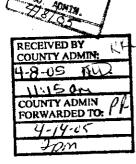
#### Lee County Board Of County Commissioners Blue Sheet No. 20050468 **Agenda Item Summary** 1. ACTION REQUESTED/PURPOSE: Approve the Resolution of Necessity for the acquisition and condemnation of parcels in Phase III, required for the Three Oaks Parkway South Extension Project (East Terry Street north to within the Brooks Subdivision), No. 4043. 2. WHAT ACTION ACCOMPLISHES: Allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Three Oaks Parkway South Extension Project (East Terry Street north to within the Brooks Subdivision), No. 4043. 3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested. 5. Meeting Date: 4. Departmental Category: 12 م 6. Agenda: 7. Requirement/Purpose: (specify) 8. Request Initiated: Statute 73,74,125,127 Commissioner Consent County Attorney Department Ordinance Administrative Division Litigation Appeals Admin. Code By: John Renner, Assistant County Attorney Public Other Walk-On 9. Background: The Three Oaks Parkway South Extension Project, No. 4043 provides for the construction of a six-lane roadway, from East Terry Street north to a connection point within The Brooks Subdivision, with sidewalks, bike paths, stormwater drainage, and utilities. Approval of the Resolution of Necessity is required, should condemnation proceedings be necessary for the acquisition of parcels required for the project. Attachments: Resolution, Location Map (Acquisition Area-Phase III) 10. Review for Scheduling: County Purchasing County Department Human Manager/P.W. Budget Services Other Director Resources Attorney Director Contracts Analyst Commission Action: 11. Approved Deferred Denied Rec. by CoAtty Other

L:\POOL\3-Oaks 4043\LEGAL\Resolution of Nec Phase III BS.doc/4/5/05

Date: ///CS Time: 5000



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

WHEREAS, after consideration of the availability of alternative routes, the costs of the project, environmental factors, long range area planning, and safety concerns, The Board of County Commissioners of Lee County, Florida, desires to exercise its right to condemn property for public use or purpose, and that the property to be condemned is necessary for that use.

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

The Capital Improvement Project provides for the construction of the Three Oaks

Parkway South Extension, Project No. 4043, by acquiring the necessary right-of-way for

construction of an arterial roadway from East Terry Street in Bonita Springs, north to the

existing Three Oaks Parkway connection within The Brooks subdivision.

#### SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY

The Board of County Commissioners finds that the fee simple rights in the property described in attached Exhibit "A", slope easement rights in the property described in attached Exhibit "B", and drainage easement rights in the property described in attached Exhibit "C", are all necessary for the Three Oaks Parkway South Extension Project, Phase III, and are being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety by providing right-of-way for an increased traffic flow for public as well as private vehicles, and improvement of evacuation routes. Provides for an additional north/south corridor from East Terry Street in Bonita Springs to a point of connection with the existing Three Oaks Parkway within The Brooks Subdivision. Three Oaks Parkway will be an arterial roadway with sidewalk, bike path, stormwater drainage, and utilities. Exhibit "A" consists of Parcels 264, 266 and 267; Exhibit "B" consists of Parcels 264A-SE, 264B-SE, 266A-SE and 266B-SE; Exhibit "C" consists of Parcels 263-DE and 264-DE.

#### SECTION TWO: AUTHORITY AND ESTATE

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring

#### Resolution of Necessity

Page 2

property under the ex	xercise of the power of emin	ent domain, the Board of County	Commissioners
hereby authorizes and	d directs the County Attorne	ey's Office to commence and prose	ecute any and
all proceedings neces	ssary to acquire the fee simp	le interest in, the slope or drai	nage easement
rights in the proper	ties described in Exhibits	"A", "B" and "C", respectively, i	for the above
described public use	or purpose.		
The foregoing Re	solution was offered by Comm	missioner,	who moved its
adoption. The motion	n was seconded by Commission	er, and upon	being put to
a vote was as follows	<b>5</b> :		
	Bob Janes		
	Douglas St. Cerny		
	Ray Judah		
	Tammy Hall		
	John E. Albion		
DULY PASSED AND ADOPT	<b>TED</b> thisday of	, 20	
ATTEST:		LEE COUNTY, FLORIDA, BY ITS	
CHARLIE GREEN, CLERK		BOARD OF COUNTY COMMISSIONERS	
Ву:			
Deputy Clerk		Chairman	
		APPROVED AS TO FORM:	

Office of County Attorney



March 4, 2005

#### THREE OAKS PARKWAY

#### PARCEL 264

# A PARCEL LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A parcel or tract of land lying in the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

Commence at the northeast corner of the Northeast Quarter (NE-1/4) of said Section 23; thence run S 02° 52' 09" E along the east line of said Northeast Quarter (NE-1/4) for 1,233.18 feet to the Point of Beginning.

From said Point of Beginning thence continue S 02° 52' 09" E along said east line of said Northeast Quarter (NE-1/4) for 383.84 feet to an intersection with a nontangent curve to the right; thence run northerly along the arc of said curve to the right, having a radius of 6,007.66 feet, (delta 10° 17' 12") (chord bearing N 22° 25' 31" W) (chord 1,077.15 feet) for 1,078.60 feet to an intersection with the south line of lands described and recorded in Official Records Book 4602 at Page 2365 of the Public Records of Lee County; Florida; thence run N 87° 54' 33" E along said north line for 25.77 feet to the southeast corner of said lands; thence run N 02° 33' 31" W along the east line of said lands for 604.94 feet to an intersection with a non-tangent curve to the left; thence run southerly along the arc of said curve to the left, having a radius of 5,857.66 feet, (delta 12° 32' 23") (chord bearing S 17° 53' 09" E) (chord 1,279.45 feet) for 1,282.00 feet to the Point of Beginning.

