea turtle, and gopher tortoise. The Baywinds parcel has existing environmental permits that remain valid as of the date of the Seventh Development Order Amendment. These permits are based on the plan of development shown on the local Development Order Approval No. 95-12-068.00D. Some improvements were made pursuant to those permits. Future improvements to the Baywinds parcel must be consistent with the conditions set forth in those permits as may be amended.

1. There were three bald eagles' nests of concern prior to the original development order adoption. One nest was on the Pelican Landing property in the Eco Park. The other two nests were originally within 1500 to 1600 feet of Pelican Landing. One of these other nests was located on the Kersey parcel and declared abandoned by the USFWS in July 1998. The buffers that affect Pelican Landing property were established in an on-site eagle habitat management plan addressing the Pelican Landing property only.

Prior to any new development within 1500 feet of any active eagle nest other than the nest located within the Eco Park, the Developer must prepare an on-site eagle management plan, addressing the Pelican Landing DRI property only, that will be reviewed by DCA, SWFRPC, FWC Lee County, and USFWS. The agencies must provide specific written objections or concerns if any, regarding any new proposed management plan and indicate how those concerns can be addressed by the developer.

The Developer will revise the management plans to respond to any lawful

objections. The agencies will review and respond to the management plan resubmittal. The agencies will provide a written response to Lee County and the Developer, which reflects that there is no objection to the management plan or outlines specific objections and concerns. The agency response will indicate how any concerns or objections can be addressed by the developer. Lee County and DCA will have the final approval authority. If a proposed management plan includes development within 750 feet of an active eagle's nest, the plan must also be submitted to the Lee County Eagle Technical Advisory Committee (ETAC). ETAC will review the plan and forward recommendations to the FWC and USFWS.

2. A local development order for the Hickory Island Beach Park has been issued to permit construction of beach park infrastructure. This local development order includes a protected species survey and phased Preliminary Management Plan (PMP). The PMP incorporated Lee County Division of Natural Resources Management (DNRM) and Florida Game and Fresh Water Fish Commission (FGFWFC) recommendations.

The PMP required the developer to provide the County with a conservation easement over the entire parcel, except for the active building areas approved through the local development order. The PMP permitted a refinement of the conservation easement boundaries after completion of a one year utilization study. The final conservation easement is consistent with the provisions of Section 704.06, Florida Statutes. For the purpose of this DRI Development Order, Section 704.06, F.S. will not preclude educational signage, and signage and land management activities required by the management plan, including but not limited to the removal of exotic vegetation.

The objectives of this one year study were: 1) determine shorebird utilization of land under Developer's ownership based on detailed surveys and prepare a shorebird management plan, 2) analyze beach vegetation and prepare a maintenance plan, and 3) monitor beach use by Pelican Landing visitors. Additionally, the PMP requires surveys for identification and protection of sea turtle nests, the construction of three osprey platforms, and a review of the elements of the overall plan to be conditioned on the DRI Development Order.

The Developer submitted a Final Management Plan to Lee County, FGFWFC, and DCA within 18 months of the effective date of the DRI Development Order, on November 14, 1994. Lee County, FGFWFC, and DCA reviewed the management plan. Lee County approved this plan and its implementation was certified in October 1996.

3. The projected gopher tortoise burrow count for the original Pelican Landing DRI area was 439, based on an estimate of FGFWFC habitat guidelines, a minimum of 75 acres of gopher tortoise habitat must be protected.

The Developer has set aside a 78±-acre area of xeric scrub and pine flatwoods to mitigate the impacts to the upland gopher tortoise habitat for the original Pelican Landing DRI land area. This area is known as the Pelican Landing Eco-Park. The Eco-Park

area contains significant portions of the xeric oak habitat existing on the original Pelican Landing DRI site.

A Gopher Tortoise Population Study and Management Plan was submitted to the Florida Game and Fresh Water Fish Commission on or about December 22, 1993 for the original Pelican Landing DRI. A new protected species survey was conducted in March and April of 1998 on the addition to the Pelican Landing DRI known as the Kersey-Smoot parcel. The new survey revealed the presence of 114 active and inactive gopher tortoise burrows on 70 acres. A protected species survey was conducted in 1990 and February 1996 on the Baywinds parcel. The survey revealed the presence of 28 active and inactive gopher tortoise burrows on 15.41 acres. The Developer has an Incidental Take Permit for the new gopher tortoise burrows located outside of the Eco-Park in the undeveloped Kersey-Smoot and Baywinds parcels. The Developer obtained an Incidental Take Permit prior to proceeding with development within the gopher tortoise habitat areas. Prior to the start of construction, all gopher tortoise burrows within the development areas must be excavated and any resident gopher tortoises, or commensal species, relocated to open spaces within the Pelican Landing DRI.

Impacts to gopher tortoise habitat within the Kersey-Smoot and Baywinds parcels have been mitigated through incidental take funds paid to the FWC for the purpose of regionally significant gopher tortoise habitat.

The applicant and the Florida Fish and Wildlife Conservation Commission (FWC) have had considerable discussion regarding the modifications and refinements to the existing 78-acre Eco-Park boundaries. The addition of the eastern 140-acre "Skebe Tract", of which 63.24 acres will be added to the Eco-Park, will provide for an 81% increase in the overall size of the Pelican Landing Eco-Park.

The new Eco-Park configuration will delete the southern-most ± 22 acres, while adding new lands to the park area within the confines of the "Skebe Tract". An overall increase (net gain) of ± 11 acres of upland habitat, plus 52.24 additional acres of forested wetland acreage will increase the overall size of the revised Eco-Park boundaries to approximately 141.45 acres.

Any active or inactive gopher tortoise burrows found within the Eco-Park deletion zone or the new golf lands of the eastern portion of the "Skebe Tract" will be excavated to search for activity. Any tortoises found will be relocated to the modified Eco-Park boundaries, pursuant to the Eco-Park Reconfiguration Plan, authored by Wilson, Miller, Inc., and accepted by the FWC. The initial Gopher Tortoise Incidental Take Permit LEE-9 must be modified by the FWC in order to adopt the Eco-Park Reconfiguration for both the existing Eco-Park south deletion area, the "Skebe Tract" addition to the Eco-Park, and the inclusion of a portion of the "Skebe Tract" in the development area.

A revised perpetual Conservation Easement will be recorded in the Lee

County records, pursuant to the revised boundaries of the Eco-Park. The delete ±22 acres will be formally released from the Conservation Easement by the FWC.

4. All areas designated as Preserve on the adopted Map H must remain undeveloped and be owned, maintained, and managed by an Improvement District or a similar legal entity. No lot lines will be allowed within any preserve areas. The following uses are permitted within Preserves: habitat management activities, hiking and nature study, outdoor education, recreational fishing, gates and fencing, and boardwalks limited to pedestrian use. Trimming of mangroves for residential visual access to Estero Bay or Spring Creek is prohibited in wetland areas #14 and #21 (as identified in DRI ADA), and Bay Cedar Phase II (along Spring Creek), and any saltwater wetlands abutting the Kersey-Smoot and Baywinds parcels. However, minor mangrove trimming is permitted within the vicinity of the clubhouse on the Baywinds parcel to provide a limited view of the Estero Bay. The scope of the developer's DEP application request for minor trimming is subject to the review and approval of Lee County Division of Planning, Environmental Sciences staff. All trimming activity will be subject to the wetland regulatory permit approvals.

The Developer has granted a conservation easement consistent with Section 704.06., Florida Statutes for the Eco-Park to the FGFWFC. The conservation easement was drafted to allow use of the Eco-Park for resource-based recreational activities, enjoyment of nature and education enrichment, including, but not limited to: Picnic areas, trails, benches, boardwalks, biking/jogging trails, vita courses, bird viewing blinds/towers and interpretative facilities, signs, on-going maintenance and removal of exotic vegetation and compliance with the management plan required per the FGFWFC. Educational and directional signage are permitted within the Eco-Park. For the purposes of this DRI D.O. the prohibition of signage included within Section 704.06, Florida Statutes applies to off-site signs and billboards. The removal of exotics, controlled burns and the maintenance of the vegetation in accordance with the Eco-Park management plan will be permissible in the conservation easement notwithstanding the provisions of Section 704.06, Florida Statutes prohibiting the destruction of trees. A paved golf cart path, a wooden golf cart bridge across Halfway Creek, a buried irrigation line to be under the path and bridge, and a buried outfall pipe for a surface water management system will be located within the Eco-Park.

5. Should any orchids, wild pine air plants, Florida Counties, Catesby's lilies, leather ferns, royal ferns, or cabbage palms with gold polypody and shoestring ferns be located within development areas, best efforts must be used to relocate these plants to open space and landscaped areas.

6. As part of local development order approval for any phase of the development, an invasive exotic vegetation removal and maintenance plan must be submitted to the Division of Natural Resources Management for approval. At a minimum, this plan must be structured to provide for the phased removal of invasive exotic vegetation and maintenance to control exotic re-invasion within the wetland and upland preserve areas. Removal within preserve areas may be done on a pro rata basis as phased local development

orders are obtained.

7. The existing Pelican's Nest golf course includes native vegetation along the rough and between golf holes. The applicant must continue to incorporate the native vegetation into the design of future golf holes, where feasible. Native vegetation has been retained on individual lots and between tracts in the existing developed area of Pelican Landing. Where feasible, the applicant will continue to incorporate native vegetation into the open space and landscaped areas.

8. The applicant must design the golf course and conduct maintenance, which includes fertilization and irrigation, in a manner that is sensitive to the water and nutrient needs of the native xeric vegetation in and around the golf course. However, this condition will not be interpreted in a manner that forces the applicant to jeopardize the health and viability of the golf course.

9. Upon approval of the management plans referenced above, the approved management practices will be considered a part of this development order for reinforcement purposes, and be enforceable in the same manner as a condition of this development order.

10. This project may result in the filling of not more than 13.25 acres of wetlands. The mitigation for the impact to wetlands will be determined at the time of final permitting, but the mitigation should include the removal of exotic invasive plants, the restoration of historic hydro periods, and a total of not more than ten acres of littoral zone plantings. The mitigation for wetland impacts to the Baywinds parcel was determined prior to the inclusion of the property into the Pelican Landing DRI as part of the environmental and local government permitting. The mitigation was based on the plan of development reflected in Lee County Development Order 95-12-068.00D. Changes to the plan of development that include additional wetland impacts may necessitate modification to the environmental and local government permitting.

F. Solid/Hazardous/Medical Waste

1. All storage, siting, and disposal of hazardous wastes and hazardous materials must be accomplished in accordance with federal, state, and local regulations. The business owner/operator is responsible for compliance with all permitting, reporting, emergency notification provisions and other regulations relating to hazardous materials and hazardous wastes.

2. All business owners and operators must insure that regulated substances are loaded, off-loaded and stored in an area that is curbed and provided with an impervious base. The impervious base must be maintained free of cracks and gaps so as to contain any spills or leaks.

3. Outdoor storage of hazardous waste is prohibited.

4. Restaurants must be outfitted with grease traps or approved equivalent systems. The owner/operators of any restaurant must follow all applicable codes and regulations for cleaning and maintaining grease traps.

5. If any hotel pool utilizes gaseous chlorine, the pool must be equipped with chemical sensors, alarm devices, or other comparable equipment. The hotel owner/operator is responsible for compliance with this requirement and notice of this responsibility/obligation must be included on all deed transfers or lease agreements.

6. Any business that generates hazardous waste defined by the Code of Federal Regulations 40 CFR Part 261, must notify the Division of Natural Resources Management for an assessment as required by Section 403.7225, Florida Statutes. This assessment will address any deficiencies in the management practices of hazardous waste generated at the facility.

7. The developer, or any subsequent owner of the golf course, must insure that the golf course maintenance equipment is handled in accordance with all federal, state and local regulations. Specifically, the developer will insure that all wash down facilities comply with FDEP rules regarding chemical residue, and insure the continued recycling of motor oil from maintenance equipment, and insure recycling of used motor oil, used oil filters, anti-freeze, lead acid batteries, cleaning solvents, shop rags, and aerosol cans.

8. The developer must investigate the feasibility of mulching trees and brush for on-site needs.

9. The developer/property owner of each commercial parcel which will be used to store, manufacture or use hazardous materials, must contact the Lee County Office of Emergency Management, Hazardous Material Representative, prior to obtaining a development order, to discuss the proposed development in relation to potential type, and storage of hazardous materials located on the premises.

10. If required by federal, state or local regulations:

a. The developer/property owner must prepare or have available material safety data sheets (MSDS) and submit either copies of MSDS or a list of MSDS chemicals to the appropriate fire department or district and to the Lee County Division of Public Safety.

b. The developer/property owner must establish an emergency notification system to be used in the event of a hazardous material release.

G. Storm Water Management

1. The surface water management system must be designed, constructed

and operated in accordance with the pertinent provisions of Chapters 373 and 403, Florida Statutes; Chapter 40E, Florida Administrative Code; and the South Florida Water Management District (SFWMD) "Basis of Review", and any pertinent local regulations regarding the design, construction and maintenance of the surface water management system. This condition applies to anyone obtaining a local Development Order within Pelican Landing. The Bayside Improvement District (a district formed pursuant to Chapter 190, Florida Statutes), must insure that the portion of the system under the ownership and control of the district is operated in accordance with the pertinent portion of the regulatory provisions cited above, and any permit (construction or operation) issued by the SFWMD. Individual lot owners with on-site wetlands or Storm water retention or detention areas under their control must comply with the pertinent portion of the regulatory provisions cited above and any permit issued by the SFWMD.

2. Water Control Structures must be installed as early in the construction process as practicable to prevent over-drainage or flooding of preserved wetland areas. If the SFWMD establishes a construction schedule or scenario that is contrary to this condition, the permit requirement of SFWMD will control.

3. Any shoreline banks created along on-site Storm water wet detention lakes must include littoral zones constructed consistent with SFWMD requirements. The shoreline banks must be planted in native emergent and submergent vegetation. The developer must establish and maintain, by supplemental planting if necessary, 80 percent cover by native aquatic vegetation within the littoral zone for the duration of the project. The littoral zone will include, at a minimum, the area between high water and ordinary low water.

4. The Bayside Improvement District, and/or all property owners, must undertake a regularly scheduled vacuum sweeping of common streets, sidewalks and parking facilities within the development.

5. The developer must implement the best management practices for monitoring and maintenance of the surface water management systems in accordance with Lee County and South Florida Water Management District guidelines.

6. The SFWMD must establish all internal surface water management and wetland systems. The developer must set aside all internal surface water management and wetland systems as private drainage easements, common areas, or preserves. These areas must also be identified as specific tracts on the recorded final plat or some other legally binding document acceptable to the County Attorney's office.

7. The Baywinds parcel must be developed in accordance with the following permits: Water Management permit numbers 36-02043-S-02 and 36-02043-S, ACOE permit number 89IPD-20127 and the letter of permission to continue work authorized in the original permit, LOP #1989001127, and FDEP permit number 36293225. These permits were granted based on the plan of development reflected in Lee County Development Order No. 95-12-068.00D. These permits may be modified, updated or replaced as required by law.

Changes to the local development order may also require modification of the referenced permits.

H. Transportation

1. Significant Impact

a. The traffic impact assessment for this project assumes the development parameters and land uses shown in Exhibit F, "Pelican Landing DRI Development Parameters." The assessment indicates that the significantly impacted roadways and intersections described below will be operating below acceptable levels of service at the end of Planning Horizon I (1997) and buildout (2009). Each annual monitoring report, described in Paragraph 4, must reflect whether the roadways and intersections described below are significantly impacted or are projected to be significantly impacted by this project in the following year.

b. The Pelican Landing DRI is projected to significantly and adversely impact (as defined by Lee County Administrative Code) the following roadways and intersections:

<u>Planning Horizon I (1997)</u>	<u>Needed Improvement</u>
US 41/Corkscrew Road	- Signal retiming
US 41/Williams Road	- Signalization, if warranted
US 41/Coconut Road	- Signalization, if warranted
US 41/Pelican Commercial Entrance	- Northbound left turn lane
	- Southbound right turn lane
	- Eastbound right turn lane
US 41/North Pelican Entrance	- Northbound left turn lane
	- Southbound right turn lane
	- Eastbound left and right turn lanes
	- Signalization, if warranted
US 41/Pelican Landing Parkway/Old 41	- Southbound dual left turns
	- Signal retiming
US 41/Pelican's Nest Drive	- Northbound left and right turn lanes
	- Southbound left and right turn lanes
	- Eastbound left and thru/right lanes
	- Westbound left and thru/right lanes
	- Signalization, if warranted
US 41/Terry Street	- Signal retiming
US 41/Bonita Beach Road	- Signal retiming
Coconut Road/Spring Creek Road	- Separate NB left & right turn lanes
	- Separate EB thru and right turn lanes
	- Separate WB thru and left turn lanes

Buildout (2009)

Corkscrew Road

- Three Oaks Parkway to 1-75

Old 41

- Bonita Beach Road to Terry St.

