



Joe Mazurkiewicz, Jr.
President
P O Box 101655
Cape Coral, FL 33910

Telephone 239-470-5778
Email: joe@bjmconsult.com

August 7, 2019

David Loveland, AICP, Director
Lee County Community Development
1500 Monroe St.
Fort Myers, FL 33901

RE: ADD2019-00116: Response to Insufficiency Letter for Athenian –Three Oaks
Charter School (Revised)

Mr. Loveland:

Please accept this submittal in response to the Insufficiency Letter for ADD2019-00116
dated August 6, 2019

1. The strap number on the attached amended application is now for the Athenian Charter School Site.
2. The application form has been corrected to complete Number 8 on Page 2 and the appropriate legal description is now included with this submittal.
3. The amended application now shows the correct owner of the parcel requesting the deviations. Also included in the submittal are the correct Affidavit of Authorization and Disclosure of Interest.
4. The description of the requested deviations in the Insufficiency Letter accurately reflect the requested deviations as shown on the original exhibits submitted.

Thank you for your assistances with this process.

Sincerely,

Joe Mazurkiewicz, Jr.

Joe Mazurkiewicz, Jr.
President, BJM Consulting, Inc.



APPLICATION TO AMEND A PLANNED DEVELOPMENT OR PUD and/or APPLICATION FOR FINAL PLAN APPROVAL IN UNINCORPORATED AREAS ONLY [LDC Section 34-380 or 34-1037]

Project Name: Athenian Three Oaks Charter

Current Zoning: CPD

- ☒ Amendment to a PD or PUD to allow: Deviation to LDC Sec. 10.285 Table 1 Connection Separation Table
☐ Final Plan Approval for: _____

-
1. **Name of Applicant:** The Athenian Academy Educational Facilities, Inc./The Athenian Academy, Inc.
 Address: 2289 N. Hercules Avenue
 City, State, Zip: Clearwater, FL 33763
 Phone Number: 727-798-7785
 E-mail Address: alex@choicecharterschools.com

 2. **Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:**
☒ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-203(a)(3)]

 3. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-203(a)(4)]**
 a. **Company Name:** BJM Consulting, Inc.
 Contact Person: Joseph Mazurkiewicz
 Address: PO Box 101655
 City, State, Zip: Cape Coral, FL 33915
 Phone Number: 239-470-5778 Email: joe@bjmconsult.com
 b. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-203(a)(4)]

 4. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-203(a)(2)]**
 Name: _____
 Address: _____
 City, State, Zip: _____
 Phone Number: _____ E-mail: _____

 5. **Disclosure of Interest [34-203(a)(2)]:**
☒ Attach [Disclosure of Interest](#) Form.

 6. **STRAP Number(s) [34-205(a)(5)]:**
15-46-25-L3-20000.00B0

 7. **Street Address of Property:** 18801/851 Oak Center Drive Ft. Myers, FL 33967

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

8. Legal Description (must submit one):

☐ Legal description (metes and bounds) and sealed sketch of the legal description. [34-204(a)(5)]

OR

☒ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.) [34-204(a)(5)]

9. Lee Plan (Future Land Use) Designation: Urban Community

10. Original Project Name: Athenian Three Oaks Charter

11. Original Rezoning Resolution Number: NA

12. Subsequent Zoning Action Resolution/Case Numbers (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning. Include Resolution Numbers and Case Numbers (provide added sheets, if necessary).

ADD2019-00040

13. Development Order Numbers (if any): List all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary).

DOS2018-00030

14. Written Narrative: Provide a written narrative statement explaining exactly what is proposed. [34-373(a)(5)]

15. Deviations: If any relief is requested from the provisions of the Lee County Land Development Code (LDC), provide a **written explanation** of the specific relief requested (a schedule of deviations). Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Include specific references to any section (number{s}) and name{s}) of the LDC from which relief is sought including why the requested relief is necessary and how it will affect the project. All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. [34-373(a)(9)]

16. Planning Community or Community Plan Area*: San Carlos

*If in Caloosahatchee Shores [33-1482], Captiva [33-1612], Estero [33-64], Lehigh Acres [33-1401], North Fort Myers [33-1532], North (Upper) Captiva [33-1711], or Page Park [33-1203], attach meeting summary from informational meeting.

17. Approved Master Concept Plan (MCP): Provide an APPROVED MCP and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24"x36". [34-373(a)(6)]

18. Proposed Final Plan (for Final Plan Approval applications only): Provide a copy of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution at a size of 24"x36". This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. [34-373(a)(6)]

SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below.