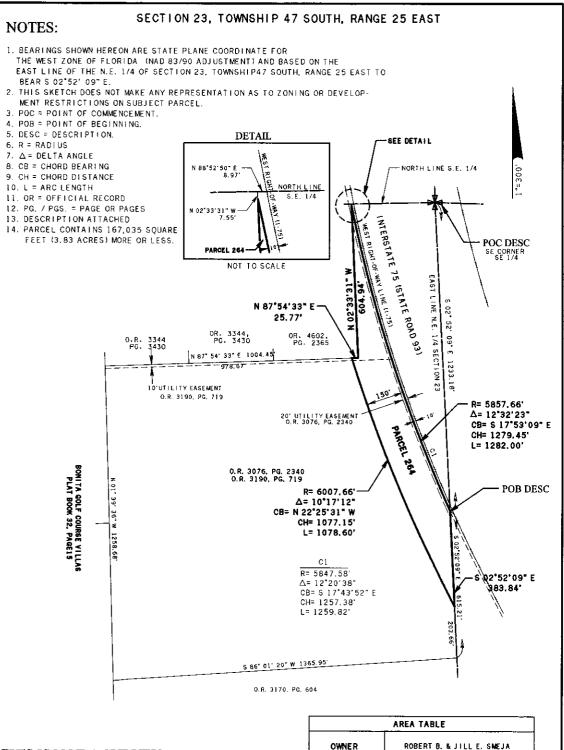
Containing 167,035.31 square feet or 3.83 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the east line of the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East to bear S 02°52'09" E.

Exhibit "A"

Page \_\_\_of \_6\_

20013033 Parcel 264 030405



THIS IS NOT A SURVEY

MARK G. WENTZEL (FÖR THE FARM LB 642) PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NUMBER 5247

DATE SIGNED: 3/2/05
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.

PARCEL 264 - THREE OAKS PARKWAY

AREA TABLE						
OWNER	ROBERT B. & JILL E. SMEJA					
STRAP NO.	23-47-25-B2-00002.0000					
AREA	SQUARE FEET	ACRES				
PARENT TRACT	1,651,954.95	37.92				
TAKEN AREA	167,035.31	3.83				
REMAINDER	1,484,919.64	34.09				

#### PARCEL IN

SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA



2158 JOHNSON STREET P.O. BOX 1550 FORT MYERS, FLORI DA 33902-1550 PHONE (239) 334-0046 FAX 1239) 334-3661 E.B. \*642 & L.B. \*642

SKETCH TO ACCOMPANY DESCRIPTION

<del></del>						
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET		
02-28-05	20013033	23-47-25	1=300,	1 OF 2		

Exhibit "A"

Page 2 of 6





January 5, 2005

#### THREE OAKS PARKWAY

#### PARCEL 266

# LYING IN SECTION 14, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 14, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

From the northeast corner of the Southeast Quarter (SE-1/4) of said Section 14 run S 88° 48' 21" W along the north line of said Southeast Quarter (SE-1/4) for 442.24 feet to the Point of Beginning.

From said Point of Beginning run S 01° 34′ 01" E for 1545.52 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left, having a radius of 5857.66 feet (delta 09° 58′ 26") (chord bearing S 06° 33′ 14" E)(chord 1018.41 feet) for 1019.70 feet; thence run S 88° 52′ 50" W for 152.45 feet to an intersection with a non-tangent curve; thence run northwesterly along the arc of said curve to the right, having a radius of 6007.66 feet (delta 09° 42′ 40")(chord bearing N 06° 25′ 21" W)(chord 1017.01 feet) for 1018.23 feet to a point of tangency; thence run N 01° 34′ 01" W for 1546.50 feet to an intersection with the north line of said Southeast Quarter (SE-1/4); thence run along said north line N 88° 48′ 21" E for 150.00 feet to the Point of Beginning.

Containing 384.746.28 square feet or 8.83 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the north line of the Southeast Quarter (SE-1/4) of Section 14, Township 47 South, Range 25 East to bear S 88° 48' 21" W.

Exhibit "A"

Page 3 of 6

20013033 Parcel 266 010505

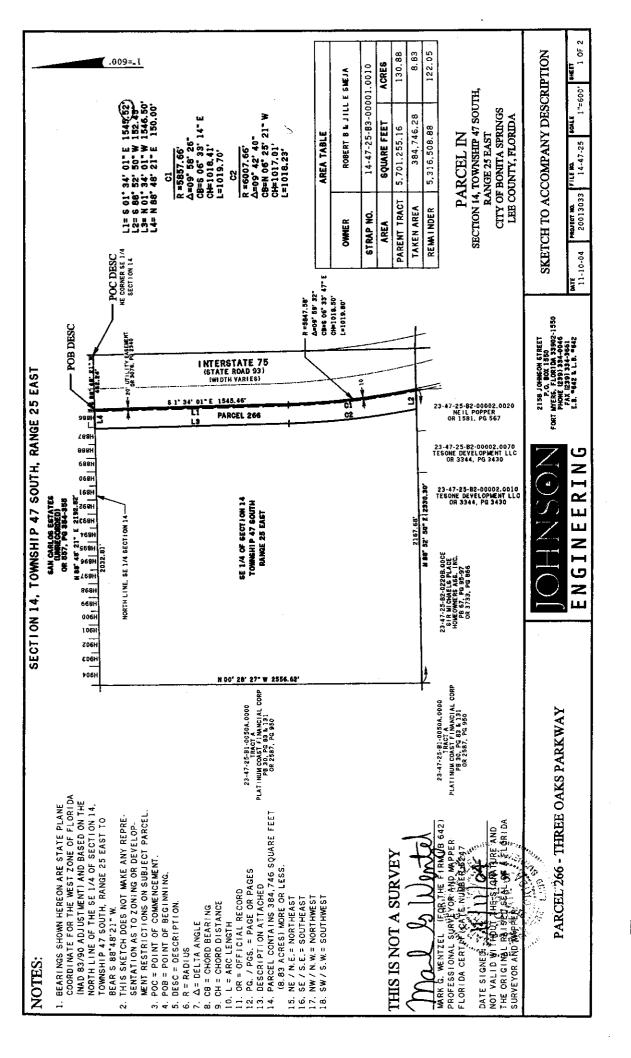


Exhibit "A"

Page <u># of 6</u>



November 04, 2004

#### THREE OAKS PARKWAY

#### PARCEL 267

#### LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST **CITY OF BONITA SPRINGS** LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 23, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

From the northeast corner of the Northeast Quarter (NE-1/4) of said Section 23 run S 88° 52' 50" W along the north line of said Northeast Quarter (NE-1/4) for 663.24 feet to the Point of Beginning.