- Widen to 4 lanes
- Constrained (no widening possible; maximum v/c ratio of 1.85 per 1993 Lee Plan Policy 22.1.9)

US 41

- Immokalee Road to Old 41

(Collier County)

- Bonita Beach Road to West Terry Street

- West Terry Street to Pelican's Nest Drive

- Coconut Road to Williams Rd.

- Constitution Boulevard to Alico Road

- Widen to 6 lanes
- Widen to 6 lanes
- Widen to 6 lanes
- Widen to 6 lanes
- Widen to 6 lanes

US 41/Corkscrew Road

- Separate EB left and thru/right lanes
- Westbound dual left turn lanes
- Signal retiming
- Signalization, if warranted
- Separate EB left and right turn lanes
- Signalization, if warranted

US 41/Williams Road

US 41/Coconut Road

US 41/Pelican Commercial Entrance

- Northbound left turn lanes
- Southbound right turn lane
- Eastbound right turn lane

US 41/North Pelican Entrance

- Northbound left turn lane
- Southbound right turn lane
- Eastbound left and right turn lanes
- Signalization, if warranted

US 41/Pelican Landing Parkway/Old 41

- Southbound dual left turn lanes
- Northbound dual left turn lanes
- Eastbound thru/right turn lane
- Westbound two thru lanes
- Signal retiming

US 41/Pelican's Nest Drive

- Northbound left and right turn lanes
- Southbound left and right turn lanes
- Eastbound left and thru/right lanes
- Westbound left and thru/right lanes
- Signalization, if warranted

US 41/Terry Street	- Northbound dual left turn lanes
	- Separate WB thru and right turn lanes
	- Signal retiming
US 41/Bonita Beach Road	- Signal retiming
Coconut Road/Spring Creek Road	- Separate NB left and right turn lanes
	- Separate EB thru and right turn lanes
	- Separate WB thru and left turn lanes

2. Mitigation

a. The developer will pay impact fees as defined in the Lee County Land Development Code to mitigate Pelican Landing's transportation impacts on the non-site related roads and intersections set forth in Section H.1.b. above. Road Impact Fees are estimated to be \$8,900,000 for the land uses identified in Exhibit F. Road Impact Fee payments represent the DRI's proportionate share payment for all road and intersection improvements identified in Condition H.1.b. as significantly impacted by this project and operating below the adopted level of service standard by 2009. Estimated Road Impact Fees from this project exceed the community's estimated proportionate share dollar amount of all significantly impacted roadway improvements.

If the Land Development Code Chapter governing Impact Fees is repealed, reduced, or made unenforceable by court petition, the Pelican Landing DRI will continue to pay, per individual permit, an amount equivalent to Road Impact Fees prior to such repeal, reduction or court petition. If payment is not made consistent with that schedule, then a substantial deviation will be deemed to occur, and the traffic impacts of Pelican Landing DRI must be reanalyzed to determine appropriate alternative mitigation prior to the issuance of further building permits for the Pelican Landing DRI.

All road impact fee monies paid by the Pelican Landing DRI after adoption of this DRI Development Order will be applied by Lee County toward the non-site related improvements included in Transportation Condition H.1.b., provided those improvements are deemed necessary to maintain the adopted level of service standards and are included in the County's Capital Improvement Program. Should the identified improvements be funded through other sources, in whole or in part, or deemed unnecessary to maintain the adopted level of service standards, Lee County may apply any Pelican Landing impact fees not required for those specific improvements to other improvements consistent with the requirements of the Lee County Land Development Code.

b. If through the local development approval process, the developer constructs, with the approval of the Lee County DOT, an intersection or roadway improvement identified in Paragraph H.1.b., those improvements may be eligible for Road Impact Fee credits. The determination of whether such credits will be granted will be made consistent with the procedures outlined in the Land Development Code.

c. The developer must dedicate 60 feet of right-of-way for Burnt Pine Drive North, from Pelican Landing Parkway to Coconut Road, a distance of 6,926 feet; and for Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive, a distance of 2,326 feet. The developer must construct, as a two-lane access road, Burnt Pine Drive North from Pelican Landing Parkway to Coconut Road, and Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive. Credits, if any, for the right-of-way dedication and construction identified above will be issued consistent with the procedures outlined in the Land Development Code. Dedication of the roadway right-of-way and construction of Burnt Pine Drive will occur as follows:

1) Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive: coincident with the Certificate of Compliance for the commercial parcel located in the northeast quadrant of the intersection of Burnt Pine Drive South and Pelican's Nest Drive.

2) Burnt Pine Drive North from Pelican Landing Parkway to Pelican Landing North Entrance: under construction no later than December 31, 1998.

3) Burnt Pine Drive North from Pelican Landing North Entrance to Coconut Road: should be under construction no later than December 31, 1999.

d. The developer agrees to reserve 25 feet of additional right-of-way along the south side of Coconut Road from US 41 west to Spring Creek Road to ensure that improvements to Coconut Road are not precluded. Such right-of-way will be dedicated to Lee County if and when requested. Credits, if any, for the right-of-way dedication will be granted at the time of dedication, and must be consistent with the Land Development Code in effect at that time.

e. As a mitigation option, the developer may, with the concurrence of Lee County, make an advance payment of a portion of Pelican Landing's total Impact Fees up to 2 million dollars. Lee County would then utilize the advance payment to accelerate the Project Design & Environmental (PD&E) Study for US 41 from the Collier County line to San Carlos Boulevard. The PD&E Study is currently scheduled in FDOT's Tentative Five Year Work Program for fiscal year 1998/99 (WPI #1114700).

3. Access and Site-Related Improvements

a. The developer will be fully responsible for site-related roadway and intersection improvements required within the Pelican Landing DRI. The developer must pay the full cost for any site-related intersection improvements (including but not limited to signalization, turn lanes and additional driveway through lanes) found necessary by Lee County or the Florida Department of Transportation (FDOT) permitting requirements for the Community's access intersections on US 41, Coconut Road and Spring Creek Road.

b. The Pelican Landing DRI site access points will be located and

developed consistent with the Florida DOT's access management classification for US 41, unless otherwise approved by the Florida DOT. Improvements to those access points will be consistent with the Department's permitting requirements.

c. Site-related improvements will be as defined in the Land Development Code.

d. Except for Spring Creek Road and Coconut Road, all roads located within Pelican Landing will be maintained by the Bayside Improvement District (BID), a properly constituted and designated property owners association or other appropriate entity, unless subsequently dedicated to and accepted by Lee County.

4. Annual Traffic Monitoring Report

a. The developer will submit ~~an annual~~ biennial traffic monitoring report to the following entities for review and approval: Lee County, the Florida Department of Transportation (FDOT), the Florida Department of Community Affairs (FDCA), and the Southwest Florida Regional Planning Council (SWFRPC).

The first monitoring report will must be submitted ~~one year after the date of the issuance of this DRI Development Order by December 31, 2007~~. Reports must be submitted ~~annually~~ biennially thereafter until build out of the project.

b. The monitoring report will be designed in cooperation with the Lee County Department of Transportation, FDOT, the SWFRPC and the FDCA prior to the submittal of the first report. The methodology of the ~~annual~~ traffic monitoring report may be revised if agreed upon by all parties.

c. The ~~annual~~ traffic monitoring report must contain the following information:

(1) P.M. peak hour existing volumes and turning movement counts at all site access onto US 41 and Coconut Road, and a comparison to the project trip generation assumed in the DRI analysis.

(2) For existing conditions and a one-year projection, P.M. peak hour peak season turning movement counts, Pelican Landing's estimated share of traffic, and an estimated level of service for the intersections identified in Paragraph H.1.b. as impacted by this project.

(3) For existing conditions and a one-year projection, P.M. peak hour peak season traffic counts, Pelican Landing's estimated share of traffic, and an estimated level of service for the roadway links identified in Paragraph H.1.b. as impacted by this project through build out.

(4) An estimate of when the monitored roadways and

intersections will exceed adopted levels of service.

(5) A summary of the status of road improvements assumed to be committed in the ADA, including the following:

<u>Roadway</u>	<u>Segment</u>	<u>Improvement</u>	<u>Schedule</u>
Pelican's Nest Dr.	Pelican's Nest to US 41	0 to 2	Planning Horizon I (1997/98)
Corkscrew Road	1-75 to Treeline Ave.	2 to 4	Planning Horizon I (1997/98)
US 41	Alico Rd. to Island Park Rd.	4 to 6	Planning Horizon I (1997/98)
US 41	Island Park Rd. to south of Daniels Parkway	4 to 6	Planning Horizon I (1997/98)
Bonita Beach Road	Hickory Blvd. to Vanderbilt	2 to 4	Planning Horizon I (1997/98)

(6) A summary of the roadway and intersection improvements listed in Paragraph H.1.b. that have been constructed, and the program status of the remainder.

d. If the ~~annual~~ monitoring report confirms that the peak season P.M. peak hour traffic on the significantly impacted roadways exceeds the level of service standards adopted by Lee County, or is projected to exceed the adopted level of service standards adopted by Lee County within the forthcoming 12 months, and if the project is utilizing more than 5% of LOS "D" service volume during peak hour peak season traffic conditions, then further local development orders, building permits and certificates of occupancy may not be granted until the standards of the County's concurrency management system have been met. This means that adequate district-wide level of service capacity must be available through 1999. After 1999, significantly impacted individual links must be operating at the adopted level of service, or an improvement to achieve the adopted level of service is scheduled for construction in the first three years of an adopted local government capital improvement program or state work program.

e. If the ~~annual~~ traffic monitoring report confirms that the peak season P.M. peak hour traffic on the segment of US 41 in Collier County from Immokalee Road to Old US 41 exceeds the level of service standard adopted by Collier County and if the project is utilizing more than 5% of level of service D service volume during peak hour, peak

season traffic conditions, then further building permits may not be granted until the subject roadway segment is committed for construction by the Florida Department of Transportation and/or Collier County.

f. In the event the developer confirms that no additional development occurred on any portion of the site for the year, even after the approval of a local development order, they may submit a Letter of "No Further Transportation Impact" in lieu of fulfilling the transportation monitoring portion of the ~~Annual~~ Biennial Monitoring Report.

I. Wastewater Management/Water Supply

1. The developer or the Bayside Improvement District must obtain a South Florida Water Management District Water Use Permit, or a Modification to an existing Consumptive Use Permit for any water withdrawals, and for dewatering activities proposed in connection with on-site construction that does not qualify for a No Notice General Permit, under Rule 40E-20.302(4), F.A.C.

2. Builders within Pelican Landing must utilize ultra low volume plumbing fixtures, self-closing or metered water faucets, and other water conserving devices/methods consistent with the criteria outlined in the water conservation element of the Bonita Springs Utilities, Incorporated, SFWMD Water Use Permit or the water conservation element of any other approved utility provider utilized by the Development.

3. Developers must utilize xeriscape principles in the landscape design of the project to further the conservation of nonpotable water.

4. If reclaimed water is available for use within the project to address a portion of the project's irrigation demands, the developer or Bayside Improvement District, as appropriate, must ensure that on-site lakes, wetlands, and the surface water management system are protected in accordance with the requirements of the SFWMD and FDEP.

5. The developer must provide written assurance that any hazardous commercial effluent, generated by the project, will be treated separately from domestic wastewater, and handled in accordance with FDEP regulations.

6. Except for temporary septic tanks for construction trailers or for sales offices/models, septic tanks are prohibited.

7. All potable water facilities, including any on-site potable water treatment system, must be properly sized to supply average and peak day domestic demand, as well as fire flow demand. The facilities must be constructed and sized in accordance with all pertinent regulations of the FDEP, Lee County, and any Fire Control District with jurisdiction.

8. All irrigation systems constructed for the golf course, landscaped areas and commercial/office portions of the project must be designed to accommodate effluent for irrigation use. Reclaimed water, to the extent it is available, must be used to address

irrigation needs. The remaining demand will be satisfied through approved groundwater or surface water withdrawals. Reclaimed water must be used in accordance with all applicable regulations.

J. Police and Fire Protection

1. Construction must comply with the fire protection requirements of all building, development, and life safety codes adopted by Lee County.
2. Facilities qualifying under the Superfund Amendments Reauthorization Act (SARA) Title III and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, must file hazardous materials reporting applications in accordance with Sections 302 and 312. Each reporting facility must update these applications annually.
3. The developer must provide for the emergency medical service impacts and fire protection impacts generated by the proposed development as defined by Lee County regulations.
4. If access to development is through a security gate or similar device that is not manned 24 hours per day, the developer must install an override switch in a glass-covered box for use by emergency vehicles, or a comparable system that permits emergency vehicles to access the project. The parking lot for the beach parking lot is required to be gated or closed by the zoning resolution. The gate, chain or other device to prohibit access to the parking lot after hours will be unmanned, and the override system required by this condition does not apply to the parking lot gate, chain, or other device.
5. The project's impact on fire protection and rescue service delivery will be met by the ad valorem taxes, EMS impact fees and fire impact fees.

K. Interface Zone

1. The Developer will design, develop, and maintain any golf course constructed adjacent to the mangrove fringe area of Estero Bay in accordance with condition 14 a. through l. of Resolution Number Z-94-014. Adjacent to the mangrove fringe means any golf course constructed within 500 feet of the mangrove fringe.
2. The Developer will employ management strategies to address the potential for pesticide/chemical pollution of groundwater and surface water receiving areas, including but not limited to, Estero Bay, the mangrove fringe and any transition zone wetlands of Estero Bay, that may result from the development of a golf course and water management area within 500 feet of the mangrove fringe of Estero Bay.
3. The management practices that the Developer will follow are as follows:
 - a. The use of slow release fertilizers and/or carefully managed

fertilizer applications that are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater.

b. The practice of integrated pest management (IPM) when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The IPM program will minimize, to the extent possible, the use of pesticides, and will include the use of the USDA-SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for leaching or loss due to runoff depending on the site specific soil conditions. Application of pesticides within 100 feet of the jurisdictional mangrove system is prohibited.

c. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.

4. The Developer will prepare a management plan for the application of herbicides, pesticides, and fertilizers on the original Pelican Landing DRI golf course adjacent to the mangrove fringe of Estero Bay. This plan must be amended to include the Kersey-Smoot parcels prior to the application of any herbicides, pesticides and fertilizers to the proposed golf course. The amended management plan must: include a groundwater and surface water monitoring plan; provide for testing to assess whether there are any herbicide, pesticide, or fertilizer pollution of the water within the area of the golf course located within 500 feet of the mangrove fringe; identify the locations for the groundwater monitoring and testing on a map(s); and, set forth the testing and reporting requirements. The developer will submit the test reports with the annual monitoring report. The monitoring program will be established and operated at the expense of the Developer, the Bayside Improvement District, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., Water Quality Standards.

5. The Developer will submit a written amended surface and groundwater quality management plan to Lee County and DCA. The amended plan must be approved by DCA prior to the application of chemicals to the proposed golf course. The DCA will have 30 working days to review the management plan and approve or object to the plan in writing. The objections must be based on valid rules and regulations, and must identify how the

concerns or issues can be addressed by the developer. The Developer must resubmit a revised water quality management plan to address the valid objections. DCA will have 30 days in which to review any revised management plan and must provide written comments or approval in the same manner as for the original management plan. Should DCA fail to provide a written response within the prescribed time frames, the plan will be deemed approved.

6. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course adjacent to the mangrove wetlands, the application of the pollutant must cease until there is a revised management plan for the application of the pollutant. A determination that the application of fertilizers, herbicides or pesticides to the golf course are the cause and source of the pollution must be based on competent and substantial evidence. If mitigation is necessary to address the pollution, a mitigation plan approved by DCA will be implemented by the developer. The mitigation plan will be based on rules and regulations in effect at the time the plan is reviewed and approved. The approved mitigation plan will be enforceable as a condition of the Development Order.