☒	Completed application [34-203(a)(1)]
☒	Filing Fee [34-201(d)]
☒	Affidavit of Authorization Form [34-203(a)(3)]
☐	Additional Agents [34-203(a)(4)]
☐	Multiple Owners List (if applicable) [34-203(a)(2)]
☒	Disclosure of Interest Form [34-203(a)(2)]
☒	Legal description (must submit one) [34-203(a)(5)]
☐	Legal description (metes and bounds) and sealed sketch of legal description
	OR
☒	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
☒	Previous Zoning Actions (if applicable)
☒	DO Numbers (if applicable)
☒	Narrative of Request [34-373(a)(5)]
☐	Schedule of Deviations (if applicable) [34-373(a)(9)]
☐	Meeting Summary (if applicable)
☐	MCP and detailed drawings of any proposed deviations (if applicable) (24"x36") [34-373(a)(6)]
☒	Proposed Final Plan including deviations keyed to the plan (24"x36") [34-373(a)(6)]

Note: All information submitted with the application becomes a part of the public record and will be a permanent part of the file. Department staff will review this application for compliance with requirements of the Lee County Land Development Code. The applicant will be notified of any deficiencies.

Acceptance of an application for an administrative amendment in no way guarantees its approval. If the Director determines that the requested amendment is beyond the scope of Land Development Code Section 34-380 or 34-1036 and that a public hearing is necessary, then all fees paid toward the administrative application may be applied toward an application for public hearing.

The Director's decision on an administrative amendment is final and can not be appealed. In the event the Director denies the request, the applicant's only recourse is to apply for a public hearing. No fees paid for the administrative application will be refunded or applied towards the public hearing.

If it is determined that inaccurate or misleading information was provided to the county or the decision does not comply with the Land Development Code when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL I (FEE SIMPLE)

Lot B of Three Oaks Town Center-Second Addition according to the Plat thereof recorded in Official Records Instrument No. 2019000149711, Public Records of Lee County, Florida.

PARCEL II (EASEMENT)

Together with non-exclusive easements contained in Declaration of Easements, Covenants and Operation Obligations recorded in Official Records Book 2316, Page 1593, together with Amended and Restated Declaration recorded in Official Records Instrument No. 2015-239068, as amended in First Amendment to Restated Declaration recorded in Official Records Instrument No. 2018-121758, as amended by Supplemental Declaration and Second Amendment to Restated Declaration of Easements, Covenants and Operation Obligations recorded in Official Records Instrument No. 2019000149710.

PARCEL III (EASEMENT)

Together with non-exclusive easements contained in Master Declaration of Covenants, Conditions and Restrictions for Three Oaks recorded in Official Records Book 2007, Page 2662, as amended in Official Records Book 2719, Page 3855, Official Records Book 3444, Page 1189, and Official Records Book 3237, Page 2980, Official Records Book 4094, Page 1426, and Official Records Book 4480, Page 1941, and as subsequently amended or modified, in the Public Records of Lee County, Florida.

Linda Duggett, Lee County Clerk of Circuit Court
INSTR. # 2019000149711, Doc Type SPLT, Pages 2, Recorded 6/25/2019 at 2:03 PM, Deputy Clerk JCABREJA
Rec Fees: \$45.00

THIS INSTRUMENT PREPARED BY
HARRIS-JORGENSEN, LLC
PHILLIP M. MOULD LS #6515
CERTIFICATE OF AUTHORIZATION No. 6921
3048 DEL PRADO BLVD. S. SUITE 100
CAPE CORAL, FLORIDA 33904
(239) 257-2624

THREE OAKS TOWN CENTER-SECOND ADDITION

A SUBDIVISION IN
SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

INSTRUMENT NUMBER 2019000149711

SHEET 1 OF 2

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT PAN TO LAND, LLC, THE OWNER OF THE HEREIN DESCRIBED LANDS HAS CAUSED THIS PLAT OF THREE DAKS TOWN CENTER-SECOND ADDITION, A SUBDIVISION IN SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA TO BE MADE AND DO HEREBY MAKE THE FOLLOWING DEDICATIONS:

A. TO THREE OAKS I MASTER ASSOCIATION, INC.
THE EASEMENTS DESCRIBED BELOW ARE HEREBY DEDICATED TO THREE OAKS I MASTER ASSOCIATION, INC. (A FLORIDA NOT FOR PROFIT CORPORATION) AND ITS ASSIGNS FOR USE IN CONNECTION WITH THE MAINTENANCE OF THE THREE OAKS I MASTER SURFACE WATER MANAGEMENT SYSTEM AND OTHER DUTIES OF THE THREE OAKS I MASTER ASSOCIATION, INC.)