From said Point of Beginning run S 02° 15' 13" E for 618.09 feet; thence run S 87° 54' 33" W for 114.65 feet; thence run N 01° 07' 10" W for 619.91 feet to an intersection with the north line of said Northeast Quarter (NE-1/4); thence run N 88° 52′ 50″ E for 102.40 feet to the Point of Beginning.

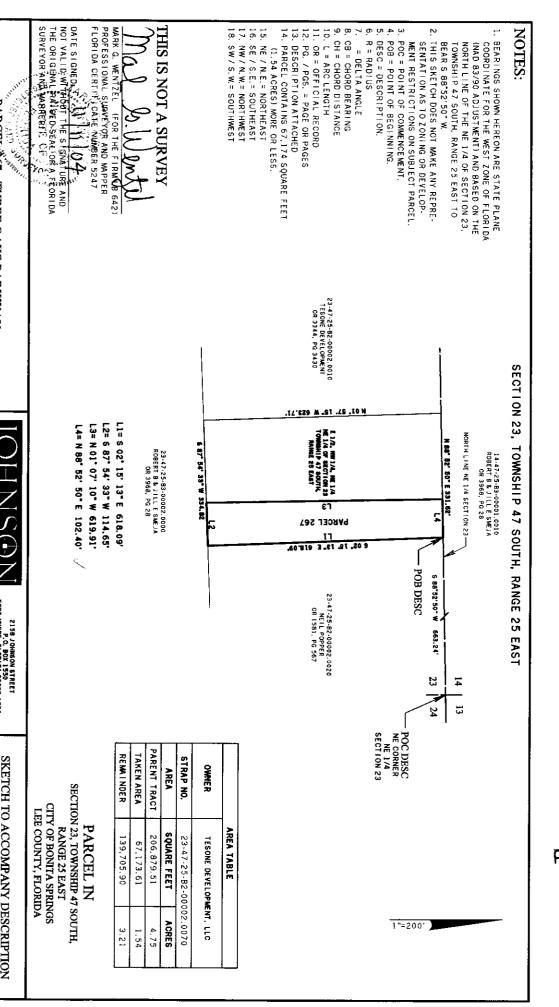
Containing 67,173.61 square feet or 1.54 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the north line of the Northeast Ouarter (NE-1/4) of Section 23, Township 47 South, Range 25 East to bear S 88° 52' 50" W.

20013033/Parcel 267

Exhibit "A"

Page 5 of 6



PARCEL 267 - THREE OAKS PARKWAY

Z

G

I N E

RING

10-25-04

20013033

23-47-25

1"=200'

1 OF 2

 $(\bullet)$ 

2158 JOHNSON STREET P. D. 80X 1550 FORT MYERS, FLORIDA 33002-1550 PHONE (299) 334-0046 FAX (239) 334-3061 E. S. \*642 & L. B. \*642

SKETCH TO ACCOMPANY DESCRIPTION

Exhibit "A"

Page 6 of 6



March 4, 2005

#### THREE OAKS PARKWAY

#### PARCEL 264 A-SE

# A PARCEL LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A parcel or tract of land lying in the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 23 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

Commence at the northeast corner of the Northeast Quarter (NE-1/4) of said Section 23; thence run S 02° 52' 09" E along the east line of said Northeast Quarter (NE-1/4) for 1,205.47 feet to the Point of Beginning.

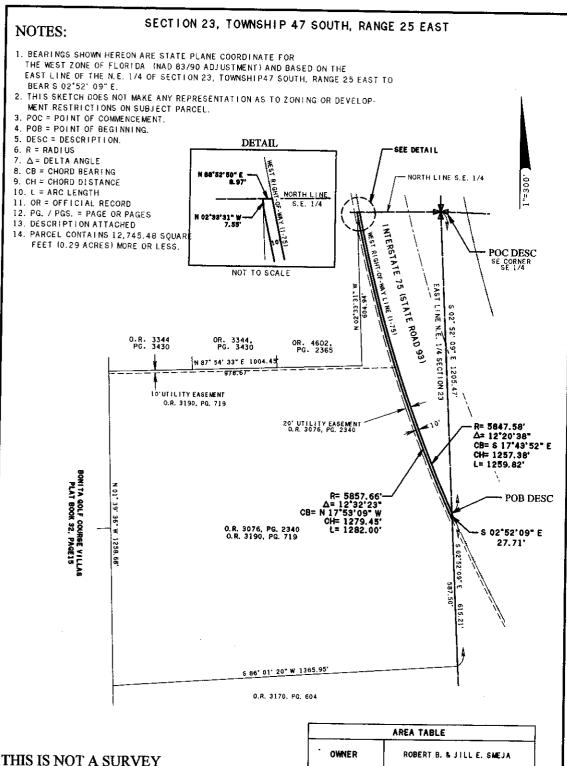
From said Point of Beginning; thence continue S 02° 52' 09" E along said east line for 27.71 feet to an intersection with a non-tangent curve to the right; thence run northerly along the arc of said curve, having a radius of 5,857.66 feet, (delta 12° 32' 23") (chord bearing N 17° 53' 09" W) (chord 1,279.45 feet) for 1,282.00 feet to an intersection with the east line of lands described and recorded in Official Records Book 4602 at Page 2365 of the Public Records of Lee County, Florida; thence run N 02° 33' 32" W along said east line for 7.55 feet to the northeast corner of said lands; thence run N 88° 52' 49" E along the north line of said Northeast Quarter (NE-1/4) for 8.97 feet to an intersection with a non-tangent curve to the left; thence run southerly along the arc of said curve having a radius of 5,847.58 feet, (delta 12° 20' 38") (chord bearing S 17° 43' 52" E) (chord 1,257.38 feet) for 1,259.82 feet to the Point of Beginning. Containing 12,745.48 square feet or 0.29 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the east line of the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East to bear S 02°52'09" E.