7. The mangrove wetland jurisdiction line of Estero Bay will be buffered from the proposed golf course by a 100-foot-wide undisturbed naturally vegetated corridor, except for water management facilities permitted by the SFWMD and except for the removal of exotic plants as required by Lee County. The 100-foot-wide buffer area will run along the portion of the golf course that abuts the mangrove wetlands of Estero Bay south of Coconut Road.

The mangrove line for the Kersey-Smoot and Johnson (Government Lot 1, Parcel 3) parcels is offset 50 feet, to over 250 feet west of the wetland jurisdictional line delineated along the western (Estero Bay) side of the Kersey-Smoot parcels. No portion of the proposed golf course may be located closer than 100 feet to this mangrove line. To maintain the existing natural mangrove setbacks, no impacts are permitted to the wetlands on the western (Estero Bay) side of the Kersey-Smoot parcels. This includes both saltwater and freshwater wetlands contained within the boundary of the wetlands jurisdictional line. The proposed golf course fairways, tees and greens must be set back a minimum of 25 feet from all wetland jurisdictional lines on the Kersey-Smoot and Johnson parcels, except where wetland impacts have been permitted by the SFWMD and the Army Corps of Engineers. Water management facilities permitted by the SFWMD and the removal of exotic vegetation, subject to Lee County regulations, are allowed within all wetlands on the Kersey-Smoot and Johnson parcels.

8. All of the Interface Zone conditions will be interpreted and applied with the understanding that water quality is regulated by the DEP and the SFWMD. None of the Interface Zone conditions will be interpreted in a manner which is contrary to Section 403.021, Florida Statutes, the Florida Air and Water Pollution Control Act, and the rules adopted thereunder.

9. The Interface Zone conditions will not be interpreted in a manner contrary to public policy directives to utilize domestic reclaimed water. Pelican Landing will not be responsible for any harmful pollutants applied to the golf course via the reclaimed water, unless Pelican Landing has actual knowledge that the reclaimed water provided by the utility contains harmful pollutants.

10. The conditions set forth in this DRI Development Order do not preempt the authority of the SFWMD and the DEP. Section 373.016, Florida Statutes provides that the legislature has vested the authority in the DEP/SFWMD to accomplish the conservation, protection, management, and control of the waters of the state. To the extent that any requirements of DCA, SWFRPC, or Lee County pursuant to this DRI Development Order are contrary to those of the SFWMD/DEP, in areas where the SFWMD and DEP have been given preemptive authority, the requirements of the SFWMD and the DEP will control.

L. Dual Jurisdiction

The Pelican Landing DRI is located within two jurisdictions, namely Lee County and the City of Bonita Springs. For State review purposes, the DRI will be considered an integrated and whole development, such that all approvals for development under the DRI Development Order will be applicable to the entire Pelican Landing DRI without regard to the jurisdictional split.

To this end, the developer is required to provide contemporaneous copies of any and all NOPC applications filed with respect to the Pelican Landing DRI to both the City and the County, even though the property actually affected by the amendment may be located wholly with one or the other jurisdiction. The jurisdiction most affected by the NOPC (i.e., as determined by the location of property affected by the proposed change) will take the lead in processing the NOPC. However, both jurisdictions may have input into the NOPC process, as a principle, if desired.

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

1. This amended Development Order constitutes a resolution of Lee County, adopted by the Board of County Commissioners in response to the application filed by WCI Communities, L.P. to amend the Pelican Landing Development of Regional Impact Development Order.

2. All commitments and impact mitigating actions volunteered by the developer in the Application for Development Approval and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order. These documents include, but are not limited to the following:

- (a) Pelican Landing Application for Development Approval, stamped Received October 26, 1992;
- (b) Pelican Landing DRI sufficiency response, stamped Received February 5, 1993;
- (c) Pelican Landing DRI sufficiency response, stamped Received July 6, 1993;
- (d) Pelican Landing DRI sufficiency response, dated September 16, 1993; and
- (e) Pelican Landing DRI sufficiency response, stamped Received November 22, 1993.

3. Map H, last revised ~~April, 2004~~ January 2006, and stamped received at the permit counter on ~~April 8, 2002~~ May 2, 2006, is attached hereto as Exhibit E and is incorporated by reference. It is understood that because it is a concept plan it is very general. The boundaries of development areas and location of internal roadways may be modified to accommodate topography, vegetation, market conditions, traffic circulation or other site related conditions as long as they meet local development regulations. This provision may not be used to reduce the acreage of the Eco-Park or other open space or preserve acreages. It is understood that the precise wetland boundaries are determined by the U.S. Army Corps of Engineers, SFWMD, FDEP and Lee County. A synopsis of the development parameters permitted under this approval and depicted on Map H are set forth in attached Exhibit F.

4. The Development Order is binding upon the developer(s) and its assignees or successors in interest. Where the Development Order refers to the Bayside Improvement District, lot owners, business owners, or other specific reference, 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 any tract of land within Pelican Landing DRI.

5. The terms and conditions set out in this document constitute a basis upon which the developer and the County may rely in future actions necessary to implement fully the final development contemplated by this Resolution and Development Order.

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

7. Any reference to a governmental agency will be construed to mean any future instrumentality that may be created and designated as successors in interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental

agency in existence on the effective date of this Development Order.

8. If any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision will in no manner affect the remaining portions or sections of the Development Order, which will remain in full force and effect.

9. This Development Order grants limited approval and does not negate the developer's responsibility to comply with all applicable federal, state, regional and local regulations.

10. Subsequent requests for local development permits will not require further review pursuant to Section 380.06, Florida Statutes, unless the Board of County Commissioners, after due notice and hearing, finds that one or more of the following is present:

- (a) A substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans that creates a reasonable likelihood of adverse regional impacts or other regional impacts not evaluated in the review by the Southwest Florida Regional Planning Council; or
- (b) An expiration of the period of effectiveness of this Development Order.

Upon a finding that any of the above is present, the Board must order a termination of all development activity in the development affected by a substantial deviation or expiration of time until such time as a new DRI Application for Development Approval has been submitted, reviewed and approved in accordance with Section 380.06, Florida Statutes, and all local approvals have been obtained.

11. The project has a buildout date of May 20, 2009, and a termination date of May 20, 2012. The buildout and termination dates reflect adjustment of one year and 141 days applicable to the tolling of time for the appeal/challenge to the original DRI Development Order. The termination date recognizes that a local Development Order, which is valid for three years, may be obtained prior to the buildout expiration date.

12. The developer and the Bayside Improvement District may not exercise any rights of condemnation to acquire land within the development commonly known as Spring Creek Village, El Dorado Acres, Estero Bay Shores, Mound Key Estates and Spring Creek Estates.

13. The Administrative Director of the Lee County Department of Community Development, or his/her designee, will be the local official responsible for assuring

compliance with this Development Order.

14. The project will not be subject to down-zoning, unit density reduction, intensity reduction or prohibition of development until 2012. If the County clearly demonstrates that substantial changes have occurred in the conditions underlying the approval of the Development Order through public hearings on an amendment to the zoning and/or this DRI Development Order then a down-zoning, unit density reduction, or prohibition of development may occur. These changes would include, but would not be limited to, such factors as a finding that the Development Order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety and welfare.

Lee County will reserve to this DRI until 2012, 300 acres of residential use allocation in each of the Urban Community and Outlying Suburban Future Land Use Categories (for a total of 600 acres) as established by Lee Plan Map 16, The Planning Communities Map and Table 1(b), known as the Planning Community Year 2020 Allocation. This reservation has the effect of reserving all of the acreage transferred from Gateway to Pelican Landing for the duration of the Development Order.

15. The developer, or its successor(s) in title to the undeveloped portion of the subject property, will submit a report ~~annually~~ biennially to Lee County, SWFRPC, FDCA and all affected permit agencies. This report must describe the state of development and compliance as of the date of submission. In addition, the report must be consistent with the rules of the FDCA. The first biennial monitoring report must be submitted to the Administrative Director of the DCA ~~not later than one year after the effective date of this Development Order by December 31, 2007.~~ Further reporting must be submitted ~~not later than one year of subsequent calendar years~~ biennially thereafter, until build out. Failure to comply with this reporting procedure is governed by Section 380.06(18), Florida Statutes. The developer must inform successors in title to the undeveloped portion of the real property covered by this Development Order of this reporting requirement. This requirement may not be construed to require reporting from tenants or owners of individual lots or units.

16. In compliance with a condition of the first development order amendment, the developer did amend this Development Order to incorporate the portion of the Spring Creek DRI located west of US Highway 41 into the Pelican Landing DRI. A legal description of that portion of the Spring Creek DRI, along with the conditions of the Spring Creek Development Order that are applicable to the Spring Creek West property are now incorporated into this development order. The impacts of the Spring Creek development will not be considered separately or cumulatively in any future change to the Pelican Landing Development Order. A change in the development plan for the Spring Creek property could be a substantial deviation that would require further analysis of Spring Creek West. The amendment was adopted solely for the purpose of consolidating Spring Creek West and Pelican Landing under the same Development Order and none of Spring Creek West's vested rights will be lost because of the amendment.

17. 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. Upon this Development Order becoming effective, the developer must record notice of its adoption in the office of the Clerk of the Circuit Court, as provided in Section 380.06(15), Florida Statutes. The inclusion of the Baywinds parcel as part of the Seventh Development Order amendment does not divest the rights provided in the permits, development orders, and government approvals obtained on that parcel based on the plan of development reflected in Lee County Development Order No. 95-12-068.00D. These approvals were granted prior to its inclusion in the Pelican Landing DRI and will allow for the development of the Baywinds Parcel consistent with the plan of development reflected in Lee County Development Order No. 95-12-068.00D.

Commissioner Hall made a motion to adopt this amendment, seconded by Commissioner Judah. The vote was as follows:

Robert P. Janes	Aye
A. Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Franklin B. Mann	Aye

DULY PASSED AND ADOPTED this 4th day of December 2006.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Anna L. Pierce*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *[Signature]*
Robert P. Janes, Chair

Approved as to form by:

[Signature]
Dawn E. Perry-Lehnert
County Attorney's Office



Attachments:

- Exhibit A.** Legal Description of the Pelican Landing DRI area within unincorporated Lee County.
- Exhibit B.** Legal Description of the Pelican Landing DRI area within the City of Bonita Springs, but excluding the Spring Creek West DRI area.
- Exhibit C.** Legal Description of the Pelican Landing DRI area encompassed by the Spring Creek West DRI, located in the City of Bonita Springs.
- Exhibit D.** Sketch of the legal descriptions of Pelican Landing DRI.
- Exhibit E.** Map H, Master Development Plan - last revised ~~April 2004~~ January 2006, stamped received ~~April 8, 2002~~ May 02, 2006.
- Exhibit F.** Pelican Landing DRI Development Parameters

February 8, 2006

DESCRIPTION

PERMIT COUNTER

DRI 2005-00001

**PELICAN LANDING DRI - UNINCORPORATED LEE COUNTY
SECTIONS 5, 6, 7, 8 AND 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Sections 5, 6, 7, 8 and 9, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

PARCEL 2-A

Beginning at an intersection of the west line of Tamiami Trail (State Road No. 45) with the south line of Coconut Road as described in Official Record Book 1738 at Page 2538 of the Public Records of Lee County, Florida; thence run S 00° 10' 56" W along said west line for 621.81 feet to a point of curvature; thence run southerly and southeasterly along said west line, along the arc of a curve to the left of radius 5797.58 feet (chord bearing S 04° 57' 34" E) (chord 1039.14 feet) (delta 10° 17' 00") for 1040.54 feet to a point of tangency; thence run S 10° 06' 04" E along said westerly line for 938.08 feet to an intersection with the south line of the Southeast Quarter (SE-1/4) of said Section 9; thence run S 89° 23' 00" W along said south line for 708.94 feet to the southwest corner of said Southeast Quarter (SE-1/4) of Section 9; thence run S 89° 27' 22" W along the south line of the Southwest Quarter (SW-1/4) of Section 9 for 2677.24 feet to the southwest corner of the Southwest Quarter (SW-1/4) of Section 9; thence run N 89° 25' 51" W along the south line of the Southeast Quarter (SE-1/4) of said Section 8 for 1,838.15 feet to an intersection with the easterly line of Spring Creek Road as described in Deed Book 305 at Page 276, Lee County Records; thence continue N 00° 07' 17" E along said east line for 343.54 feet; thence run S 89° 38' 58" E for 10.00 feet; thence run N 00° 07' 17" E along said east line for 849.27 feet to the southwest corner of lands described in Official Record Book 2039 at Page 3364 said Public Records; thence run S 89° 21' 02" E along the south line of said lands for 189.98 feet; thence run N 00° 07' 17" E along the east line of said lands for 125.01 feet; thence run N 89° 21' 02" W along the north line of said lands for 199.98 feet to an intersection with the easterly line of said Spring Creek Road; thence run N 00° 07' 17" E along said east line for 1292.76 feet to an intersection with the south line of Coconut Road (50 feet wide); thence run S 89° 16' 14" E along said south line for 1802.38 feet to an intersection with the west line of said Section 9; thence run N 00° 39' 58" W along said west line for 25.00 feet to a Concrete Monument marking the northwest corner of the Southwest Quarter (SW-1/4) of said section; thence continue along said west line N 00° 39' 58" W for 5.00 feet to an intersection with the south line of said Coconut Road as described in Official Record Book 1738 at Page 2538, said Public Records; thence run S 89° 35' 50" E along said south line for 1549.14 feet; thence run southwesterly along a non-tangent curve to the left of radius 30.00 feet (chord bearing S 45° 24' 10" W) (chord 42.43 feet) (delta 90° 00' 00") for 47.12 feet to a point of tangency; thence run S 00° 24' 10" W for 336.31 feet to a point of curvature;

Exhibit A
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thence run along the arc of a curve to the left of radius 270.00 feet (chord bearing S 44° 35' 50" E) (chord 381.84 feet) (delta 90° 00' 00") for 424.12 feet to a point of tangency; thence run S 89° 35' 50" E for 99.41 feet to a point of curvature; thence run along the arc of a curve to the right of radius 530.00 feet (chord bearing S 75° 44' 50" E) (chord 253.74 feet) (delta 27° 42' 00") for 256.23 feet; thence run N 20° 53' 52" W for 748.16 feet to an intersection with the aforementioned south line of Coconut Road; thence run along said south line S 89° 35' 50" E for 1,301.22 feet to the Point of Beginning.

Parcel contains 294.56 acres, more or less.

AND

DRI 2005-00001

PARCEL 2-B

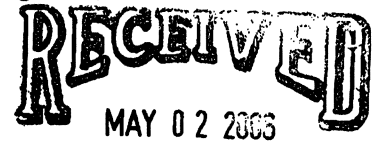
From a railroad spike marking the northwest corner of the Southwest Quarter (SW-1/4) of said Section 8 run S 00° 23' 24" E along the west line of said fraction for 25.00 feet to an intersection with the south line of Coconut Road as recorded in County Commissioners Minutes Book 6 at Page 288 of the Public Records of Lee County of Lee County, Florida, and the Point of Beginning.

From said Point of Beginning run S 89° 16' 14" E along said south line for 3253.00 feet to an intersection with the west line of Spring Creek Road; thence run the following courses and distances along said west line of said Spring Creek Road; S 00° 17' 17" W for 817.15 feet; N 89° 52' 43" W for 14.27 feet to a point of curvature; thence run southwesterly along said arc of a curve to the right of radius 1725.00 feet (chord bearing S 05° 52' 51" W) (chord 346.22 feet) (delta 11° 31' 09") for 346.81 feet to a point of tangency; thence run S 11° 38' 26" W for 178.50 feet to a point of curvature; thence run southwesterly along said arc of a curve to the left of radius 2400.00 feet (chord bearing S 00° 28' 49" W) (chord 929.06 feet) (delta 22° 19' 14") for 934.96 feet to a point of tangency; thence run S 10° 40' 48" E for 231.66 feet to a point of curvature; thence run southeasterly along said arc of curve to the right of radius 1725.00 feet (chord bearing S 08° 42' 25" E) (chord 118.78) (delta 03° 56' 45") for 118.80 feet to an intersection with the south line of said Section 8; thence run N 89° 25' 51" W along the south line of the Southeast Quarter (SE-1/4) of said Section 8 for 642.07 feet to the southeast corner of the Southwest Quarter (SW-1/4) of Section 8; thence run N 89° 25' 49" W along the south line of the Southwest Quarter (SW-1/4) of Section 8 for 2558.62 feet to the southwest corner of said Section 8; thence run N 89° 25' 49" W along the south line of the Southeast Quarter (SE-1/4) of said Section 7 for 2330 feet more or less to the waters of Estero Bay; thence run northerly along the waters of Estero Bay for 6,485 feet more or less to an intersection with the north line of the South Half (S-1/2) of Government Lot 2 of said Section 7; thence run N 89° 32' 15" E along the north line of said South Half (S-1/2) of Government Lot 2 for 793 feet more or less to the northeast corner of lands described in Official Record Book 1895 at Page 3817 of said public records; thence run S 08° 50' 45" E along the east line of said lands for 199.50 feet to the southeast corner of said lands; thence run N 89° 35' 27" E for 666.22 feet; thence run N 89° 32' 15" E for 239.00 feet to an intersection with the west line of Coconut Road; thence run S 01° 07' 45" E along said west line for 488.63 feet; thence run

N 89° 40' 05" E along the south line of said Coconut Road for 24.69 feet to the Point of Beginning. Less and except Official Record Book 1677 at Page 3516 of said Public Records.