- 1) AN ACCESS EASEMENT FOR DRAINAGE AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES AS DEDICATED OVER AND ACROSS TRACT "A" AS DEPICTED ON THE PLAT, WITHOUT MAINTENANCE RESPONSIBILITIES.
- 2) AN ACCESS EASEMENT FOR THE USE OF A TWENTY (20) FOOT ACCESS EASEMENT AS DEPICTED ON THE PLAT IS DEDICATED OVER AND ACROSS LOT "B" TO ALLOW FOR ACCESS TO TRACT "C" AND TRACT "F" FROM TRACT "A" (A PRIVATE ROADWAY).
- 3) AN ACCESS EASEMENT FOR DRAINAGE AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES AS DEDICATED OVER AND ACROSS TRACT "E" FOR DRAINAGE AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES AS THEY RELATE TO THE OPERATION OF THE MASTER STORMWATER DRAINAGE SYSTEM OPERATED BY THREE DAVIS MASTER ASSOCIATION, INC.
- 4) AN ACCESS EASEMENT FOR DRAINAGE AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES, WITH MAINTENANCE RESPONSIBILITIES.
- 5) AN ACCESS EASEMENT FOR DRAINAGE AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES, INCLUDING MAINTENANCE OF THE CELL TOWER AREA AND UTILITY EASEMENTS (P.U.E.) (DRAINAGE EASEMENT AREAS (D.E.) AND TRACTS TO PROVIDE ACCESS FOR IMPROVEMENT AND MAINTENANCE PURPOSES, INCLUDING MAINTENANCE OF THE CELL TOWER AREA AS DEPICTED ON THE PLAT.

B) TO THREE DAKS TOWNCENTER PROPERTY OWNERS ASSOCIATION, INC.
THE EASEMENTS DESCRIBED BELOW ARE HEREBY DEDICATED TO THE THREE DAKS TOWNCENTER PROPERTY OWNERS ASSOCIATION, INC. (A FLORIDA NOT-FOR-PROFIT CORPORATION) AND ITS ASSIGNS, FOR THE PROVIDING OF: PROVIDING WATER, SEWERAGE, AND UTILITY SERVICE TO AND FOR THE BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS, TRACTS, AND PARCELS IN THREE DAKS TOWN CENTER - SECOND ADDITION AND TO THE PROPERTIES OWNED AND MAINTAINED BY THE THREE DAKS TOWNCENTER PROPERTY OWNERS ASSOCIATION, INC., SUBJECT TO THE RIGHTS AND DUTIES OF THE THREE DAKS 1 MASTER ASSOCIATION, INC.)

- 1) TRACT 3' AS DEPICTED ON THE PLAT FOR PRIVATE ROADWAY, UTILITY (PUE) AND DRAINAGE EASEMENT (DE); PURPOSES, WITH MAINTENANCE RESPONSIBILITIES;
2) NON-EXCLUSIVE USE OF A TWENTY (20) FOOT ACCESS EASEMENT AS DEPICTED ON THE PLAT IS DESIGNATED OVER AND ACROSS LOT 1' TO ALLOW FOR ACCESS TO TRACT 1' AND TRACT 7';
3) TRACT 1' AND TRACT 7' AS DEPICTED ON THE PLAT FOR PRIVATE ROADWAY;
4) TRACTS 1' AND 7' AS DEPICTED ON THE PLAT FOR STORMWATER DETENTION, DRAINAGE, ACCESS, AND OTHER MAINTENANCE AND IMPROVEMENT PURPOSES, WITH MAINTENANCE RESPONSIBILITIES;
5) A NON-EXCLUSIVE TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) ALONG THE STREET SIDE OF LOT 9', LOT 1' AND LOT 15' AS DEPICTED ON THE PLAT.

C) TO LEE COUNTY:
THE EASEMENTS DESCRIBED BELOW ARE HEREBY DEDICATED TO LEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, FOR THE PURPOSE OF PROVIDING SERVICE TO AND FOR THE BENEFIT OF THE OWNERS OF THE FEE SIMPLE TITLE TO THE LOTS, TRACTS, AND PARCELS IN THREE DAKS TOWN CENTER - SECOND ADDITION AND TO THE PROPERTIES OWNED AND MAINTAINED BY THE THREE DAKS TOWNCENTER PROPERTY OWNERS ASSOCIATION, INC., AS SHOWN AND DESCRIBED ON THE PLAT.