Exhibit "B"

Page \_\_\_of &

20013033 Parcel 264 A-SE 030405



AREA TABLE

OWNER ROBERT B. & JILL E. SMEJA

STRAP NO. 23-47-25-B2-00002.0000

AREA SQUARE FEET ACRES

PARENT TRACT 1.651,954.95 37.92

TAKEN AREA 12,745.48 0.29

#### $\mathcal{O}$

MARK G. WENTZEL (FOR THE FIRM L 642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE, NUMBER 5247

DATE SIGNED: 3/4/05
NOT VALID WITHOUT THE SAGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
SURVEYOR AND MAPPER.

PARCEL 264A-SE - THREE OAKS PARKWAY

#### PARCEL IN

SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2156 JOHNSON STREET P.O. 80X 1350 FORT MYERS, FLORIDA 33902-1550 PHONE (239) 334-0046 FAX (239) 334-3661 E.B. \*642 & L.B. \*642

#### SKETCH TO ACCOMPANY DESCRIPTION

PROJECT NO. 20013033			SHEET 1 OF 2
 	L3-47-E3	1 ~300	1012

Exhibit "B"

page of &



March 4, 2005

#### THREE OAKS PARKWAY

#### PARCEL 264B-SE

# A PARCEL LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A parcel or tract of land lying in the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

Commence at the northeast corner of the Northeast Quarter (NE-1/4) of said Section 23; thence run S 02° 52' 09" E along the east line of said Northeast Quarter (NE-1/4) for 1,158.49 feet; thence run S 87° 07' 51" W along a line perpendicular to said east line for 188.38 feet to the Point of Beginning.

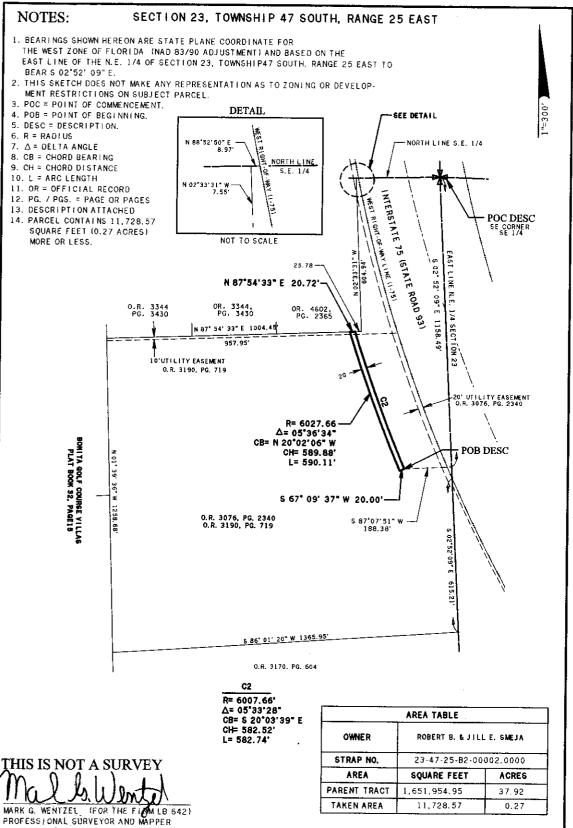
From said Point of Beginning thence run S 67° 09' 37" W for 20.00 feet to an intersection with a non-tangent curve to the right; thence run northerly along the arc of said curve, having a radius of 6,027.66 feet, (delta 05° 36' 34") (chord bearing N 20° 02' 06" W) (chord 589.88 feet) for 590.11 feet to an intersection with the south line of lands described and recorded in Official Records Book 4602 at Page 2365 of the Public Records of Lee County, Florida; thence run N 87° 54' 32" E along said south line for 20.72 feet to an intersection with a non-tangent curve to the left; departing said south line run southerly along the arc of said curve, having a radius of 6,007.66 feet, (delta 05° 33' 28") (chord bearing S 20° 03' 39" E) (chord 582.52 feet) for 582.74 feet to the Point of Beginning. Containing 11,728.57 square feet or 0.27 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the east line of the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East to bear S 02° 52' 09" E.

Exhibit "B"

Page 3 of 8

20013033 Parcel 264 B-SE 030405



PARCEL IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST

CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

PARCEL 264B-SE - THREE OAKS PARKWAY

**'**05

JOHNSON ENGINEERING

FLORI DA CERTIFICATE, NUMBER 5247

NOT VALID WITHOUT THE SIGNATURE AND

THE ORIGINAL RAISED SEAL OF A FLORIDA

DATE SIGNED:

SURVEYOR AND MAPPER.

2158 JOHNGON STREET P. O. BOX 1550 FORT INFERS, FLORI DA 33902-1550 PHONE (239) 334-3661 F. B. \*642 E. B. \*642

SKETCH TO ACCOMPANY DESCRIPTION

02-28-05 20013033 23-47-25 1"=300" I OF 2

Exhibit "B

Page # of 8





November 04, 2004

#### THREE OAKS PARKWAY

#### PARCEL 266A SE

#### LYING IN SECTION 14, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 14, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

From the northeast corner of the Southeast Quarter (SE-1/4) of said Section 14 run S 88° 48' 21" W along the north line of said Southeast Quarter (SE-1/4) for 432.24 feet to the westerly right-of-way line of Interstate 75 (State Road 93)(road width varies) and the Point of Beginning.