Parcel contains 343 acres, more or less.

AND



PARCEL 2-C

PERMIT COUNTER

A parcel of land lying in and being a portion of the East Half (E-1/2) of the Northwest Quarter (NW-1/4) of Section 8, Township 47 South, Range 25 East of Lee County, Florida, being more particularly described as follows:

Commencing at the southwest corner of the East Half (E-1/2) of the Northwest Quarter (NW-1/4) of said Section 8; thence run N 01° 00' 45" W along the west line of said East Half (E-1/2) of the Northwest Quarter (NW-1/4) for 40.02 feet to an intersection with the northerly right-of-way line of Coconut Road (as maintained); thence run S 89° 16' 14" E along said right-of-way for 171.25 feet to the Point of Beginning.

From said Point of Beginning continue S 89° 16' 14" E along said right-of-way a distance of 513.75 feet; thence run N 01° 00' 44" W a distance of 367.98 feet; thence run N 89° 16' 14" W a distance of 513.75 feet; thence run S 01 00' 44" E a distance of 367.98 feet to the Point of Beginning.

Parcel contains 4.34 acres, more or less.

AND

DRI 2005-00001

PARCEL 2-D

All that part of Florida Gulf Land Company's Subdivision as recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, Florida, lying in Section 5, Township 47 South, Range 25 East, South and West of lands to Florida Power and Light Company as described by deed recorded in Deed Book 244, Page 138 of said Public Records, also Lot 8, Block 14 of Eldorado Acres (an Unrecorded Subdivision) as shown in Deed Book 310 at Page 183 of said public records; also part of Sections 5, 6, 7 and 8, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at the southeast corner of said Section 5; thence run N 88° 46' 30" W along the south line of the Southeast Quarter (SE-1/4) of said Section 5 for 2580.80 feet to the southeast corner of the Southwest Quarter (SW-1/4) of said Section 5; thence run N 89° 25' 13" W along the south line of said Southwest Quarter (SW-1/4) for 587.32 feet to an intersection with the east line of said Lot 8, Block 14, Eldorado Acres, an unrecorded subdivision; thence run the following three courses and distances along the boundary of said Lot 8: S 00° 50' 16" E for 132.70 feet; N 89° 11' 54" W for 75.00 feet; N 00° 50' 16" W for 132.41 feet to an intersection with said south line of the Southwest Quarter (SW-1/4) of Section 5; thence run N 89° 25' 13" W along said south line for 610.82 feet to the northeast corner of the West Half (W-1/2) of the Northwest Quarter (NW-1/4) of said Section 8; thence run

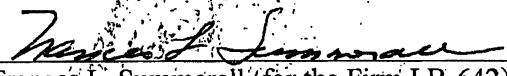
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S 01° 00' 45" E along the east line of said West Half (W-1/2) of the Northwest Quarter (NW-1/4) of Section 8 for 2612.19 feet to an intersection with the northerly right-of-way line (as maintained) of Coconut Road being 40.00 feet north of the centerline of Coconut Road as recorded in County Commissioners Minutes Book 6 at Page 288 of said Public Records, said right-of-way line being the south line of lands as described by deed recorded in Official Record Book 3052 at Page 1748 of said Public Records; thence run N 89° 16' 14" W along said maintained right-of-way for 1267.93 feet to an intersection with the west line of the Northwest Quarter (NW-1/4) of said Section 8; thence run N 01° 07' 45" W along said west line for 1284.51 feet to the southeast corner of Government Lot 1 of said Section 7; thence run S 89° 33' 42" W along the south line of said Government Lot 1 for 1813 feet more or less to the easterly waters of Estero Bay; thence run northerly along the waters of Estero Bay for 3000 feet more or less to an intersection with the north line of Government Lot 4 of said Section 6; thence run N 89° 41' 23" E along said north line or 1807 feet more or less to an intersection with the west line of lands as described by deed recorded in Official Record Book 1762 at Page 4173 of said Public Records; thence run the following courses and distances along the boundary of said lands: N 00° 48' 29" W for 775.70 feet; N 46° 11' 51" E for 523.67 feet; S 81° 20' 47" E for 600.53 feet; N 00° 49' 50" W for 162.49 feet; N 89° 10' 55" E for 349.43 feet; N 01° 31' 46" W for 92.78 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said Section 5; thence run N 89° 34' 40" E along said north line for 2592.29 feet to the northeast corner of said Southwest Quarter (SW-1/4); thence run N 89° 31' 44" E along the north line of the Southeast Quarter (SE-1/4) of said Section 5 for 2401.02 feet to an intersection with the southwesterly line of said lands to Florida Power and Light Company; thence run S 20° 51' 33" E along said southwesterly line for 553.91 feet to an intersection with the east line of said Southeast Quarter (SE-1/4) of Section 5; thence run S 00° 08' 26" E along said east line for 2202.99 feet to the Point of Beginning.

Parcel contains 576 acres, more or less.

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


Frances L. Summerall (for the Firm LB-642)
Professional Surveyor Mapper
Florida Certificate No. 5652

20023590 – 02-08-06 – Pelican Landing DRI – Unincorporated Lee County

Exhibit A
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DRI 2005-00001

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DESCRIPTION**PERMIT COUNTER****PELICAN LANDING DRI - CITY OF BONITA SPRINGS
SECTIONS 16, 17, 20 AND 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

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

Parcel 1-A**DRI 2005-00001**

Beginning at the Northwest corner of the Northeast Quarter (NE-1/4) of Section 16; thence run S 00° 02' 54" W along said West line of the Northeast Quarter (NE-1/4) for 2643.98 feet to the Southwest corner of the Northeast Quarter (NE-1/4) of said section; thence run N 89° 10' 38" E along the south line of said fraction for 538.06 feet; thence run S 00° 06' 43" E for 1085.91 feet; thence run N 89° 06' 43" E for 744.41 feet to an intersection with the west line of Tamiami Trail (US 41 S.R. No. 45); thence run southerly along said West line, along the arc of a non-tangent curve to the right of radius 5619.58 feet (chord bearing S 00° 22' 05" E) (chord 50.21 feet) (delta 00° 30' 43") for 50.21 feet to a point of tangency; thence run S 00° 06' 43" E along said west line for 49.81 feet; thence run S 89° 06' 43" W for 300.00 feet; thence run S 00° 06' 43" E for 1445.84 feet to an intersection with the south line of the Southeast Quarter (SE-1/4) of said Section 16; thence run S 89° 16' 54" W along the south line of said fraction for 989.41 feet to the southeast corner of the Southwest Quarter (SW-1/4) of said Section 16; thence run S 88° 38' 34" W along said south line of said Southwest Quarter (SW-1/4) for 2627.98 feet to the northeast corner of said Section 20; thence run S 00° 35' 25" E along the East line of said section for 2659.47 feet to the southeast corner of the Northeast Quarter (NE-1/4) of said section; thence run N 88° 52' 49" E along the north line of the Southwest Quarter (SW-1/4) of said Section 21 for 2,040.41 feet to an intersection with the west line of the east 600.00 feet of the East Half (E-1/2) of the Southwest Quarter (SW-1/4) of said Section 21; thence run S 00° 51' 35" E along said west line for 801 feet, more or less to the water of Spring Creek; thence run westerly along Spring Creek for 3630 feet more or less to an intersection of the east line of said Section 20; thence run S 00° 38' 52" E along said east line of Section 20 for 91 feet, more or less to an intersection with the approximate centerline of Spring Creek as shown on the Plat of Pelican Landing Unit 5 recorded in Plat Book 59 at Page 11 of said Public Records of Lee County, Florida; thence run along said centerline the following courses: S 78° 50' 00" W for 181.31 feet, N 34° 24' 12" W for 230.22 feet, N 30° 59' 12" W for 174.93 feet, N 24° 25' 16" E for 120.83 feet, S 65° 47' 43" E for 219.32 feet, N 18° 24' 43" E for 158.11 feet, N 75° 11' 47" W for 351.71 feet, N 65° 09' 33" W for 451.88 feet, N 84° 18' 44" W for 351.75 feet, N 66° 54' 31" W for 445.79 feet, S 63° 24' 43" W for 134.16 feet, S 03° 23' 22" E for 170.29 feet, S 50° 30' 17" W for 220.23 feet, N 84° 49' 43" W for 331.36 feet, S 62° 13' 07" W for 214.71 feet, S 22° 08' 36" W for 291.55 feet, S 72° 15' 11" W for 131.22 feet to an intersection with the east line of the Southwest Quarter (SW-1/4) of said Section 20; thence run N 00° 50' 19" W along said east line for 520.00 feet to the northeast corner of said fraction; thence run S 89° 58' 37" W along the north line of said fraction for 290.00 feet to an intersection with the approximate centerline of the most easterly branch of said Spring

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Creek as shown on said Plat of Pelican Landing Unit 5; thence run along said centerline the following courses: N 09° 13' 28" W for 137.34 feet, N 29° 08' 22" W for 590.59 feet, N 38° 31' 58" W for 278.03 feet, N 65° 16' 43" W for 254.95 feet, N 37° 18' 28" W for 286.01 feet, N 32° 51' 05" E for 252.39 feet, N 20° 11' 00" E for 236.69 feet, N 27° 23' 47" W for 369.25 feet, N 89° 15' 43" E for 50 feet more or less to the easterly shore of said Spring Creek; thence run northerly along said easterly shore for 1220 feet more or less to an intersection with the north line of said Section 20; thence run N 89° 15' 13" E along said north line of said section for 970 feet, more or less to a Concrete Monument marking the Northwest corner of the Northeast Quarter (NE-1/4) of said Section 20; thence run N 00° 31' 30" E along the west line of the Southeast Quarter (SE-1/4) of said Section 17 for 2674.38 feet to the northwest corner of said Southeast Quarter (SE-1/4); thence run N 00° 31' 29" E along the west Line of the Northeast Quarter (NE-1/4) of said Section 17 for 3.40 feet to an intersection with the curved southerly line of Spring Creek Road; thence run northeasterly and northerly along the arc of a curve to the left of radius 1130.00 feet (chord bearing N 35° 09' 06" E) (chord 1296.89 feet) (delta 70° 02' 16") for 1381.30 feet; thence run N 89° 52' 02" W for 5.00 feet; thence run N 00° 07' 58" E along the easterly line of Spring Creek Road (50 feet wide) for 1611.64 feet to an intersection with the north line of the Northeast Quarter (NE-1/4) of said Section 17; thence run S 89° 25' 51" E along said north line of the Northeast Quarter (NE-1/4) of said Section 17 for 1838.15 feet to the northeast corner of said Section 17; thence run N 89° 27' 22" E along the north line of the Northwest Quarter (NW-1/4) of said Section 16 for 2677.24 feet to the Point of Beginning.

Parcel contains 909 acres; more or less.

DRI 2005-00001


AND

PARCEL 1-B

Beginning at an intersection of the west line of Spring Creek Road with the north line of said Section 17; thence run the following courses and distances along the southerly right-of-way of said Spring Creek Road: Southeasterly along an arc of a non-tangent curve to the right of radius 1725.00 feet (chord bearing S 03° 18' 23" E) (chord 206.27) (delta 06° 51' 19") for 206.40 feet to a point on a non-tangent line; thence run S 89° 52' 02" E for 16.47 feet; thence run S 00° 07' 58" W for 1406.64 feet; thence run N 89° 52' 02" W for 5.00 feet to a point of tangency; thence southwesterly along an arc of said curve to the right of radius 1070.00 feet (chord bearing S 37° 51' 54" W) (chord 1309.62 feet) (delta 75° 27' 53") for 1409.31 feet to an intersection with the north right-of-way of a 30 foot wide road as recorded in Deed Book 305 at Page 276 of the Public Records of Lee County, Florida; thence run N 89° 59' 08" W along said right-of-way for 718.27 feet to an intersection with the easterly line of lands known locally as Spring Creek Estates, an unrecorded plat; thence along said lands the following courses and distances: N 00° 00' 52" E for 510.00 feet; N 89° 59' 08" W for 885.06 feet to a point of curvature; along an arc of a curve for 231.02 feet, having a radius of 390.00 feet, central angle of 33° 56' 23", chord of 227.66 feet and chord bearing of S 73° 02' 41" W, to a point on the curve; S 00° 00' 52" W for 167.10 feet; and S 31° 38' 00" W for 130.70 feet to the northeast corner of lands described in Official Record Book 1194, Page 1085; thence westerly along said lands and waters of a canal 106 feet, more or less to the northeast corner of said lands described in Official Record Book 1057, Page 38; thence southwesterly and westerly along said lands and said canal 400 feet more or less to the

northwest corner of lands described in Official Record Book 1453, Page 495; thence southwesterly along the mean high water line of a canal, 45 feet more or less to the south line of the North Half (N-1/2) of said Section 17; thence N 89° 59' 08" W for 136 feet more or less to the east quarter corner of said Section 18, thence run S 89° 58' 17" W along the south line of said Lot 2, said line being the basis of bearings for 1213.22 feet, said line being the southerly property line, to a bulkhead line established by Paul T. O'Hargan, Florida Professional Land Surveyor #1936 and duly approved by the County of Lee on September 27, 1967 and the State of Florida on November 21, 1967; thence the following courses and distances along said bulkhead line: N 56° 00' 38" W for 265.00 feet to a point of curvature; along an arc of a curve for 338.95 feet, having a radius of 520.00 feet, central angle of 37° 20' 50", chord of 332.98 feet and chord bearing of N 37° 20' 13" W, to a point of tangency; N 18° 39' 48" W for 481.24 feet to a point of curvature; along an arc of a curve for 104.44 feet, having a radius of 100.00 feet, central angle of 59° 50' 20", chord of 99.76 feet and a chord bearing of N 48° 34' 58" W, to a point of tangency; N 78° 30' 08" W for 144.73 to a point of curvature; along an arc of a curve for 56.48 feet, having a radius of 100.00 feet, central angle of 32° 21' 45"; chord of 55.74 feet and a chord bearing of N 62° 19' 15" W, to a point of tangency and an intersection with the waters of Estero Bay; thence run northerly along the waters of Estero Bay for 2270 feet more or less to an intersection with the north line of the Northeast Quarter (NE-1/4) of said Section 18; thence run S 89° 25' 49" E along said north line of the Northeast Quarter (NE-1/4) of said Section 18 for 2330 feet, more or less to the northeast corner of Section 18; thence run S 89° 25' 49" E along the north line of the Northwest Quarter (NW-1/4) of said Section 17 for 2558.62 feet to the northeast corner of said Northwest Quarter (NW-1/4); thence run S 89° 25' 51" E along the north line of the Northeast Quarter (NE-1/4) of said Section 17 for 642.07 feet to the Point of Beginning.

Parcel contains 304 acres, more or less.



Frances L. Sumnerall (for the Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 5652

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20023590 – 02-08-06 – Pelican Landing DRI – City of Bonita Springs



February 8, 2006

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PARCEL IN
GOVERNMENT LOT 3, SECTION 13
AND
GOVERNMENT LOT 2, SECTION 24
TOWNSHIP 47 SOUTH, RANGE 24 EAST
BIG HICKORY ISLAND, LEE COUNTY, FLORIDA

PERMIT COUNTERBEACH PARCEL**DRI 2005-00001**

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

From the center of a turnaround on State Road No. 865 (Bonita Beach Road) being S.R.D. Station 19184.75 and N 24° 28' 41" W along the northern prolongation of said centerline of State Road No. 865 for 266.00 feet; thence run S 62° 26' 49" W for 98.40 feet; thence run N 27° 33' 11" W for 1863.42 feet; thence run N 20° 00' 41" W for 1403.30 feet; thence run N 65° 00' 00" E for 313.91 feet to the Point of Beginning.