- 1) A NON-EXCLUSIVE ACCESS EASEMENT OVER AND ACROSS TRACT "A" FOR THE PURPOSES OF PERMITTING EMERGENCY AND OTHER SERVICE VEHICLES TO ACCESS PROPERTIES DEPICTED ON THE ATTACHED VEHICULAR ACCESS MAP;
- 2) A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT (PUE) OVER AND ACROSS TRACT "A" FOR THE PURPOSES OF PERFORMING AND DISCHARGING THE DUTIES AND OBLIGATIONS TO PROVIDE POTABLE WATER DISTRIBUTION SERVICES AND SANITARY SEWER COLLECTION SERVICES;
- 3) THOSE NON-EXCLUSIVE UTILITY EASEMENTS (PUE) AND (CUE) FOR THE PURPOSES OF PERFORMING AND DISCHARGING THE DUTIES AND OBLIGATIONS TO PROVIDE POTABLE WATER DISTRIBUTION SERVICES AND SANITARY SEWER COLLECTION SERVICES;

D. TO PUBLIC PRIVATE UTILITY COMPANIES:
THE EASEMENTS DESCRIBED BELOW ARE HEREBY DEDICATED TO PUBLIC AND PRIVATE UTILITY COMPANIES INCLUDING BUT NOT LIMITED TO FLORIDA POWER & LIGHT, INTERNET, CABLE, T.V. AND PHONE SERVICE PROVIDERS, FOR THE PURPOSE OF PROVIDING UTILITY SERVICE TO AND FOR THE BENEFIT OF THE OWNERS OF THE FEE SIMPLE TITLE TO THE LOTS, TRACTS AND PARCELS IN THREE DAKS TOWN CENTER - SECOND ADDITION AND TO THE PROPERTIES OWNED AND MAINTAINED BY THE THREE DAKS TOWNCENTER PROPERTY OWNERS ASSOCIATION, INC. IN THE EVENT ANYONE DAMAGES THE FACILITIES OF A PUBLIC OR PRIVATE UTILITY, THE PARTY CAUSING THE DAMAGE WILL BE SOLELY RESPONSIBLE FOR THE DAMAGES.

- 1) A NON-EXCLUSIVE TEN (10) FOOT PUBLIC UTILITY EASEMENT (P.U.E.) ALONG THE STREET SIDE OF LOT "B", LOT "C", TRACT "D" AND LOT "E" AS DEPICTED ON THE PLAT.

IN WITNESS WHEREOF, THE ABOVE IDENTIFIED OWNERS, HAVE CAUSED THIS DEDICATION TO BE MADE AND SIGNED THIS 11th DAY OF June, 2019.

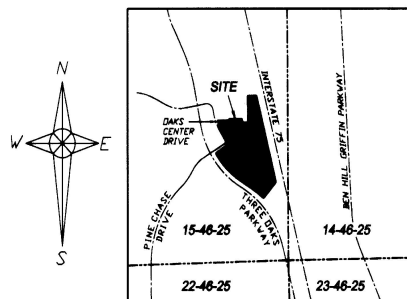
PAN TC LAND, LLC
 BY: Alan C. Freeman
 PRINT NAME: Alan C. Freeman
 WITNESS: Richard Lasse
 PRINT NAME: Richard Lasse
 WITNESS: Jeff Jenkins
 PRINT NAME: Jeff Jenkins

ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF June, 2019,
BY Ann C. Freeman, OWNERS OF THE LANDS HEREIN, WHO (✓) ARE PERSONALLY
KNOWN TO ME OR () HAS PRODUCED NO AS IDENTIFICATION.

MY COMMISSION EXPIRES: 12/31/2021 NOTARY PUBLIC Annette M Carrasquillo
 Annette M Carrasquillo
 NOTARY PUBLIC
 STATE OF FLORIDA
 My Comm # 6611285 EXP 7-15-2021



NOTICE:

"LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF ROADS, DRAINAGE, WATER, AND SEWER FACILITIES."

APPROVALS:

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY
FLORIDA THIS 24 DAY OF June, 2019.

Cecil Perdomo
BRIAN HAMMAN
VICE CHAIR
Joseph Adams
JOSEPH ADAMS
ASSISTANT COUNTY ATTORNEY

Linda Doggett
LINDA DOGETT
CLERK OF COURT IN AND FOR LEE COUNTY
Dulker
JESSICA SUTZER, P.E.
MANAGER, DEVELOPMENT SERVICES

DAVID M. LOVELAND
DIRECTOR, DEPARTMENT OF
COMMUNITY DEVELOPMENT

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE AFORESAID SAID SECTION 15; THENCE RUN N89°37'38"E. ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2,036.97 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD 93), ROADWAY ID 12075-000, FINANCIAL PROJECT ID 4062254; THENCE RUN S14°13'19"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 247.72 FEET TO THE POINT OF BEGINNING.

[illegible]

SAID TRACT CONTAINS 704751.609 SQUARE FEET OR 16.178 ACRES, MORE OR LESS.