From said Point of Beginning run the following two (2) courses along said west right-of-line of Interstate 75 (State Road 93) S 01° 34' 01" E for 1545.46 feet to a point of curvature; southeasterly along the arc of said curve to the left, having a radius of 5847.58 feet (delta 09° 59' 32")(chord bearing S 06° 33' 47" E)(chord 1018.50 feet) for 1019.80 feet; thence run S 88° 52' 50" W for 10.17 feet to an intersection with a non-tangent curve; thence run northwesterly along the arc of said curve to the right, having a radius of 5857.66 feet (delta 09° 58' 26")(chord bearing N 06° 33' 14" W)(chord 1018.41 feet) for 1019.40 feet to a point of tangency; thence run N 01° 34' 01" W for 1545.52 feet to an intersection with the north line of said Southeast Quarter (SE-1/4); thence run along said north line N 88° 48′ 21" E for 10.00 feet to the Point of Beginning.

Containing 25,655.13 square feet or 0.59 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the north line of the Southeast Quarter (SE-1/4) of Section 14, Township 47 South, Range 25 East to bear S 88° 48' 21" W.

20013033/Parcel 266A SE

Exhibit "B"

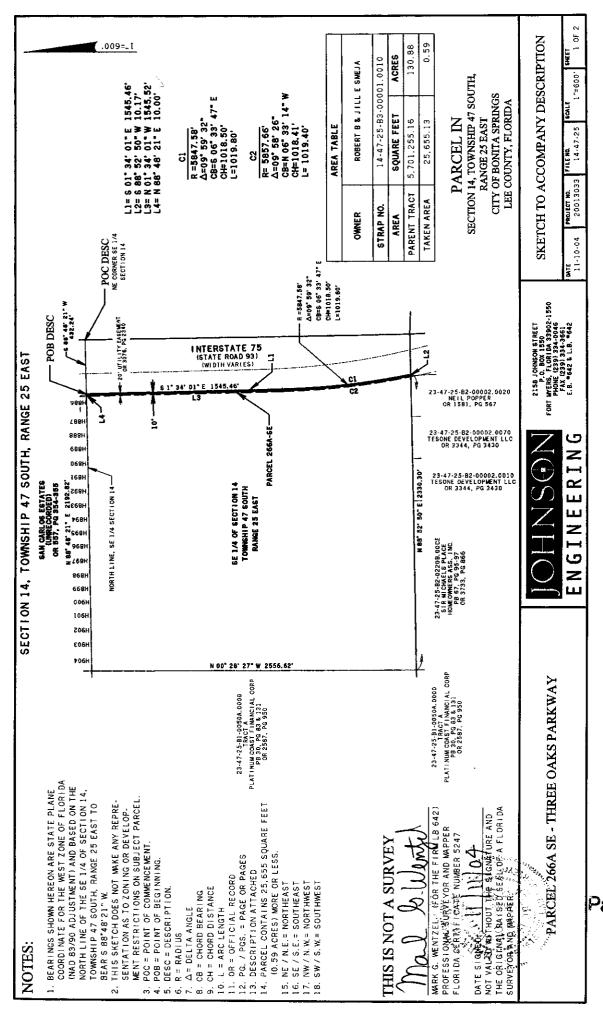


Exhibit "B"

Page <u>6</u> of <u>P</u>





November 4, 2004

#### THREE OAKS PARKWAY

#### PARCEL 266B SE

#### LYING IN SECTION 14, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 14, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

From the northeast corner of the Southeast Quarter (SE-1/4) of said Section 14 run S 88° 48′ 21″ W along the north line of said Southeast Quarter (SE-1/4) for 592.25 feet to the Point of Beginning.

From said Point of Beginning run S 01° 34' 01" E for 1546.50 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left, having a radius of 6007.66 feet (delta 09° 42' 40") (chord bearing S 06° 25' 21" E)(chord 1017.01 feet) for 1018.23 feet; thence run S 88° 52' 50" W for 20.32 feet to an intersection with a non-tangent curve; thence run northwesterly along the arc of said curve to the right, having a radius of 6027.66 feet (delta 09° 40' 37")(chord bearing N 06° 24' 20" W)(chord 1016.83 feet) for 1018.04 feet to a point of tangency; thence run N 01° 34' 01" W for 1546.63 feet to an intersection with the north line of said Southeast Quarter (SE-1/4); thence run along said north line N 88° 48' 21" E for 20.00 feet to the Point of Beginning.

Containing 51,294.18 square feet or 1.18 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the north line of the Southeast Quarter (SE-1/4) of Section 14, Township 47 South, Range 25 East to bear S 88° 48' 21" W.

20013033/Parcel 266B SE

Exhibit "B"