From said Point of Beginning run N 18° 55' 11" W for 97.51 feet, N 22° 26' 23" W for 100.53 feet, N 23° 09' 50" W for 100.14 feet, N 14° 51' 19" W for 73.01 feet, N 27° 40' 10" W for 88.01 feet, N 29° 33' 57" W for 46.01 feet, N 22° 14' 53" W for 47.27 feet, N 20° 39' 23" W for 46.98 feet, N 11° 15' 38" W for 29.80 feet, N 26° 10' 46" W for 46.87 feet, N 09° 09' 45" W for 48.26 feet, N 17° 35' 56" W for 46.04 feet, N 12° 49' 07" W for 50.04 feet, N 29° 20' 48" W for 69.12 feet, N 20° 48' 58" W for 63.82 feet; thence run N 79° 23' 51" W for 247 feet more or less to an intersection with the Approximate Mean High Water Line of the Gulf of Mexico; thence run northerly and northeasterly along said waters for 1140 feet more or less to an intersection with the south line of lands described in Official Record Book 198 at Page 188 of the Public Records of Lee County, Florida; thence run along said south line, along the arc of a curve to the right of radius 12000.00 feet for 783 feet to an intersection with the Waters of New Pass; thence run southerly, easterly, southwesterly and southerly along said waters for 4080 feet more or less to an intersection with a line bearing N 65° 00' 00" E and passing through the Point of Beginning; thence run S 65° 00' 00" W for 181 feet more or less to the Point of Beginning.

AND

From said Point of Beginning run S 13° 03' 59" E for 94.16 feet; thence run S 19° 13' 48" E for 50.64 feet; thence run S 04° 34' 15" E for 54.63 feet; thence run S 24° 53' 12" E for 50.09 feet; thence run S 27° 10' 29" E for 50.01 feet; thence run S 31° 01' 44" E for 42.51 feet to an intersection with the south line of lands described in Official Record Book 2246 at Page 4413 of the Lee County Records; thence run N 65° 00' 00" E along said south line for 134 feet, more or less to the waters of Estero Bay; thence northerly along said waters for 358 feet, more or less to an intersection with a line bearing N 65° 00' 00" E and passing through the Point of Beginning; thence run S 65° 00' 00" W for 181 feet, more or less to the Point of Beginning.

Containing 36.8 acres, more or less.

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

Frances L. Summerall (for the Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 5652

20023590 - 02-08-06 - Beach Parcel

Exhibit B
Page 4 of 5

February 8, 2006

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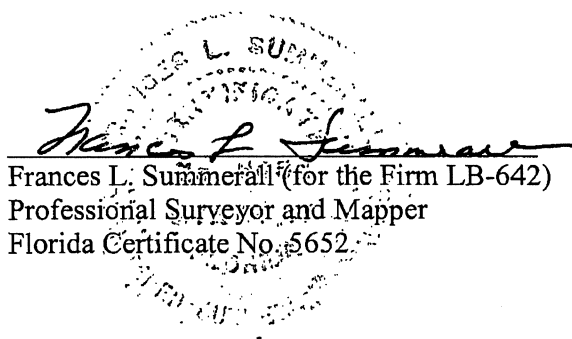
**PELICAN LANDING DRI - CITY OF BONITA SPRINGS
SPRING CREEK WEST
SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

PERMIT COUNTER**DRI 2005-00001**

A tract or parcel of land lying in Section 21, Township 47 South, Range 25 East, City of Bonita Springs, Lee County, Florida, being described as follows:

Beginning at the northwest corner of said Section 21; thence run N 88° 38' 34" E along the north line of the Northwest Quarter (NW-1/4) of said Section 21 for 2627.98 feet to the northeast corner of the Northwest Quarter (NW-1/4) of said Section 21; thence run N 89° 16' 54" E along the north line of the Northeast Quarter (NE-1/4) of said Section 21 for 1289.43 feet to an intersection with the westerly right-of-way line of Tamiami Trail (US 41 - SR No. 45); thence run the following three (3) courses and distances along the westerly right-of-way line of Tamiami Trail: S 00° 06' 50" E for 261.81 feet; S 02° 58' 35" E for 100.12 feet; S 00° 06' 50" E for 3690 feet more or less to the northeasterly waters of Spring Creek; thence run westerly along said northerly waters for 2765 feet more or less to an intersection with the west line of the east 600.00 feet of the East Half (E-1/2) of the Southwest Quarter (SW-1/4) of said Section 21; thence run N 00° 51' 35" W along said west line for 801 feet, more or less, to an intersection with the south line of the Northwest Quarter (NW-1/4) of said Section 21; thence run S 88° 52' 49" W along said south line for 2040.41 feet to the southwest corner of the Northwest Quarter (NW-1/4) of said Section 21; thence run N 00° 35' 25" W along the west line of said Northwest Quarter (NW-1/4) for 2659.47 feet to the Point of Beginning.

Parcel contains 282 acres, more or less.


Frances L. Summerall
Frances L. Summerall (for the Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 5652

20023590 - 02-08-06 - Pelican Landing DRI - Spring Creek West

Exhibit B
Page 5 of 5



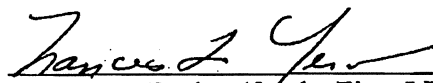
November 1, 2001

**PELICAN LANDING DRI – CITY OF BONITA SPRINGS
SPRING CREEK WEST
SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Section 21, Township 47 South, Range 25 East, City of Bonita Springs, Lee County, Florida, being described as follows:

Beginning at the northwest corner of said Section 21; thence run N 88° 38' 34" E along the north line of the Northwest Quarter (NW-1/4) of said Section 21 for 2627.98 feet to the northeast corner of the Northwest Quarter (NW-1/4) of said Section 21; thence run N 89° 16' 54" E along the north line of the Northeast Quarter (NE-1/4) of said Section 21 for 1289.43 feet to an intersection with the westerly right-of-way line of Tamiami Trail (US 41 – SR No. 45); thence run the following three (3) courses and distances along the westerly right-of-way line of Tamiami Trail: South 00° 06' 50" E for 261.81 feet; S 02° 58' 35" E for 100.12 feet; S 00° 06' 50" E for 3690 feet more or less to the northeasterly waters of Spring Creek; thence run westerly along said northerly waters for 2765 feet more or less to an intersection with the west line of the east 600.00 feet of the East Half (E-1/2) of the Southwest Quarter (SW-1/4) of said Section 21; thence run N 00° 51' 35" W along said west line for 801 more or less to an intersection with the south line of the Northwest Quarter (NW-1/4) of said Section 21; thence run S 88° 52' 49" W along said south line for 2040.41 feet to the southwest corner of the Northwest Quarter (NW-1/4) of said Section 21; thence run N 00° 35' 25" W along the west line of said Northwest Quarter (NW-1/4) for 2659.47 feet to the Point of Beginning.

Parcel contains 282 acres, more or less.



Frances L. Yerdon (for the Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 5652

EXHIBIT C

20002476/Description 110101

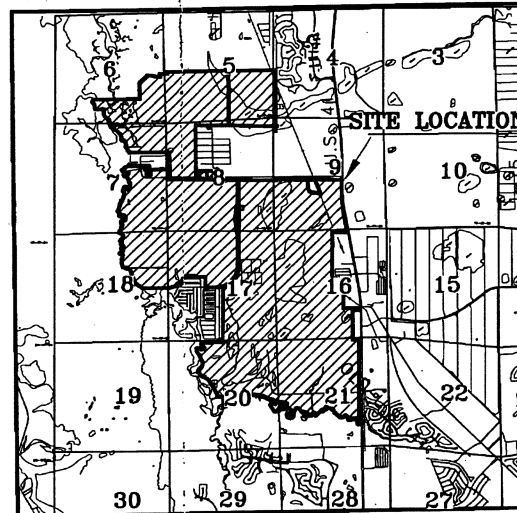
SKETCH TO ACCOMPANY DESCRIPTIONS
PREPARED FOR
WCI COMMUNITIES LIMITED PARTNERSHIP

LOCATED IN
SECTIONS 5, 6, 7, 8, 9, 16, 17, 18, 20 & 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
AND
SECTIONS 13 AND 24, TOWNSHIP 47 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

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DRI 2005-00001



LOCATION MAP
NOT TO SCALE

INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	DESCRIPTION - CITY
3	DESCRIPTION - COUNTY
4	PARCEL 1-A & SPRING CREEK WEST - CITY
5	PARCEL 1-B - CITY
6	BEACH PARCEL - CITY
7	PARCELS 2A - 2D - COUNTY

THIS IS NOT A SURVEY

Frances L. Summerall
FRANCES L. SUMMERALL (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 56522

DATE SIGNED: 05-16-06
NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER AND NOT VALID
WITHOUT LEGAL DESCRIPTION KEY

PELICAN LANDING

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33802-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	20023590	7-47-25	AS SHOWN	1 OF 7

Exhibit D
Page 1 of 7

S:\023590\PEL-LANDING-REV-APRIL 2006-1.dwg (SHEET)-APRIL-2006 () file May 01, 2006 - 8:41am

DESCRIPTION PELICAN LANDING DRI - CITY OF BONITA SPRINGS SECTIONS 16, 17, 20 AND 21; TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 16, 17, 20 AND 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

PARCEL 1-A

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SECTION 16; THENCE RUN S 00° 02' 54" W ALONG SAID WEST LINE OF THE NORTHEAST QUARTER (NE-1/4) FOR 2643.98 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION; THENCE RUN N 89° 10' 38" E ALONG THE SOUTH LINE OF SAID FRACTION FOR 538.06 FEET; THENCE RUN S 00° 06' 43" E FOR 1085.91 FEET; THENCE RUN N 89° 06' 43" E FOR 744.41 FEET TO AN INTERSECTION WITH THE WEST LINE OF TAMIAHI TRAIL (US 41 S.R. NO. 45); THENCE RUN SOUTHERLY ALONG SAID WEST LINE, ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT OF RADIUS 5619.58 FEET (CHORD BEARING S 00° 22' 05" E) (CHORD 50.21 FEET) (DELTA 00° 30' 43") FOR 50.21 FEET TO A POINT OF TANGENCY; THENCE RUN S 00° 06' 43" E ALONG SAID WEST LINE FOR 49.81 FEET; THENCE RUN S 89° 06' 43" W FOR 300.00 FEET; THENCE RUN S 00° 06' 43" E FOR 1445.84 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 16; THENCE RUN S 89° 16' 54" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 989.41 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 16; THENCE RUN S 88° 38' 34" W ALONG SAID SOUTH LINE OF SAID SOUTHWEST QUARTER (SW-1/4) FOR 2627.98 FEET TO THE NORTHEAST CORNER OF SAID SECTION 20; THENCE RUN S 00° 35' 25" E ALONG THE EAST LINE OF SAID SECTION FOR 2659.47 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION; THENCE RUN N 88° 52' 49" E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 21 FOR 2,040.41 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE EAST 600.00 FEET OF THE EAST HALF (E-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 21; THENCE RUN S 00° 51' 35" E ALONG SAID WEST LINE FOR 801 FEET, MORE OR LESS TO THE WATER OF SPRING CREEK; THENCE RUN WESTERLY ALONG SPRING CREEK FOR 3630 FEET MORE OR LESS TO AN INTERSECTION OF THE EAST LINE OF SAID SECTION 20; THENCE RUN S 00° 38' 52" E ALONG SAID EAST LINE OF SECTION 20 FOR 91 FEET, MORE OR LESS TO AN INTERSECTION WITH THE APPROXIMATE CENTERLINE OF SPRING CREEK AS SHOWN ON THE PLAT OF PELICAN LANDING UNIT 5 RECORDED IN PLAT BOOK 59 AT PAGE 11 OF SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN ALONG SAID CENTERLINE THE FOLLOWING COURSES: S 78° 50' 00" W FOR 181.31 FEET, N 34° 24' 12" W FOR 230.22 FEET, N 30° 59' 12" W FOR 174.93 FEET, N 24° 25' 16" E FOR 120.83 FEET, S 65° 47' 43" E FOR 219.32 FEET, N 18° 24' 43" E FOR 158.11 FEET, N 75° 11' 47" W FOR 351.71 FEET, N 65° 09' 33" W FOR 451.88 FEET, N 84° 18' 44" W FOR 351.75 FEET, N 66° 54' 31" W FOR 445.79 FEET, S 63° 24' 43" W FOR 134.16 FEET, S 03° 23' 22" E FOR 170.29 FEET, S 50° 30' 17" W FOR 220.23 FEET, N 84° 49' 43" W FOR 331.36 FEET, S 62° 13' 07" W FOR 214.71 FEET, S 22° 08' 36" W FOR 291.55 FEET, S 72° 15' 11" W FOR 131.22 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 20; THENCE RUN N 00° 50' 19" W ALONG SAID EAST LINE FOR 520.00 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE RUN S 89° 58' 37" W ALONG THE NORTH LINE OF SAID FRACTION FOR 290.00 FEET TO AN INTERSECTION WITH THE APPROXIMATE CENTERLINE OF THE MOST EASTERLY BRANCH OF SAID SPRING CREEK AS SHOWN ON SAID PLAT OF PELICAN LANDING UNIT 5; THENCE RUN ALONG SAID CENTERLINE THE FOLLOWING COURSES: N 09° 13' 28" W FOR 137.34 FEET, N 29° 08' 22" W FOR 590.59 FEET, N 38° 31' 58" W FOR 278.03 FEET, N 65° 16' 43" W FOR 254.95 FEET, N 37° 18' 28" W FOR 286.01 FEET, N 32° 51' 05" E FOR 252.39 FEET, N 20° 11' 00" E FOR 236.69 FEET, N 27° 23' 47" W FOR 369.25 FEET, N 89° 15' 43" E FOR 50 FEET MORE OR LESS TO THE EASTERLY SHORE OF SAID SPRING CREEK; THENCE RUN NORTHERLY ALONG SAID EASTERLY SHORE FOR 1220 FEET MORE OR LESS TO AN INTERSECTION WITH THE NORTH LINE OF

PARCEL 1-A CONTINUED

SAID SECTION 20; THENCE RUN N 89° 15' 13" E ALONG SAID NORTH LINE OF SAID SECTION FOR 970 FEET, MORE OR LESS TO A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 20; THENCE RUN N 00° 31' 30" E ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 17 FOR 2674.38 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE-1/4); THENCE RUN N 00° 31' 29" E ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 17 FOR 340 FEET TO AN INTERSECTION WITH THE CURVED SOUTHERLY LINE OF SPRING CREEK ROAD; THENCE RUN NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 1130.00 FEET (CHORD BEARING N 35° 09' 06" E) (CHORD 1296.89 FEET) (DELTA 70° 02' 16") FOR 1381.30 FEET; THENCE RUN N 89° 52' 02" W FOR 5.00 FEET; THENCE RUN N 00° 07' 58" E ALONG THE EASTERLY LINE OF SPRING CREEK ROAD (50 FEET WIDE) FOR 1611.64 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 17; THENCE RUN S 89° 25' 51" E ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 17 FOR 1838.15 FEET TO THE NORTHEAST CORNER OF SAID SECTION 17; THENCE RUN N 89° 27' 22" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 16 FOR 2677.24 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 909 ACRES, MORE OR LESS.