CLERK OF COURT CERTIFICATION:

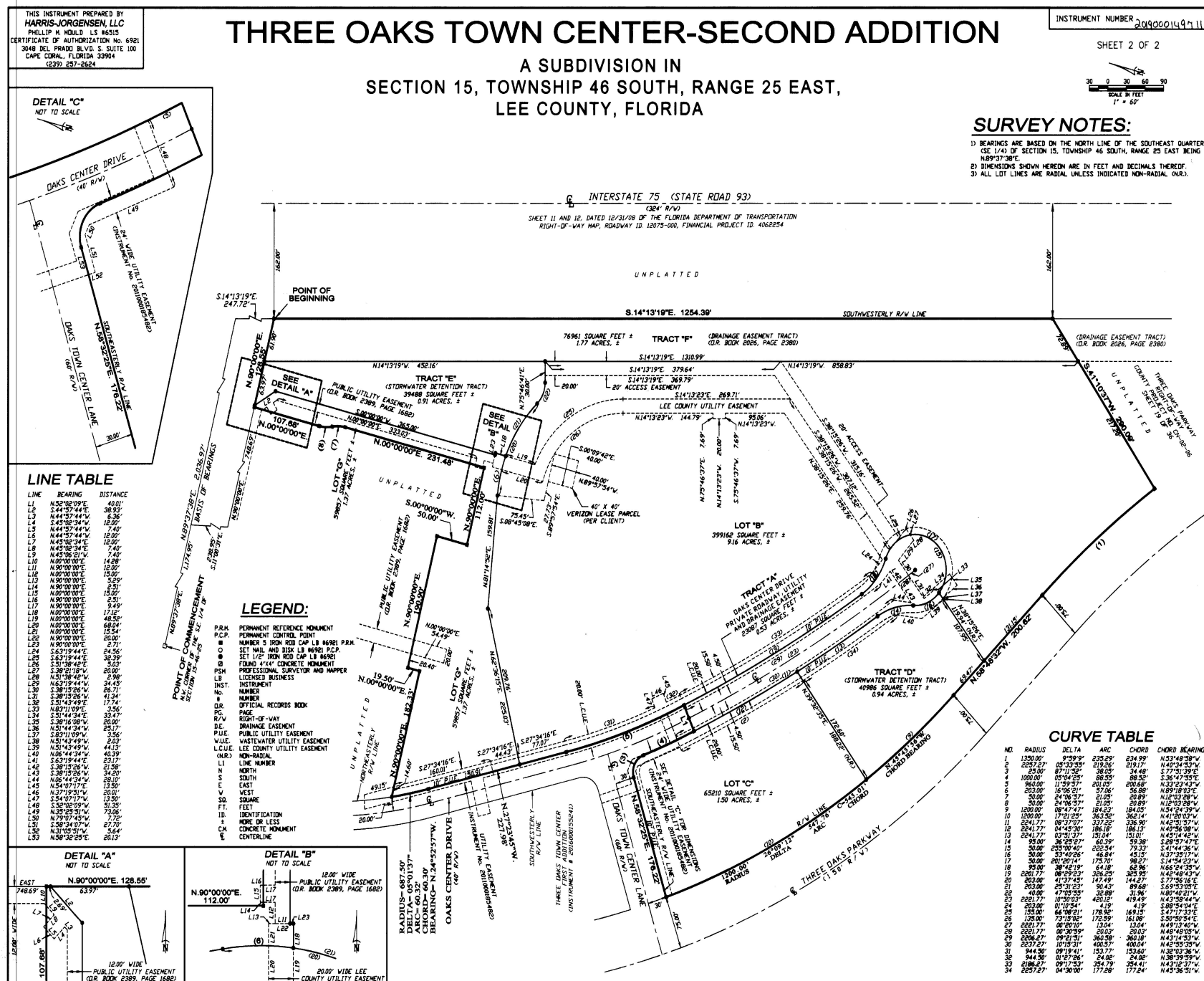
I HEREBY CERTIFY THAT THE ATTACHED PLAT OF THREE OAKS TOWN CENTER-SECOND ADDITION, A SUBDIVISION IN SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WAS FILED FOR RECORD AT 2:03 PM J. THIS 25th DAY OF STUAM, 2019, AND DULY RECORDED AS INSTRUMENT NUMBER _____ IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Linda Doggett
LINDA DOGGETT
LEF COUNTY CLERK OF COURT

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF THREE DAKS TOWN CENTER-SECOND ADDITION, A SUBDIVISION IN SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

DOE THIS 11 DAY OF JUNE, 2019
Phillip W. Meuld
PHILLIP W. MEULD, PSM 6515
PROFESSIONAL SURVEYOR AND MAPPER
HARRIS-JORGENSEN, INC
FLORIDA CERTIFICATE L.B. NO. 6921
3046 DEL PRADO BLVD. S. 2A
CAPE CORRAL, FLORIDA 33904



This Instrument Prepared by:

Joan M. Vecchioli, Esq.