Page Zof 8

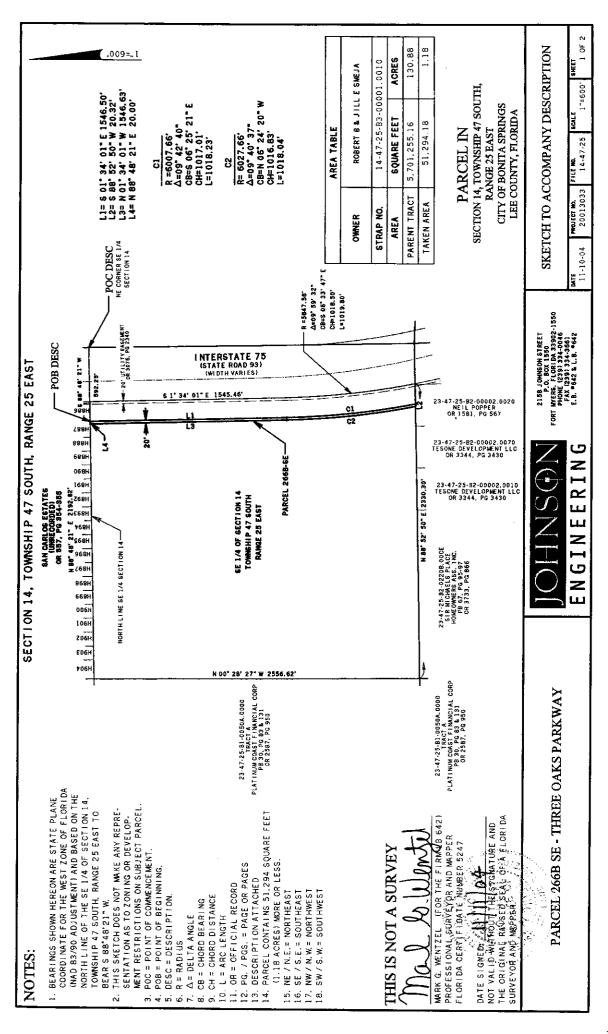


Exhibit "B"

Page <u>of 8</u>





February 28, 2005

#### THREE OAKS PARKWAY

#### PARCEL 263-DE

#### A PARCEL LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A parcel or tract of land lying in the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 23 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

Commence at the southeast corner of the Northeast Quarter (NE-1/4) of said section run N 02° 52' 09" W along the east line of said Northeast Quarter (NE-1/4) for 303.45 feet to the southeast corner of the North Half (N-1/2) of the South Half (S-1/2) of the Southeast Quarter (SE-1/4) of the Northeast Quarter (NE-1/4) of said Section 23 as described and recorded in the Public Records of Lee County, Florida in Official Records Book 849, at Page 677; thence continue N 02° 52' 09" W along said east line of said Northeast Quarter (NE-1/4) for 276.42 feet to a point of intersection with a non-tangent curve to the right and the Point of Beginning.

From said Point of Beginning; run northwesterly along the arc of said curve to the right, having a radius of 6,107.66 feet, (delta 00° 16' 51") (chord bearing N 29° 23' 42" W) (chord 29.93 feet) for 29.93 feet to an intersection with the north line of said fraction; thence run N 86° 01' 20" E along said north line for 13.37 feet to the east line of said Northeast Quarter (NE-1/4) and the northeast corner of said fraction; thence run S 02° 52' 09" E along said east line for 27.03 feet to the Point of Beginning.

Containing 181.02 square feet or 0.004 acres, more or less.

EXHIBIT 'C"

Page \_\_\_of \_\_

20013033 Parcel 263-DE 022805

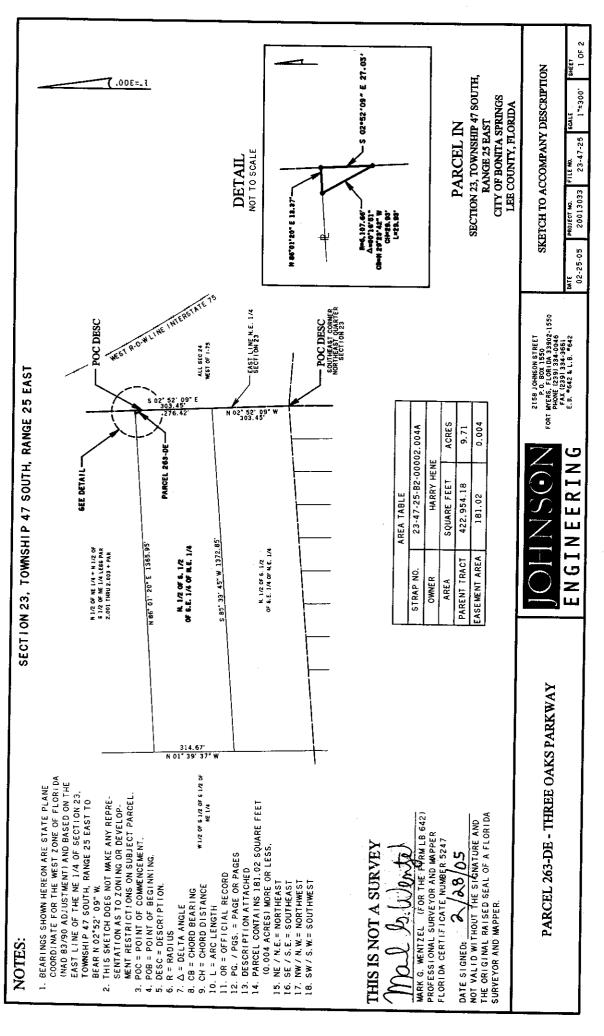


EXHIBIT "C"

Page 2\_of 4



March 4, 2005

#### THREE OAKS PARKWAY

#### PARCEL 264-DE

# A PARCEL LYING IN SECTION 23, TOWNSHIP 47 SOUTH, RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

A parcel or tract of land lying in the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East, City of Bonita Springs, Lee County Florida, being more particularly described as follows:

Commence at the northeast corner of the Northeast Quarter (NE-1/4) of said Section 23; thence run S 02° 52' 09" E along the east line of said Northeast Quarter (NE-1/4) for 1,205.47 feet to an intersection with the westerly right-of-way line of Interstate Seventy-Five (I-75); thence continue S 02° 52' 09" E along said east line for 411.55 feet to the Point of Beginning.