AND

PARCEL 1-B

BEGINNING AT AN INTERSECTION OF THE WEST LINE OF SPRING CREEK ROAD WITH THE NORTH LINE OF SAID SECTION 17; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID SPRING CREEK ROAD: SOUTHEASTERLY ALONG AN ARC OF A NON-TANGENT CURVE TO THE RIGHT OF RADIUS 1725.00 FEET (CHORD BEARING S 03° 18' 23" E) (CHORD 206.27) (DELTA 06° 51' 18") FOR 206.40 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN S 89° 52' 02" E FOR 16.47 FEET; THENCE RUN S 00° 07' 58" W FOR 1406.64 FEET; THENCE RUN N 89° 52' 02" W FOR 5.00 FEET TO A POINT OF TANGENCY; THENCE SOUTHWESTERLY ALONG AN ARC OF SAID CURVE TO THE RIGHT OF RADIUS 1070.00 FEET (CHORD BEARING S 37° 51' 54" W) (CHORD 1309.62 FEET) (DELTA 75° 27' 53") FOR 1409.31 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF A 30 FOOT WIDE ROAD AS RECORDED IN DEED BOOK 305 AT PAGE 276 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N 89° 59' 08" W ALONG SAID RIGHT-OF-WAY FOR 718.27 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF LANDS KNOWN LOCALLY AS SPRING CREEK ESTATES, AN UNRECORDED PLAT; THENCE ALONG SAID LANDS THE FOLLOWING COURSES AND DISTANCES: N 00° 00' 52" E FOR 510.00 FEET; N 89° 59' 08" W FOR 885.06 FEET TO A POINT OF CURVATURE; ALONG AN ARC OF A CURVE FOR 231.02 FEET, HAVING A RADIUS OF 390.00 FEET, CENTRAL ANGLE OF 33° 56' 23", CHORD OF 227.66 FEET AND CHORD BEARING OF S 73° 02' 41" W, TO A POINT ON THE CURVE; S 00° 00' 52" W FOR 167.10 FEET; AND S 31° 38' 00" W FOR 130.70 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1194, PAGE 1085; THENCE WESTERLY ALONG SAID LANDS AND WATERS OF A CANAL 106 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1057, PAGE 38; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID LANDS AND SAID CANAL 400 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1453, PAGE 495; THENCE SOUTHWESTERLY ALONG THE MEAN, HIGH WATER LINE OF A CANAL, 45 FEET MORE OR LESS TO THE SOUTH LINE OF THE NORTH HALF (N-1/2) OF SAID SECTION 17; THENCE N 89° 59' 08" W FOR 136 FEET MORE OR LESS TO THE EAST QUARTER CORNER OF SAID SECTION 18; THENCE RUN S 89° 58' 17" W ALONG THE SOUTH LINE OF SAID LOT 2, SAID LINE BEING THE BASIS OF BEARINGS FOR 1213.22 FEET, SAID LINE BEING THE SOUTHERLY PROPERTY LINE, TO A BULKHEAD LINE ESTABLISHED BY PAUL T. O'HARGAN, FLORIDA PROFESSIONAL LAND SURVEYOR #1936 AND

PARCEL 1-B CONTINUED

DULY APPROVED BY THE COUNTY OF LEE ON SEPTEMBER 27, 1967 AND THE STATE OF FLORIDA ON NOVEMBER 21, 1967; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID BULKHEAD LINE: N 56° 00' 38" W FOR 265.00 FEET TO A POINT OF CURVATURE; ALONG AN ARC OF A CURVE FOR 338.95 FEET, HAVING A RADIUS OF 520.00 FEET, CENTRAL ANGLE OF 37° 20' 50", CHORD OF 332.98 FEET AND CHORD BEARING OF N 37° 20' 13" W, TO A POINT OF TANGENCY; N 18° 39' 48" W FOR 481.24 FEET TO A POINT OF CURVATURE; ALONG AN ARC OF A CURVE FOR 104.44 FEET, HAVING A RADIUS OF 100.00 FEET, CENTRAL ANGLE OF 59° 50' 20", CHORD OF 99.76 FEET AND A CHORD BEARING OF N 48° 34' 58" W, TO A POINT OF TANGENCY; N 78° 30' 08" W FOR 144.73 TO A POINT OF CURVATURE; ALONG AN ARC OF A CURVE FOR 56.48 FEET, HAVING A RADIUS OF 100.00 FEET, CENTRAL ANGLE OF 32° 21' 45", CHORD OF 55.74 FEET AND A CHORD BEARING OF N 62° 19' 15" W, TO A POINT OF TANGENCY AND AN INTERSECTION WITH THE WATERS OF ESTERO BAY; THENCE RUN NORTHERLY ALONG THE WATERS OF ESTERO BAY FOR 2270 FEET MORE OR LESS TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 18; THENCE RUN S 89° 25' 49" E ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 18 FOR 2330 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SECTION 18; THENCE RUN S 89° 25' 49" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 17 FOR 2558.62 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE-1/4); THENCE RUN S 89° 25' 51" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 17 FOR 642.07 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 304 ACRES, MORE OR LESS.

AND

SPRING CREEK WEST

SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST, CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 21; THENCE RUN N 88° 38' 34" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 21 FOR 2627.98 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 21; THENCE RUN N 89° 16' 54" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 21 FOR 1289.43 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF TAMIAHI TRAIL (US 41 - SR NO. 45); THENCE RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE WESTERLY RIGHT-OF-WAY LINE OF TAMIAHI TRAIL: SOUTH 00° 06' 50" E FOR 261.81 FEET; S 02° 58' 35" E FOR 100.12 FEET; S 00° 06' 50" E FOR 3680 FEET MORE OR LESS TO THE NORTHEASTERLY WATERS OF SPRING CREEK; THENCE RUN WESTERLY ALONG SAID NORTHERLY WATERS FOR 2765 FEET MORE OR LESS TO AN INTERSECTION WITH THE WEST LINE OF THE EAST 600.00 FEET OF THE EAST HALF (E-1/2) OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 21; THENCE RUN N 00° 51' 35" W ALONG SAID SOUTH LINE FOR 801 FEET OR LESS TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 21; THENCE RUN S 88° 52' 49" W ALONG SAID SOUTH LINE FOR 2040.41 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE-1/4) OF SAID SECTION 21; THENCE RUN N 00° 35' 25" W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER (NE-1/4) FOR 2659.47 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 282 ACRES, MORE OR LESS.

AND
RECEIVED
MAY 02 2006
BEACH PARCEL
SECTIONS 13 & 24, TOWNSHIP 47 SOUTH, RANGE 24 EAST
CITY OF BONITA SPRINGS
LEE COUNTY, FLORIDA
PERMIT COUNTER

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 3, SECTION 13 AND GOVERNMENT LOT 2, SECTION 24, TOWNSHIP 47 SOUTH, RANGE 24 EAST, BIG HICKORY ISLAND, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE CENTER OF A TURNAROUND ON STATE ROAD NO. 865 (BONITA BEACH ROAD) BEING S.R.D. STATION 19184.75 AND N 24° 28' 41" W ALONG THE NORTHERN PROLONGATION OF SAID CENTERLINE OF STATE ROAD NO. 865 FOR 266.00 FEET; THENCE RUN S 62° 26' 49" W FOR 98.40 FEET; THENCE RUN N 27° 33' 11" W FOR 1863.42 FEET; THENCE RUN N 20° 00' 41" W FOR 1403.30 FEET; THENCE RUN N 85° 00' 00" E FOR 313.91 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN N 18° 55' 11" W FOR 97.51 FEET, N 22° 26' 23" W FOR 95.53 FEET, N 23° 09' 50" W FOR 100.14 FEET, N 14° 51' 19" W FOR 73.01 FEET, N 27° 40' 10" W FOR 88.01 FEET, N 29° 33' 57" W FOR 46.01 FEET, N 22° 14' 53" W FOR 47.27 FEET, N 20° 39' 23" W FOR 46.98 FEET, N 11° 15' 38" W FOR 29.80 FEET, N 26° 10' 46" W FOR 46.87 FEET, N 09° 00' 45" W FOR 48.26 FEET, N 17° 35' 56" W FOR 46.04 FEET, N 12° 49' 07" W FOR 50.04 FEET, N 29° 20' 48" W FOR 69.12 FEET, N 20° 48' 58" W FOR 63.82 FEET; THENCE RUN N 79° 23' 51" W FOR 247 FEET MORE OR LESS TO AN INTERSECTION WITH THE APPROXIMATE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE RUN NORTHERLY AND NORTHEASTERLY ALONG SAID WATERS FOR 1140 FEET MORE OR LESS TO AN INTERSECTION WITH THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 198 AT PAGE 188 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN ALONG SAID SOUTH LINE ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 12000.00 FEET FOR 783 FEET TO AN INTERSECTION WITH THE WATERS OF NEW PASS; THENCE RUN SOUTHERLY, EASTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG SAID WATERS FOR 4080 FEET MORE OR LESS TO AN INTERSECTION WITH A LINE BEARING N 65° 00' 00" E AND PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S 65° 00' 00" W FOR 11 FEET MORE OR LESS TO THE POINT OF BEGINNING. AND FROM SAID POINT OF BEGINNING RUN S 13° 03' 59" E FOR 94.4 FEET; THENCE RUN S 19° 13' 48" E FOR 50.64 FEET; THENCE RUN S 04° 34' 15" E FOR 54.63 FEET; THENCE RUN S 24° 53' 12" E FOR 50.09 FEET; THENCE RUN S 27° 10' 29" E FOR 50.01 FEET; THENCE RUN S 31° 01' 44" E FOR 42.51 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2246 AT PAGE 4413 OF THE LEE COUNTY RECORDS; THENCE RUN N 65° 00' 00" E AND PASSING THROUGH THE POINT OF BEGINNING; THENCE RUN S 65° 00' 00" W FOR 181 FEET, MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 36.6 ACRES, MORE OR LESS. BEARINGS HEREINAFTER MENTIONED ARE PLANE COORDINATE FOR THE FLORIDA WEST ZONE.

PELICAN LANDING CITY DESCRIPTION

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
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DESCRIPTION SEE SHEETS 4 THROUGH 6 FOR SKETCH

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	25023690	7-47-25	N/A	2 OF 7

Exhibit D
Page 2 of 7

S:\023690 PEL-LANDING-REG-APRIL-2006.dwg (SHEET 2-APRIL-2006) 16 May 01, 2006 8:50am

DESCRIPTION
PELICAN LANDING DRI - UNINCORPORATED LEE COUNTY
 SECTIONS 5, 6, 7, 8 AND 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 5, 6, 7, 8 AND 9, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

PARCEL 2-A

BEGINNING AT AN INTERSECTION OF THE WEST LINE OF TAMiami TRAIL (STATE ROAD NO. 45) WITH THE SOUTH LINE OF COCONUT ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 1738 AT PAGE 2538 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S 00° 10' 56" W ALONG SAID WEST LINE FOR 621.81 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHERLY AND SOUTHEASTERLY ALONG SAID WEST LINE, ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 5797.58 FEET (CHORD BEARING S 04° 57' 34" E) (CHORD 1039.14 FEET) (DELTA 10° 17' 00") FOR 1040.54 FEET TO A POINT OF TANGENCY; THENCE RUN S 10° 06' 04" E ALONG SAID WESTERLY LINE FOR 938.08 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 9; THENCE RUN S 89° 23' 00" W ALONG SAID SOUTH LINE FOR 708.94 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE-1/4) OF SECTION 9; THENCE RUN S 89° 27' 22" W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SECTION 9 FOR 2677.24 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SECTION 9; THENCE RUN N 89° 25' 51" W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 8 FOR 1,838.15 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SPRING CREEK ROAD AS DESCRIBED IN DEED BOOK 305 AT PAGE 278, LEE COUNTY RECORDS; THENCE CONTINUE N 00° 07' 17" E ALONG SAID EAST LINE FOR 343.54 FEET; THENCE RUN S 89° 38' 58" E FOR 10.00 FEET; THENCE RUN N 00° 07' 17" E ALONG SAID EAST LINE FOR 849.27 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2039 AT PAGE 3364 SAID PUBLIC RECORDS; THENCE RUN S 89° 21' 02" E ALONG THE SOUTH LINE OF SAID LANDS FOR 189.98 FEET; THENCE RUN N 00° 07' 17" E ALONG THE EAST LINE OF SAID LANDS FOR 125.01 FEET; THENCE RUN N 89° 21' 02" W ALONG THE NORTH LINE OF SAID LANDS FOR 199.98 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID SPRING CREEK ROAD; THENCE RUN N 00° 07' 17" E ALONG SAID EAST LINE FOR 1292.76 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF COCONUT ROAD (90 FEET WIDE); THENCE RUN S 89° 16' 14" E ALONG SAID SOUTH LINE FOR 1802.38 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID SECTION 9; THENCE RUN N 00° 39' 58" W ALONG SAID WEST LINE FOR 25.00 FEET TO A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION; THENCE CONTINUE ALONG SAID WEST LINE N 00° 39' 58" W FOR 5.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID COCONUT ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 1738 AT PAGE 2538, SAID PUBLIC RECORDS; THENCE RUN S 89° 35' 50" E ALONG SAID SOUTH LINE FOR 1549.14 FEET; THENCE RUN SOUTHWESTERLY ALONG A NON-TANGENT CURVE, TO THE LEFT OF RADIUS 30.00 FEET (CHORD BEARING S 45° 24' 10" W) (CHORD 42.43 FEET) (DELTA 90° 00' 00") FOR 47.12 FEET TO A POINT OF TANGENCY; THENCE RUN S 00° 24' 10" W FOR 336.31 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 270.00 FEET (CHORD BEARING S 44° 35' 50" E) (CHORD 381.84 FEET) (DELTA 90° 00' 00") FOR 424.12 FEET TO A POINT OF TANGENCY; THENCE RUN S 89° 35' 50" E FOR 99.41 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 830.00 FEET (CHORD BEARING S 75° 44' 50" E) (CHORD 253.74 FEET) (DELTA 27° 42' 00") FOR 256.23 FEET; THENCE RUN N 20° 53' 52" W FOR 748.16 FEET TO AN INTERSECTION WITH THE AFOREMENTIONED SOUTH LINE OF COCONUT ROAD; THENCE RUN ALONG SAID SOUTH LINE S 89° 35' 50" E FOR 1,301.22 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 294.56 ACRES, MORE OR LESS.

**PELICAN LANDING
 COUNTY DESCRIPTION**

AND

PARCEL 2-B

FROM A RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 8 RUN S 00° 23' 24" E ALONG THE WEST LINE OF SAID FRACTION FOR 25.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF COCONUT ROAD AS RECORDED IN COUNTY COMMISSIONERS MINUTES BOOK 6 AT PAGE 288 OF THE PUBLIC RECORDS OF LEE COUNTY OF LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN S 89° 16' 14" E ALONG SAID SOUTH LINE FOR 325.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SPRING CREEK ROAD; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID WEST LINE OF SAID SPRING CREEK ROAD; S 00° 17' 17" W FOR 817.15 FEET; N 89° 52' 43" W FOR 14.27 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID ARC OF A CURVE TO THE RIGHT OF RADIUS 1725.00 FEET (CHORD BEARING S 05° 52' 51" W) (CHORD 346.22 FEET) (DELTA 11° 31' 09") FOR 346.81 FEET TO A POINT OF TANGENCY; THENCE RUN S 11° 38' 26" W FOR 178.50 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID ARC OF A CURVE TO THE LEFT OF RADIUS 2400.00 FEET (CHORD BEARING S 00° 28' 49" W) (CHORD 929.06 FEET) (DELTA 22° 19' 14") FOR 934.96 FEET TO A POINT OF TANGENCY; THENCE RUN S 10° 40' 48" E FOR 231.66 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG SAID ARC OF CURVE TO THE RIGHT OF RADIUS 1725.00 FEET (CHORD BEARING S 08° 42' 25" E) (CHORD 118.78) (DELTA 03° 56' 45") FOR 118.80 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 8; THENCE RUN N 89° 25' 51" W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 8 FOR 642.07 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SECTION 8; THENCE RUN N 89° 25' 49" W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SECTION 8 FOR 2598.62 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE RUN N 89° 25' 49" W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 7 FOR 2330 FEET MORE OR LESS TO THE WATERS OF ESTERO BAY; THENCE RUN NORTHERLY ALONG THE WATERS OF ESTERO BAY FOR 6.485 FEET MORE OR LESS TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH HALF (S-1/2) OF GOVERNMENT LOT 2 OF SAID SECTION 7; THENCE RUN N 89° 32' 15" E ALONG THE NORTH LINE OF SAID SOUTH HALF (S-1/2) OF GOVERNMENT LOT 2 FOR 793 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1895 AT PAGE 3817 OF SAID PUBLIC RECORDS; THENCE RUN S 08° 50' 45" E ALONG THE EAST LINE OF SAID LANDS FOR 199.50 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE RUN N 89° 35' 27" E FOR 666.22 FEET; THENCE RUN N 89° 32' 15" E FOR 239.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF COCONUT ROAD; THENCE RUN S 01° 07' 45" E ALONG SAID WEST LINE FOR 488.63 FEET; THENCE RUN N 89° 40' 05" E ALONG THE SOUTH LINE OF SAID COCONUT ROAD FOR 24.69 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT OFFICIAL RECORD BOOK 1677 AT PAGE 3516 OF SAID PUBLIC RECORDS. PARCEL CONTAINS 343 ACRES, MORE OR LESS.