Johnson, Pope, Bokor, Ruppel & Burns, LLP

911 Chestnut St

Clearwater, FL 33756

Property Appraiser's Folio No.:

A portion of 15-46-25-L3-U2112-2787

A portion of 15-46-25-L3-U2114-2770

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed") is made as of the 28th day of June, 2019, from **PAN TC LAND, LLC, a Florida limited liability company**, having a mailing address of 28120 Hunters Ridge Blvd., Suite 5, Bonita Springs, FL 34135 ("**Grantor**"), to **THE ATHENIAN ACADEMY EDUCATIONAL SERVICES, LLC, a Florida limited liability company**, having its principal office at 2289 N. Hercules Avenue, Clearwater, FL 33763 ("**Grantee**").

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, by these presents does grant, bargain and sell unto Grantee, and Grantee's successors and assigns forever, fee simple title and all other right, title, interest, claim and demand that Grantor have or may have in and to the following described real property (the "**Property**") located and situate in the County of Lee and State of Florida, to wit:

See **Exhibit A** attached hereto and made a part hereof.

TOGETHER WITH all the tenements, hereditaments and appurtenances, and every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining.

SUBJECT to applicable land use and zoning restrictions and to those easements, reservations and restrictions set forth and described on **Exhibit B** attached hereto and made a part hereof, which are specifically not reimposed or extended hereby, and to taxes for the year 2019 and subsequent years.

EXCEPTING AND RESERVING unto Grantor a perpetual easement over the portion of the Property described on **Exhibit C** which is presently leased to Primeco Personal Communications, LLC and its successors in interest (the "Cell Tower Easement"). Although Grantee shall hold fee simple title, Grantor shall retain ownership of the cell tower located on the

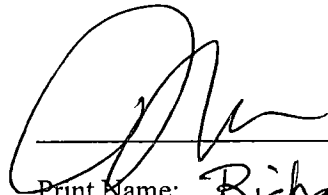
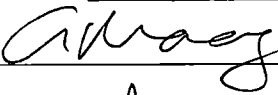
Note to Administrator: Consideration for this conveyance is \$2,500,000.00.

Cell Tower Easement, which ownership rights may be assigned, in whole or in part by Grantor. Grantor, for itself and its tenants and successors in interest to the Cell Tower Easement, also reserves a non-exclusive perpetual easement for ingress and egress, and utility service reasonably necessary for the cell tower, over such portions of the Property as are reasonably necessary to access the Cell Tower Easement, upon reasonable notice to Grantee, without interfering with Grantee's use of the Property. This ingress and egress access easement and utility service easement may be across roadways and parking areas located on the Property and existing dedicated public utility easements and may be relocated, from time to time, by Grantee, provided that Grantor, its tenants and successors in title and interest shall always have reasonable access to, and utility service for, the Cell Tower Easement.

AND Grantor does hereby fully warrant the title to the Property, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

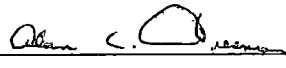
IN WITNESS WHEREOF, Grantor has caused these present to be executed and seal(s) to be affixed the day and year first above written.

WITNESSES:


 Print Name: Richard Losee

 Print Name: Aaron Maag

GRANTOR:

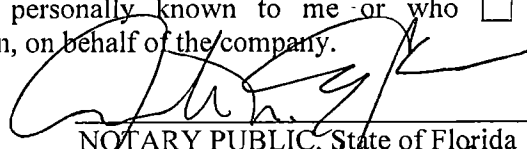
PAN TC LAND, LLC,
 a Florida limited liability company

By: 
 Print Name: Alan C. Freeman, its Manager

STATE OF FLORIDA)
 COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 21st day of June, 2019, by Alan C. Freeman, as Manager of PAN TC LAND, LLC, a Florida limited liability company, who ☒ is personally known to me or who ☐ produced _____ as identification, on behalf of the company.