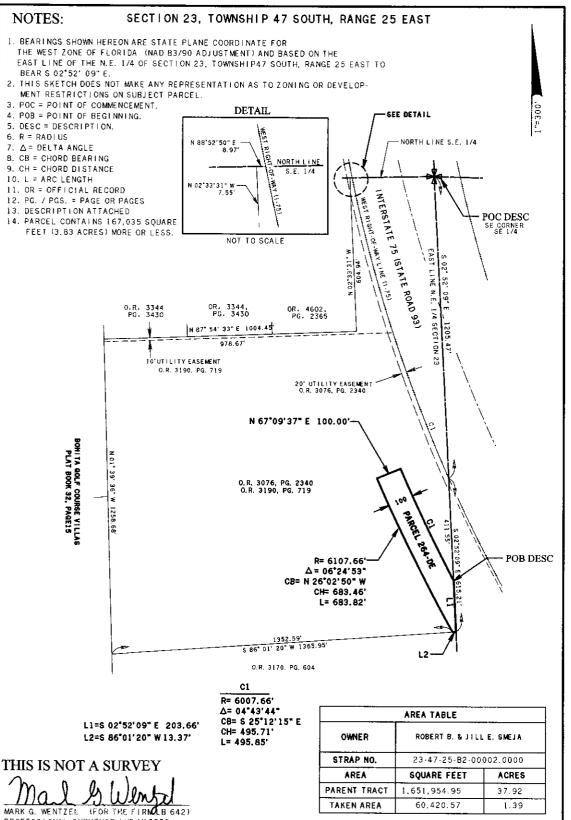
From said Point of Beginning continue S 02° 52' 09" E along said east line for 203.66 feet to the northeast corner of lands described and recorded in Official Records Book 3170 at Page 604 of the Public Records of Lee County, Florida; thence run S 86° 01' 20" W along the north line of said lands for 13.37 feet to an intersection with a non-tangent curve to the right; thence run northwesterly long the arc of said curve, having a radius of 6,107.66 feet, (delta 06° 24' 53") (chord bearing N 26° 02' 50" W) (chord 683.46 feet) for 683.82 feet to a point of tangency; thence run N 67° 09' 37" E for 100.00 feet to an intersection with a non-tangent curve to the left; thence run southerly along the arc of said curve, having a radius of 6,007.66 feet, (delta 04° 43' 44") (chord bearing S 25° 12' 15" E) (chord 495.71 feet) for 495.85 feet to the Point of Beginning. Containing 60,420.57 square feet or 1.39 acres, more or less.

Bearings hereinabove mentioned are State Plane Coordinate for the West Zone of Florida (NAD 83/90 Adjustment) and are based on the east line of the Northeast Quarter (NE-1/4) of Section 23, Township 47 South, Range 25 East to bear S 02°52'09" E.

EXHIBIT C

Page <u>3</u> of <u>4</u>

20013033 Parcel 264-DE 030405



PROFESSIONAL SURVEYOR AND MAPPER

FLORIDA CERTIFICATE NUMBER 5247

DATE SIGNEDS 3/4/05
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.

PARCEL IN SECTION 23, TOWNSHIP 47 SOUTH,

RANGE 25 EAST CITY OF BONITA SPRINGS LEE COUNTY, FLORIDA

PARCEL 264-DE - THREE OAKS PARKWAY

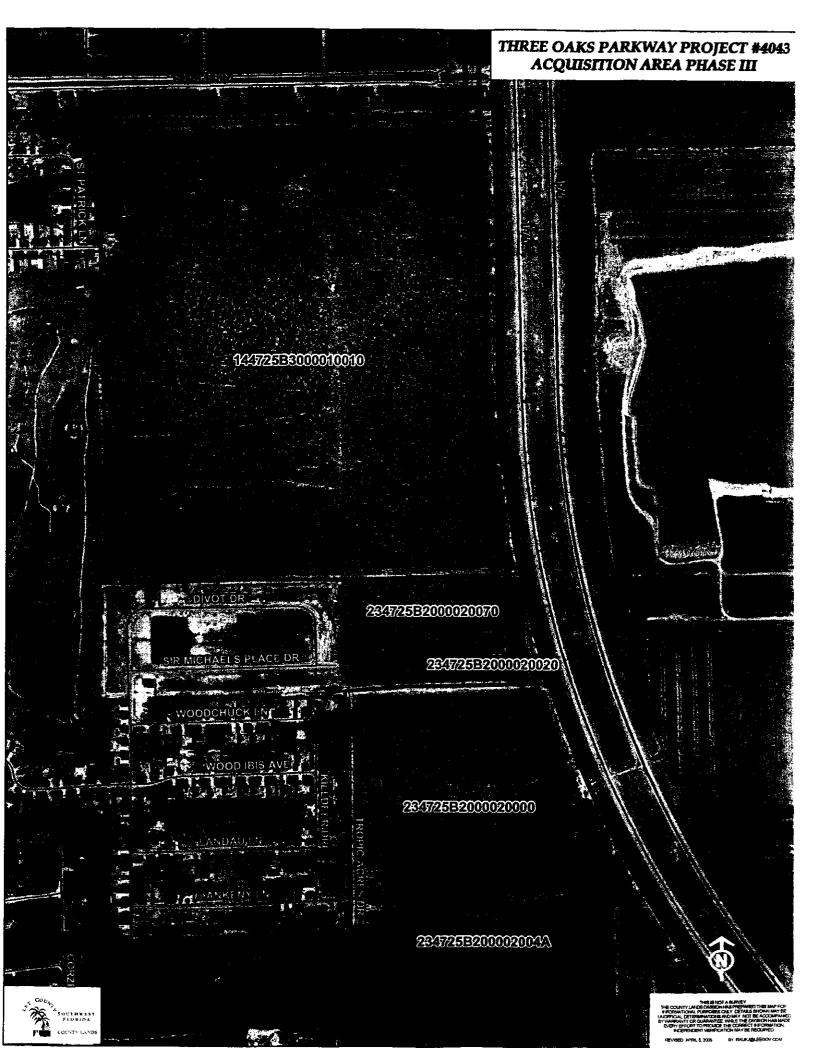
ENGINEERING

2158 JOHNSON STREET P.O. BOX 1550 FORT WYERS, FLORI DA 33902-1550 PHONE (239) 334-0046

SKETCH TO ACCOMPANY DESCRIPTION

02-28-05 20013033 23-47-25 1"=300" 1 OF 2 EXHIBIT "C"