AND

PARCEL 2-C

A PARCEL OF LAND LYING IN AND BEING A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF (E-1/2) OF THE NORTHWEST QUARTER (NW-1/4) OF SAID SECTION 8; THENCE RUN N 01° 00' 45" W ALONG THE WEST LINE OF SAID EAST HALF (E-1/2) OF THE NORTHWEST QUARTER (NW-1/4) FOR 40.02 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF COCONUT ROAD (AS MAINTAINED); THENCE RUN S 89° 16' 14" E ALONG SAID RIGHT-OF-WAY FOR 171.25 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE S 89° 16' 14" E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 513.75 FEET; THENCE RUN N 01° 00' 44" W A DISTANCE OF 367.98 FEET. THENCE RUN N 89° 16' 14" W A DISTANCE OF 513.75 FEET; THENCE RUN S 01° 00' 44" E A DISTANCE OF 367.98 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 4.34 ACRES, MORE OR LESS.

AND

PARCEL 2-D

ALL THAT PART OF FLORIDA GULF LAND COMPANY'S SUBDIVISION AS RECORDED IN PLAT BOOK 1 AT PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 5, TOWNSHIP 47 SOUTH, RANGE 25 EAST AND WEST OF LANDS TO FLORIDA POWER AND LIGHT COMPANY AS DESCRIBED BY DEED RECORDED IN DEED BOOK 244, PAGE 138 OF SAID PUBLIC RECORDS, ALSO LOT 8, BLOCK 14 OF ELDORADO ACRES (AN UNRECORDED SUBDIVISION) AS SHOWN IN DEED BOOK 310 AT PAGE 183 OF SAID PUBLIC RECORDS, ALSO PART OF SECTIONS 5, 6, 7 AND 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE RUN N 88° 46' 30" W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 5 FOR 2580.80 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 5; THENCE RUN N 89° 25' 13" W ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW-1/4) FOR 587.32 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LOT 8, BLOCK 14, ELDORADO ACRES, AN UNRECORDED SUBDIVISION; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE BOUNDARY OF SAID LOT 8: S 00° 50' 16" E FOR 132.70 FEET; N 89° 11' 54" W FOR 75.00; N 00° 50' 16" W FOR 132.41 FEET TO AN INTERSECTION WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SECTION 5; THENCE RUN N 89° 25' 13" W ALONG SAID SOUTH LINE FOR 610.82 FEET TO THE NORTHEAST CORNER OF THE WEST HALF (W-1/2) OF THE NORTHWEST

PARCEL 2-D CONTINUED

QUARTER (NW-1/4) OF SAID SECTION 8; THENCE RUN S 01° 00' 45" E ALONG THE EAST LINE OF SAID WEST HALF (W-1/2) OF THE NORTHWEST QUARTER (NW-1/4) OF SECTION 8 FOR 2812.19 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE (AS MAINTAINED) OF COCONUT ROAD BEING 40.00 FEET NORTH OF THE CENTERLINE OF COCONUT ROAD AS RECORDED IN COUNTY COMMISSIONERS MINUTES BOOK 6 AT PAGE 288 OF SAID PUBLIC RECORDS; SAID RIGHT-OF-WAY LINE BEING THE SOUTH LINE OF LANDS AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORD BOOK 3052 AT PAGE 1748 OF SAID PUBLIC RECORDS; THENCE RUN N 89° 16' 14" W ALONG SAID MAINTAINED RIGHT-OF-WAY FOR 1267.93 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHWEST QUARTER (NW-1/4) OF SAID SECTION 8; THENCE RUN N 01° 07' 45" W ALONG SAID WEST LINE FOR 1284.51 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 7; THENCE RUN S 89° 33' 42" W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1 FOR 1813 FEET MORE OR LESS TO THE EASTERLY WATERS OF ESTERO BAY; THENCE RUN NORTHERLY ALONG THE WATERS OF ESTERO BAY FOR 3000 FEET MORE OR LESS TO AN INTERSECTION WITH THE NORTH LINE OF GOVERNMENT LOT 4 OF SAID SECTION 5; THENCE RUN N 89° 41' 23" E ALONG SAID NORTH LINE OR 1807 FEET MORE OR LESS TO AN INTERSECTION WITH THE WEST LINE OF LANDS AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORD BOOK 1762 AT PAGE 4173 OF SAID PUBLIC RECORDS; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE BOUNDARY OF SAID LANDS: N 00° 48' 29" W FOR 775.70 FEET; N 46° 11' 51" E FOR 523.67 FEET; S 81° 20' 47" E FOR 600.53 FEET; N 00° 49' 50" W FOR 162.49 FEET; N 89° 10' 55" E FOR 349.43 FEET; N 01° 31' 46" W FOR 92.78 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST QUARTER (SW-1/4) OF SAID SECTION 5; THENCE RUN N 89° 34' 40" E ALONG SAID NORTH LINE FOR 2592.29 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW-1/4); THENCE RUN N 89° 31' 44" E ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER (SE-1/4) OF SAID SECTION 5 FOR 2401.02 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LANDS TO FLORIDA POWER AND LIGHT COMPANY; THENCE RUN S 20° 51' 33" E ALONG SAID SOUTHWESTERLY LINE FOR 553.91 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SOUTHEAST QUARTER (SE-1/4) OF SECTION 5; THENCE RUN S 00° 08' 26" E ALONG SAID EAST LINE FOR 2202.99 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 576 ACRES, MORE OR LESS. BEARINGS HEREINAFTER MENTIONED ARE PLANE COORDINATE FOR THE FLORIDA WEST ZONE.

RECEIVED
 MAY 02 2006

PERMIT COUNTER

**JOHNSON
 ENGINEERING**

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 FAX (239) 334-3661
 E.B. #542 & L.B. #542

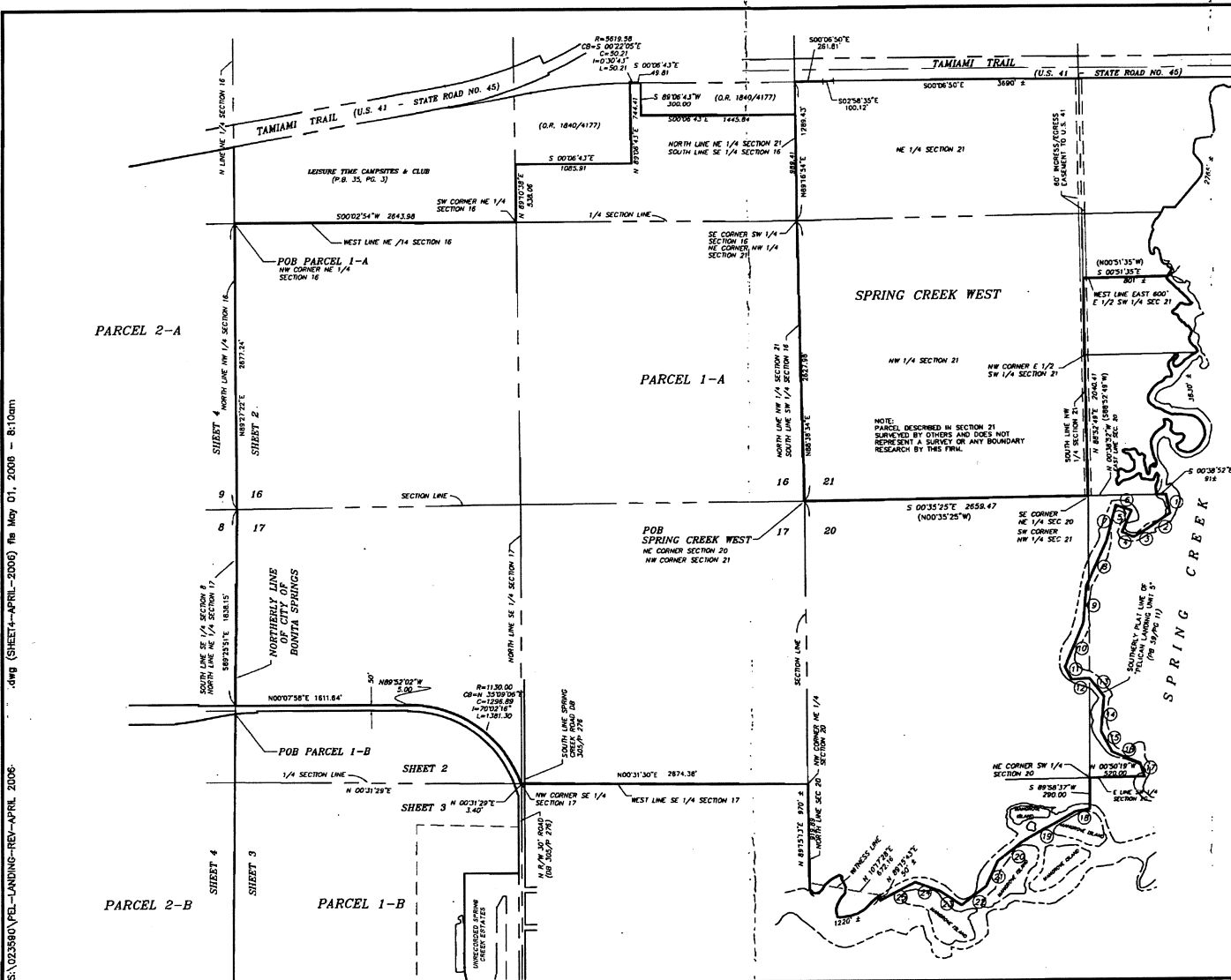
DESCRIPTION
 SEE SHEET 7 FOR KETCH

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	20023590	7-47-25	N/A	3 OF 7

Exhibit D
 Page 3 of 7

S:\023590\PEL-LANDING-REV-APRIL 2006 - 8:50am
 .dwg (SHEET3-APRIL-2006) file May 01, 2006 - 8:50am

S:\023590\PEL-LANDING-REV-APRIL 2006.dwg (SHEET 4-APRIL-2006) File May 01, 2006 - 8:10am



LINE DATA

STATION	Bearing	Distance
1	S 78°00'00"W	181.31
2	N 34°24'12"W	230.22
3	N 30°38'12"W	174.83
4	N 24°25'16"E	126.83
5	S 65°47'43"E	218.32
6	N 18°24'43"E	158.11
7	N 75°11'47"W	351.71
8	N 63°58'33"W	431.88
9	N 84°15'14"W	321.75
10	N 66°54'32"W	443.78
11	S 83°24'43"E	134.16
12	S 07°12'22"E	176.29
13	S 50°30'17"W	220.23
14	N 64°19'43"W	331.38
15	S 63°13'07"W	214.71
16	S 23°08'36"W	291.53
17	S 77°51'17"W	131.22
18	N 08°17'28"W	137.34
19	N 29°08'22"W	390.59
20	N 38°31'38"W	276.03
21	N 65°32'42"W	254.65
22	N 37°18'58"W	286.01
23	N 32°31'05"E	252.58
24	N 20°11'00"E	236.69
25	N 27°23'47"W	365.25

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PELICAN LANDING
CITY SKETCH
PARCEL 1-A & SPRING CREEK WEST

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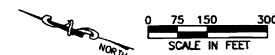
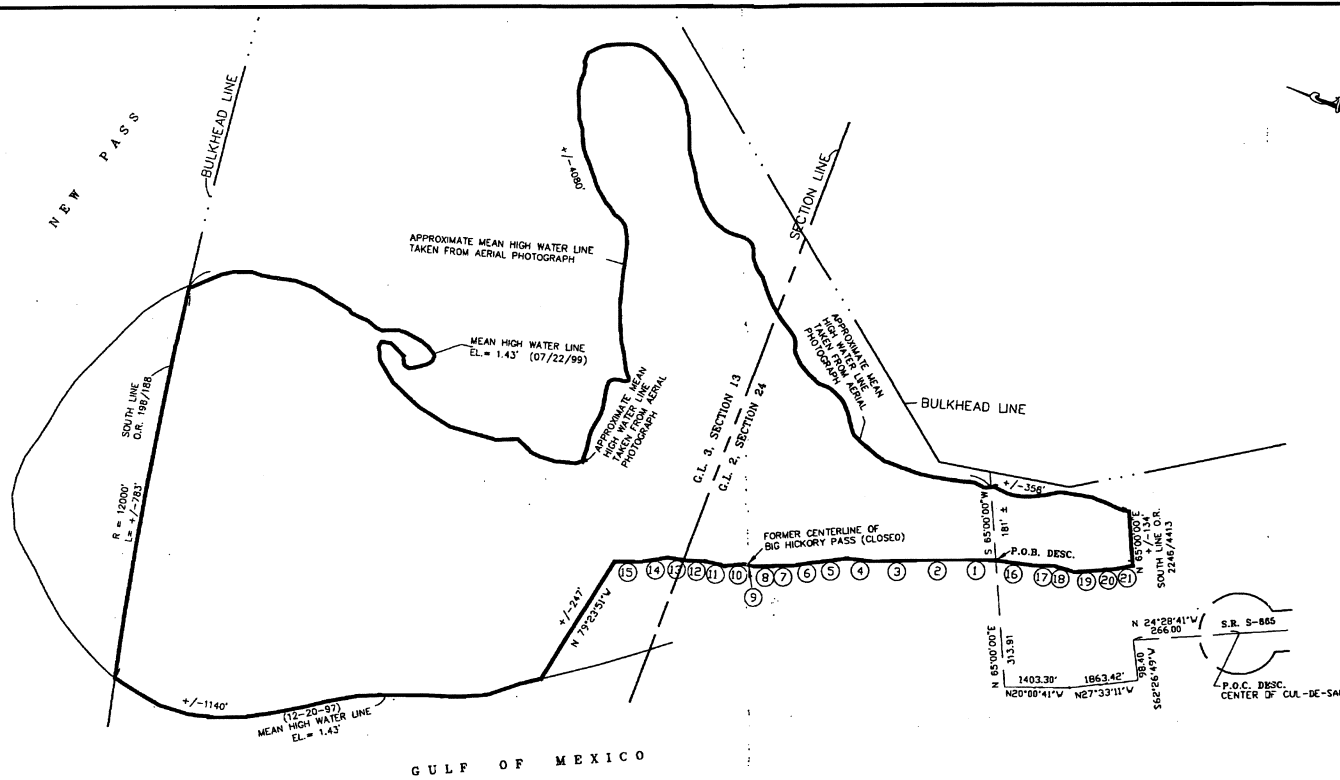
2158 JOHNSON STREET
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PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #542 & L.B. #542

SKETCH SEE SHEET 2 FOR LEGAL DESCRIPTION				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	20023590	7-47-25	1" = 1000'	4 OF 7

S:\023560\PEL-LANDING-REV-APRIL 2006.dwg (SHEET 6-APRIL-2006) file May 01, 2006 - 8:47am

LEGEND

- B.L.G. = BUILDING
- B.M. = BENCH MARK
- C.I.P. = CAPPED IRON PIPE
- C.I.R. = CAPPED IRON ROD
- C.M. = CONCRETE MONUMENT
- CONC. = CONCRETE
- (D) = DEED
- DESC. = DESCRIPTION
- EL. = ELEVATION
- FD. = FOUND
- FIN. = FINISHED
- FL. = FLOOR
- G.L. = GOVERNMENT LOT
- LB. = LICENSED BUSINESS
- (M) = MEASURED
- O.R. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- P.C. = PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PRM. = PERMANENT REFERENCE MONUMENT
- S.R. = STATE ROAD
- W/ = WITH



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LINE DATA

LINE NO.	BEARING	DISTANCE
1	N 18°55'11"W	97.51
2	N 22°26'23"W	100.53
3	N 23°09'50"W	100.14
4	N 14°51'19"W	73.01
5	N 27°40'10"W	88.01
6	N 29°33'57"W	46.01
7	N 22°14'53"W	47.27
8	N 20°39'23"W	46.98
9	N 11°15'38"W	29.80
10	N 26°10'46"W	46.87
11	N 09°09'45"W	48.26
12	N 17°35'56"W	46.04
13	N 12°49'07"W	50.04
14	N 29°20'48"W	63.12
15	N 20°48'58"W	63.82
16	S 13°03'59"E	94.16
17	S 19°13'48"E	50.64
18	S 04°34'15"E	54.63
19	S 24°53'12"E	50.09
20	S 27°10'29"E	50.01
21	S 31°01'44"E	42.51