My commission expires: 7/15/2021


 NOTARY PUBLIC, State of Florida
 Print name: Annette M. Carrasquillo

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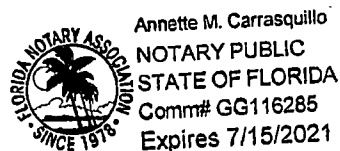


EXHIBIT "A"

LEGAL DESCRIPTION

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PERMITTED EXCEPTIONS

1. Any right, title or interest in those certain oil, gas, and mineral interests referenced in that certain Deed recorded in Official Records Book 1248, Page 809. The right of entry for the mineral reservation has been barred by Section 712.04, Florida Statutes.
2. Notice of Development Order recorded in Official Records Book 1849, Page 4408, Official Records Book 2212, Page 4603, Notice of Adoption of First Development Order Amendment recorded in Official Records Book 2292, Page 4594, Notice of Adoption of the Second Amendment recorded in Official Records Instrument No. 2007-330540, and Notice of Adoption of Amendment recorded in Official Records Instrument No. 2007-330548, together with Notice of Development Order recorded in Official Records Instrument No. 2019000125828.
3. Terms, covenants, conditions, easements, restrictions, reservations and other provisions, including provisions which provide for a private charge or assessment, according to that certain Three Oaks I Master Declaration, and the exhibits and attachments thereto recorded in Official Records Book 2007, Page 2662, and as amended in Official Records Book 2007, Page 2746, Official Records Book 2917, Page 3855, Official Records Book 3237, Page 2980, Official Records Book 3444, Page 1189, Official Records Book 4094, Page 1426 and Official Records Book 4480, Page 1941.
4. Lee County Ordinance No. 86-14 recorded in Official Records Book 2189, Page 3281 and amended by Ordinance No. 86-38 recorded in Official Records Book 2189, Page 3334.
5. Covenants, conditions, restrictions and easements in Declaration of Easements, Covenants and Operation Obligations recorded in Official Records Book 2316, Page 1593, together with Amended and Restated Declaration recorded in Official Records Instrument No. 2015-239068, and as amended in First Amendments to Restated Declaration recorded in Official Records Instrument No. 2018-121758, as amended by Supplemental Declaration and Second Amendment to Restated Declaration of Easements, Covenants and Operation Obligations recorded in Official Records Instrument No. 2019000149710.
6. Terms and conditions of Lease by and between Paul H Freeman and Primeco Personal Communications, Limited Partnership d/b/a Verizon Wireless dated January 15, 2001, as evidenced by Assignment of Lease recorded in Official Records Book 3364, Page 4121, and Memorandum of Lease recorded simultaneously herewith.
7. Grant of Perpetual Public Utility Easement to Lee County recorded on 8/19/2011 in Official Records Instrument No. 2011-185482.
8. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Three Oaks Town Center - First Addition, recorded in Official Records Instrument No. 2016-155241. (Easement Parcels)

9. Notice of Lot Split Approval recorded in Official Records Instrument No. 2016-43446.
10. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Three Oaks Town Center Second Addition recorded in Instrument No. 2019000149711 of the Public Records of Lee County, Florida.