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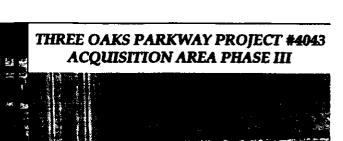
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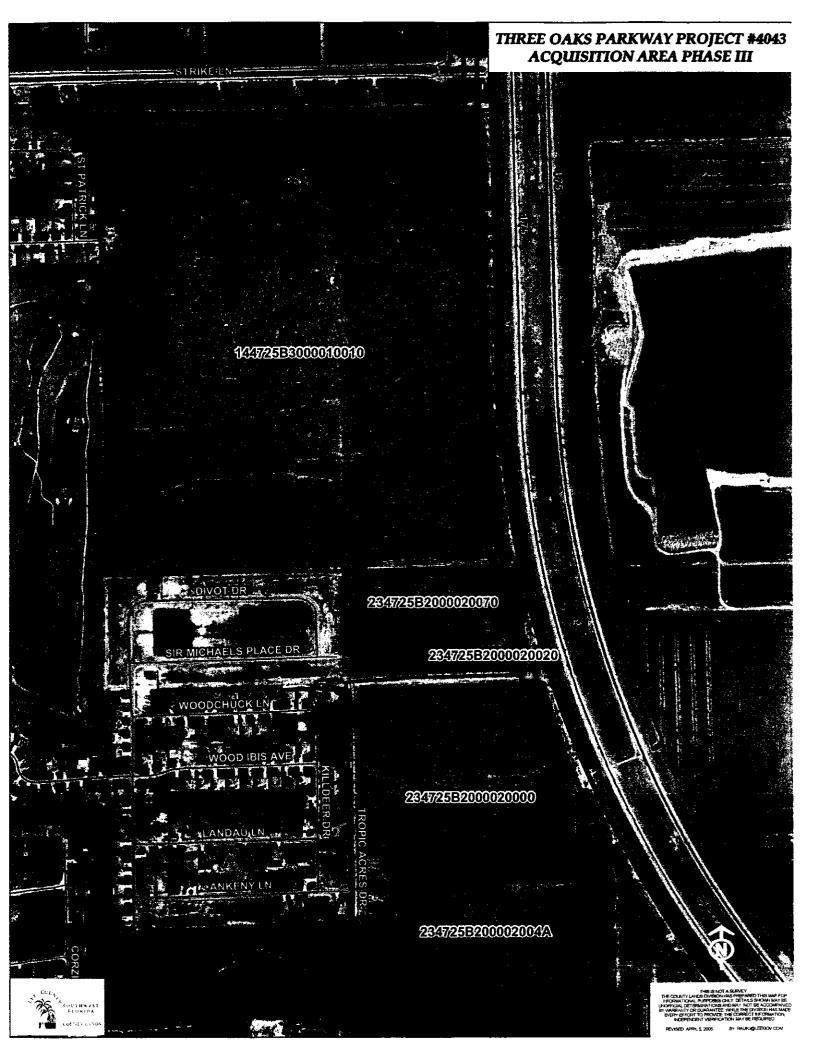
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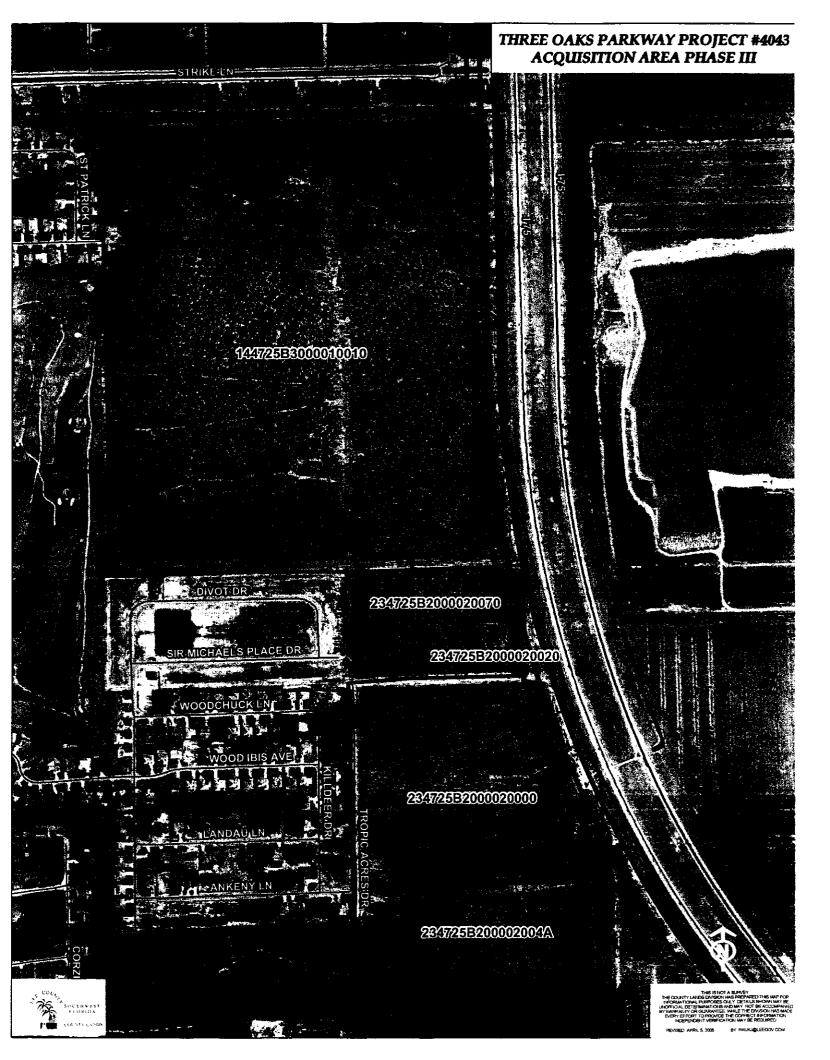
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