PELICAN LANDING
CITY SKETCH
BEACH PARCEL

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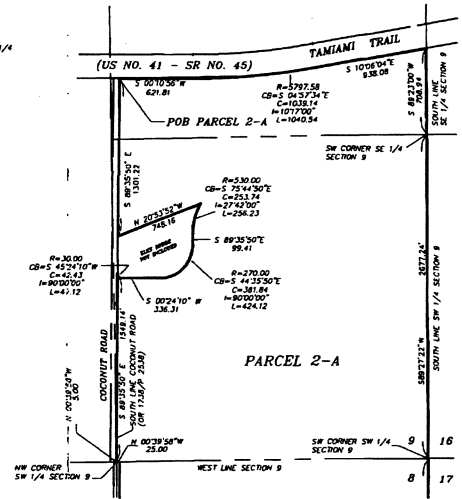
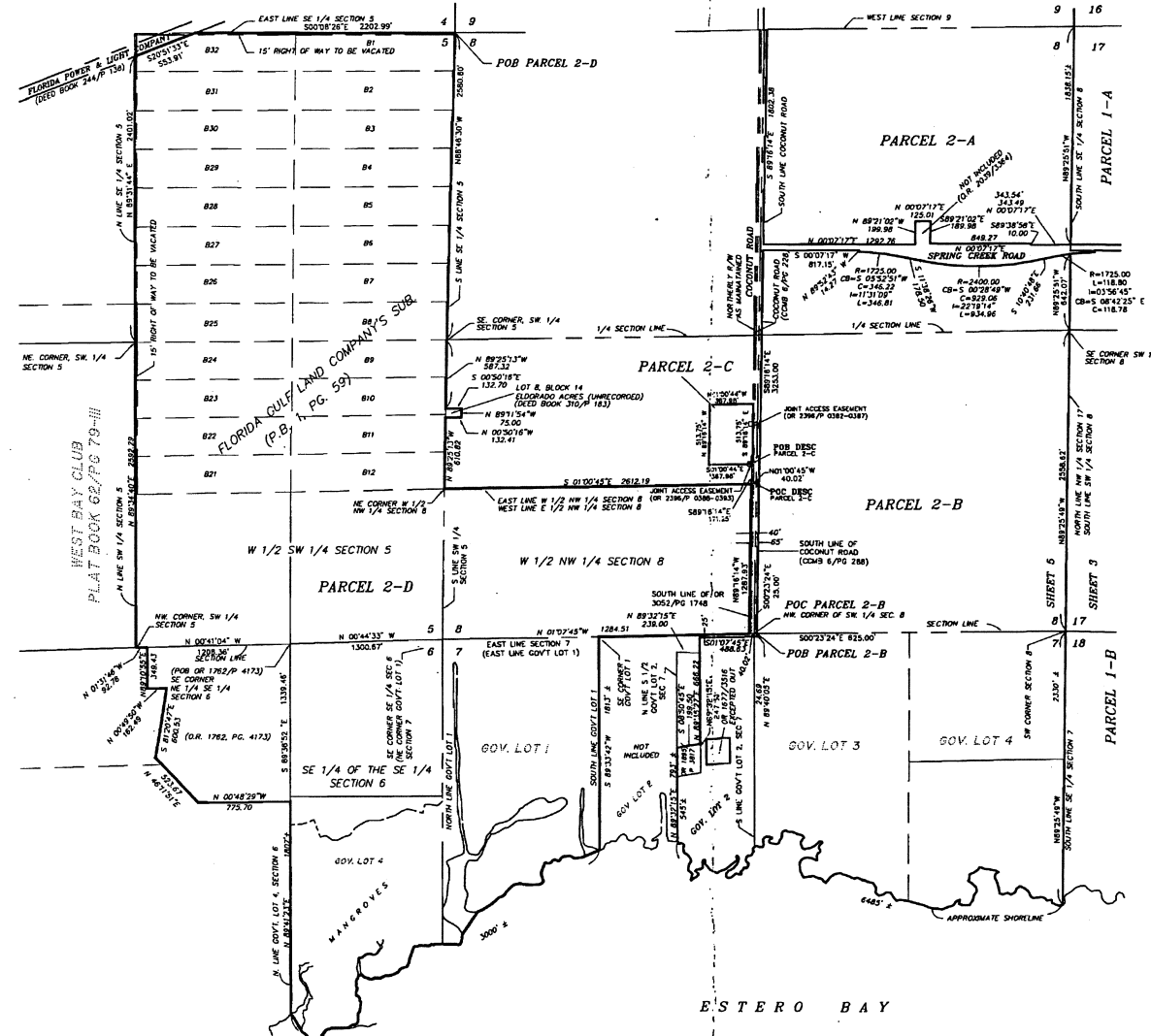
2158 JOHNSON STREET
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SKETCH
SEE SHEET 2 FOR LEGAL DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	20023560	7-47-25	1" = 300'	6 OF 7

Exhibit D
Page 6 of 7

S:\023590\PEL-LANDING-REV-APRIL 2006.dwg (SHEET-APRIL-2006) file May 01, 2008 - 8:08am



PELICAN LANDING
COUNTY SKETCH
PARCELS 2A - 2D

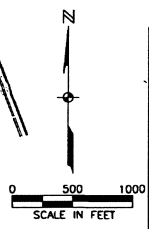
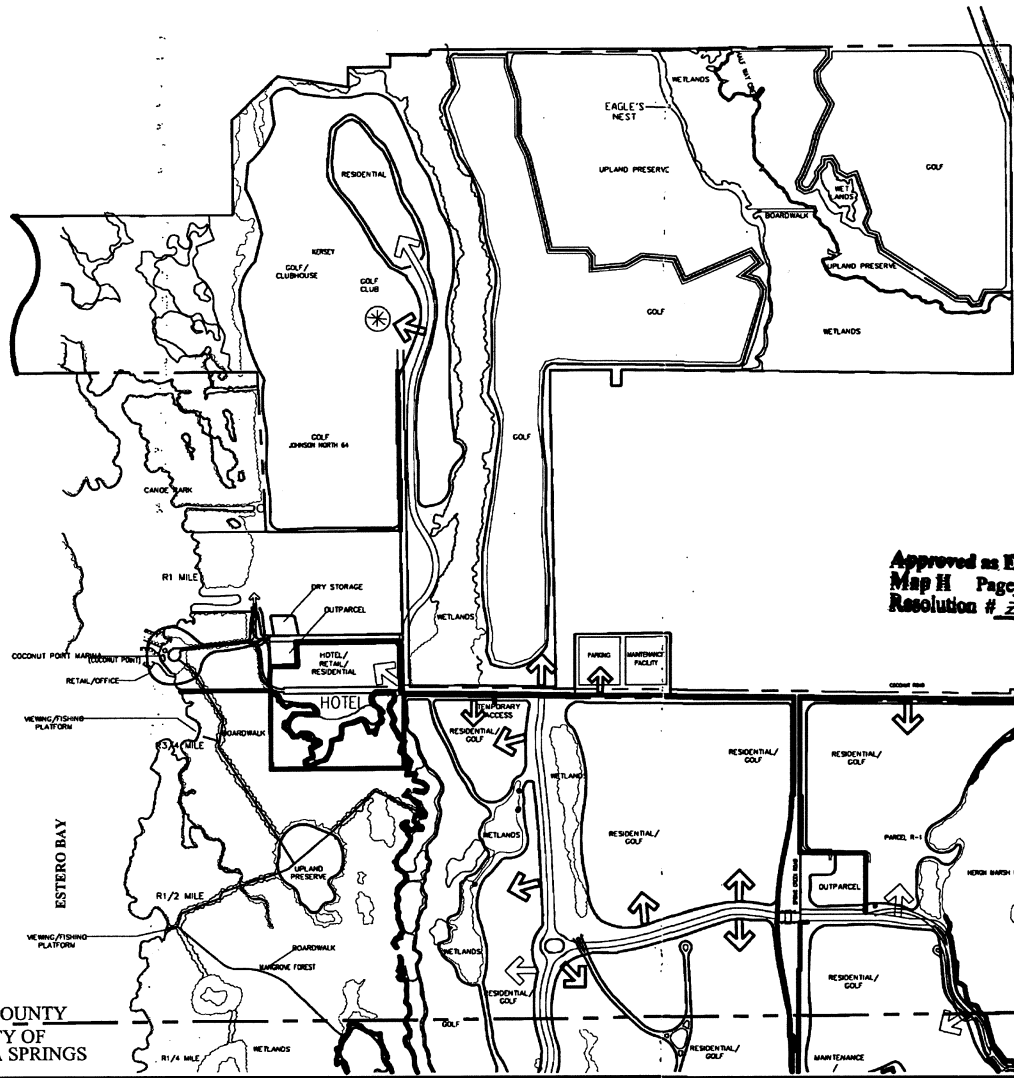
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SKETCH SEE SHEET 3 FOR LEGAL DESCRIPTION				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL 2006	20023590	7-47-25	1" = 1000'	7 OF 7

Exhibit D
Page 7 of 7

DRI 2005-00001



LAND USE SUMMARY			
LAND USE	ACRES	APPROXIMATE	S.F.
RESIDENTIAL	675.0	3812	
SINGLE FAMILY		630	
MULTI-FAMILY		2982	
COMMERCIAL RETAIL	35.5		300,000
COMMERCIAL OFFICE	47.0		475,000
HOTEL/CONFERENCE CENTER	22.0	430 ROOMS	
HOTEL			
CONFERENCE CENTER	3.5	300 ROOMS	
GOLF COURSE	447.84	77 HOLES	
BEACH FACILITY	3.5		
BEACH PARK	30.5		
COMMUNITY PARK AMENITIES	15.5		
WETLANDS	478.50		
(INCLUDES 52.24 AC WITHIN THE ECD-PARK)			
UPLAND HABITAT PRESERVES			
* ECD PARK	89.21		
N. SOUTHWEST BUDGE	7.4		
INDIAN HARBOR	1.1		
S. BAY CEDAR PRESERVE	0.5		
N.E. GOLF PRESERVE (SHEEP TRACT)	45.8		
CEMETERY	0.1		
WATER MANAGEMENT LAKES	247.48		
R.O.W. PUBLIC & PRIVATE	162.16		
UTILITIES	2.0		
WET SLIPS	5.0	65 SLIPS	
DRY SLIPS		150 SLIPS	
MAINTENANCE FACILITY	1.45		
TOTAL	2720.00		775,000

* INCLUDES 52.24 ACRES OF WETLAND PRESERVE

Approved as Exhibit E
Map H Page 1 of 2
Resolution # Z-06-069

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LEE COUNTY
CITY OF
BONITA SPRINGS

PELICAN LANDING

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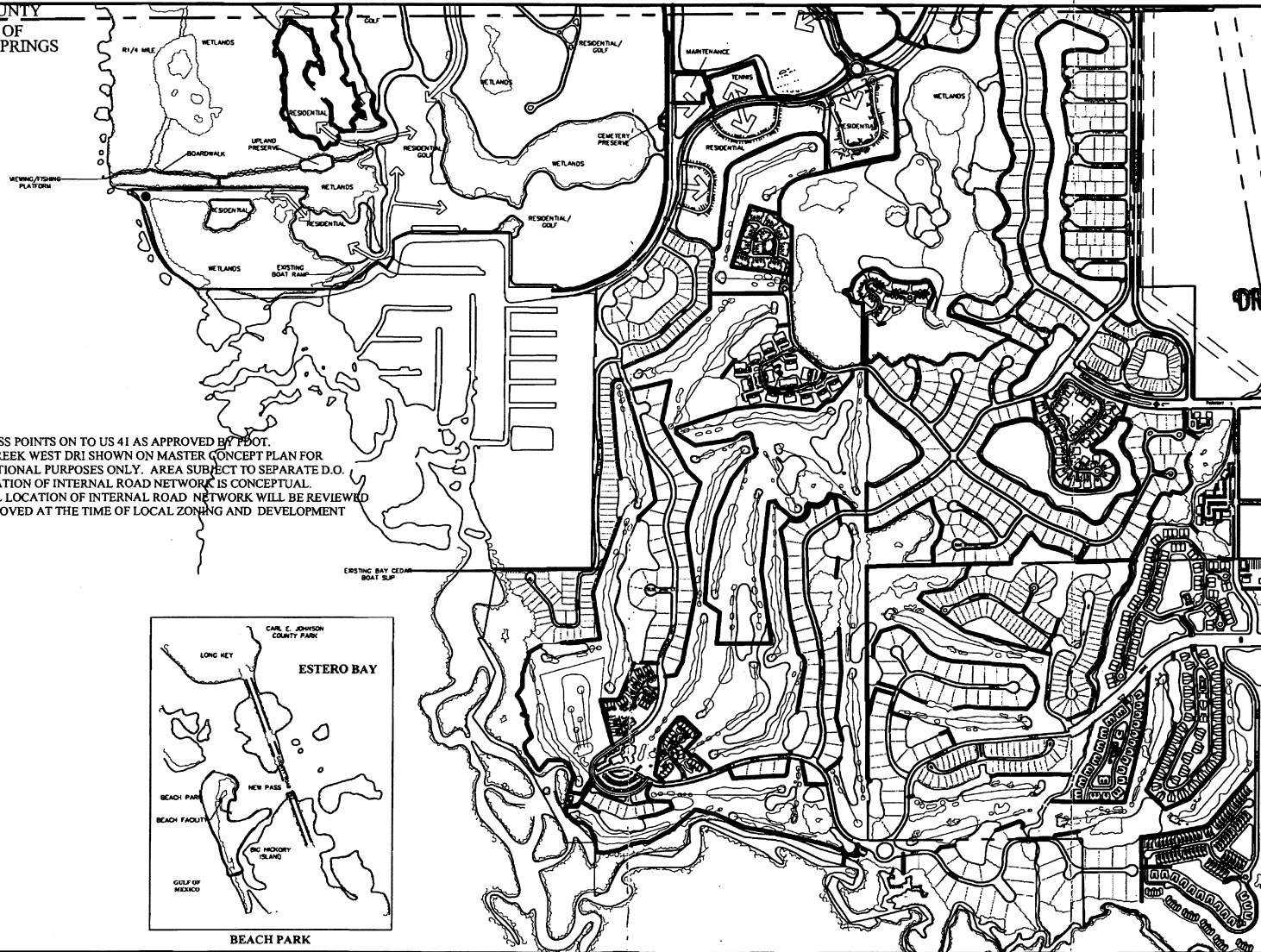
MAP "H"
LEE COUNTY HALF

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
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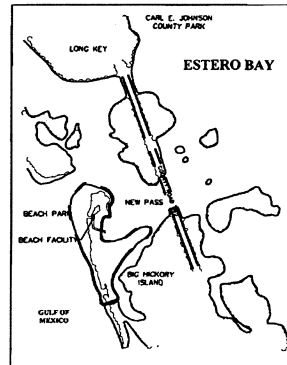
EXHIBIT E
Page 1 of 2

\\fms01\proj-jh\20023590-07\DOCUMENTS\PLUMPH (3).DWG (Sheet 2) web Apr 27, 2006 10:32am

LEE COUNTY
CITY OF
BONITA SPRINGS



- NOTE:
1. ALL ACCESS POINTS ON TO US 41 AS APPROVED BY PDOT.
 2. SPRING CREEK WEST DRI SHOWN ON MASTER CONCEPT PLAN FOR INFORMATIONAL PURPOSES ONLY. AREA SUBJECT TO SEPARATE D.O.
 3. THE LOCATION OF INTERNAL ROAD NETWORK IS CONCEPTUAL. THE FINAL LOCATION OF INTERNAL ROAD NETWORK WILL BE REVIEWED AND APPROVED AT THE TIME OF LOCAL ZONING AND DEVELOPMENT REVIEW.



BEACH PARK

PELICAN LANDING

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E.B. #642 & L.B. #642

MAP "H"
CITY OF BONITA SPRINGS HALF

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
JANUARY 2006	20023590		1" = 1000'	3

ON 2005-00001

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Map H Page 3 of 3
Resolution # 2006-069