EXHIBIT C TO DEED

Cell Tower Easement

SHEET 1 OF 2

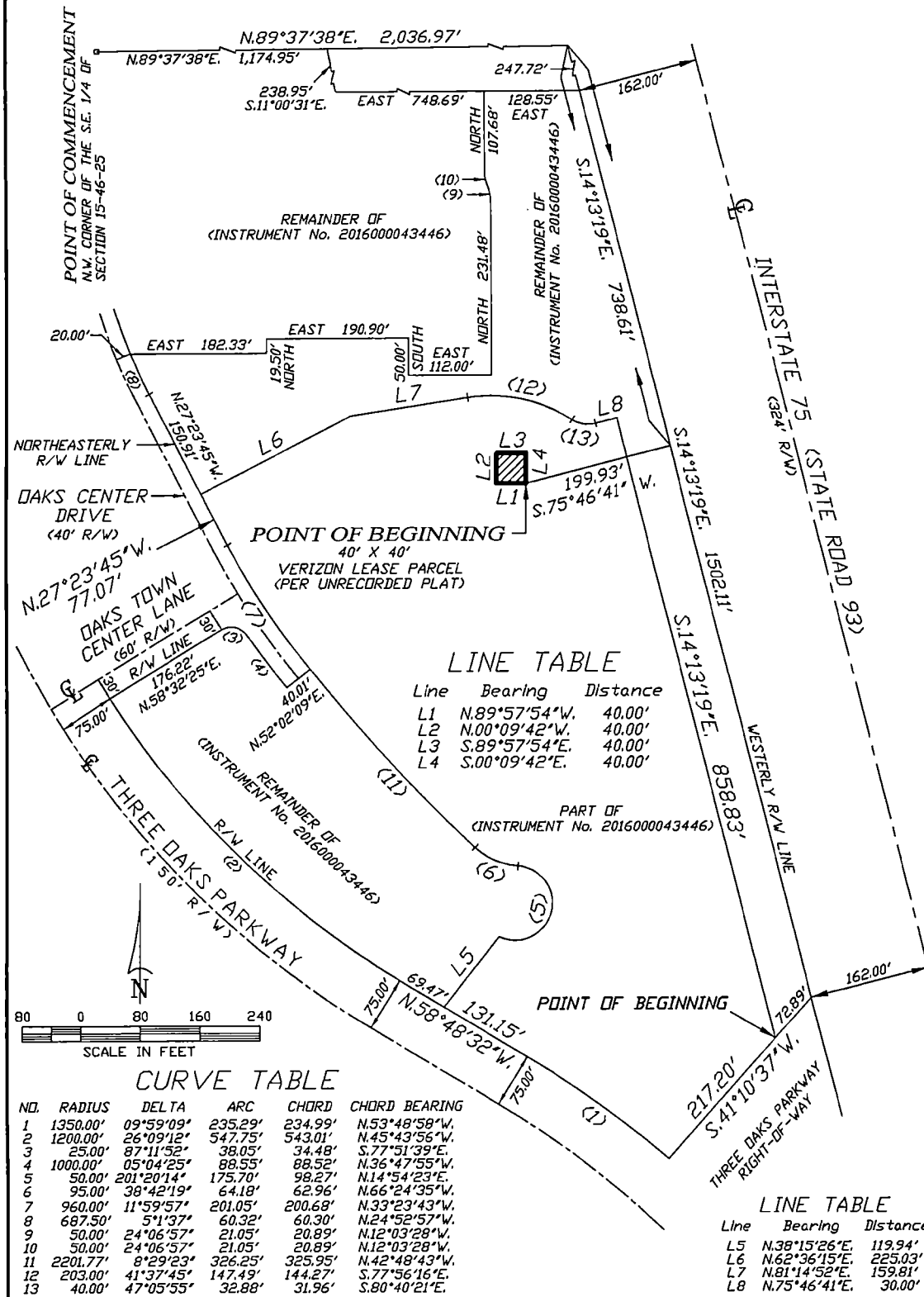


EXHIBIT "A"
to Exhibit "C" Cell Tower Easement

DESCRIPTION:

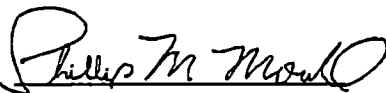
A PARCEL OF LAND BEING A VERIZON LEASE PARCEL LYING IN SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE AFORESAID SAID SECTION 15; THENCE RUN N.89°37'38"E. ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2,036.97 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD 93), ROADWAY ID 12075-000, FINANCIAL PROJECT ID 4062254; THENCE RUN S.14°13'19"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 738.61 FEET; THENCE RUN S.75°46'41"W. FOR 199.93 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING THENCE RUN N.89°57'54"W. FOR 40.00 FEET; THENCE RUN N.00°09'42"W. FOR 40.00 FEET; THENCE RUN S.89°57'54"E. FOR 40.00 FEET; THENCE RUN S.00°09'42"E. FOR 40.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 46 SOUTH, RANGE 25 EAST BEING N.89°37'38"E.

SAID TRACT CONTAINS 1,600 SQUARE FEET, MORE OR LESS.



PHILLIP M. MOULD
LS #6515
JUNE 1, 2019

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

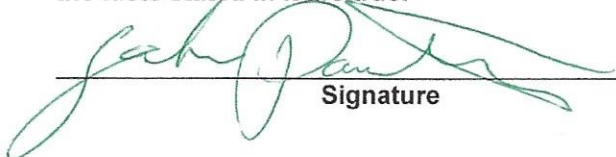
I, John Pantazes (name), as President (owner/title) of The Athenian Academy, Inc. (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.


Signature

8-6-19
Date

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

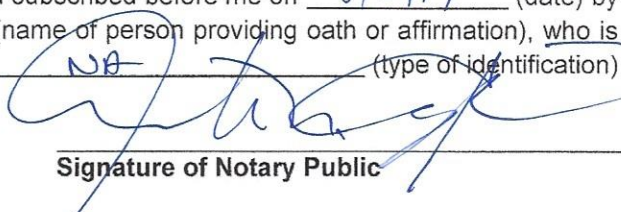
**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 8/5/19 (date) by John Pantazes (name of person providing oath or affirmation), who is NA (type of identification) personally known to me or who has produced _____ as identification.

STAMP/SEAL



Annette M. Carrasquillo
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG116285
Expires 7/15/2021


Signature of Notary Public

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared John Pantanzes, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at The Athenian Academy, Inc. and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
NA	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

Property Owner

John Pantazes

Print Name

[Handwritten signature of John Pantazes]
John PANTAZES 8-6-19

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on
8/5/19 (date) by John Pantazes (name of
person providing oath or affirmation), who is personally known to me or who has produced
NA (type of identification) as identification.

STAMP/SEAL

[Handwritten signature of Annette M. Carrasquillo]
Signature of Notary Public



Annette M. Carrasquillo
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG116285
Expires 7/15/2021