

Agenda Item Summary

**1. ACTION REQUESTED/PURPOSE:** Approve the Resolution of Necessity for the acquisition and condemnation of parcels required for the Ortiz Avenue Widening Project No. 4072 (Dr. Martin Luther King, Jr., Boulevard north to Palm Beach Boulevard).

**2. FUNDING SOURCE:** No funds required.

**3. WHAT ACTION ACCOMPLISHES:** Allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Ortiz Avenue Widening Project No. 4072 (Dr. Martin Luther King, Jr., Boulevard north to Palm Beach Boulevard).

**4. MANAGEMENT RECOMMENDATION:** Approve

**5. Departmental Category:**

**A12A**

**6. Meeting Date:**

FEB 27 2007

**7. Agenda:**

- Consent
- Administrative
- Appeals
- Public
- Walk-On

**8. Requirement/Purpose: (specify)**

- Statute 73,74,125,127
- Ordinance
- Admin. Code
- Other

**9. Request Initiated:**

**Commissioner** \_\_\_\_\_  
**Department** County Attorney  
**Division** Litigation  
 By: John Renner,  
 Assistant County Attorney

**10. Background:**

The Ortiz Avenue Widening Project, No. 4072 provides for the widening of Ortiz Avenue to a four-lane roadway, from Dr. Martin Luther King, Jr., Boulevard north to Palm Beach Boulevard, 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

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other Co. Lands	County Attorney	Budget Services				County Manager/ P.W. Director
					Analyst	Risk	Grants	Mgr.	
			<i>[Signature]</i>	<i>[Signature]</i>	RK2/14	2/15/07	2/16/07	2/15/07	5-14-07

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

CO. ATTY. FORWARDED TO CO. ADMIN. 2/14/07

RECEIVED BY COUNTY ADMIN. 2/14 11:05 AM  
 COUNTY ADMIN FORWARDED TO: PL 2/15/07 10:30

**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 **Ortiz Avenue Widening Project No. 4072**, by acquiring the necessary right-of-way for the widening of Ortiz Avenue from Dr. Martin Luther King, Jr. Boulevard, north to Palm Beach Boulevard.

**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", are necessary for the **Ortiz Avenue Widening Project 4072**, 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. Ortiz Avenue will be improved to a four-lane divided roadway with sidewalk, bike path, stormwater drainage, and utilities. Exhibit "A" consists of Parcels 134, 135, 136, 138, 148A, 148B, 149, 150, and 212.

**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 property under the exercise of the power of eminent domain, the Board of County

**Resolution of Necessity**

Page 2

Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire the fee simple interest in the properties described in Exhibit "A", for the above described public use or purpose.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote was as follows:

- Robert P. Janes \_\_\_\_\_
- Brian Bigelow \_\_\_\_\_
- Ray Judah \_\_\_\_\_
- Tammara Hall \_\_\_\_\_
- Franklin Mann \_\_\_\_\_

**DULY PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of County Attorney

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 134  
SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 134**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF TRACT "B" OF CAMPBELL ACRES, UNIT 1, RECORDED IN PLAT BOOK 28, PAGE 90, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST AND THE SURVEY BASE LINE OF ORTIZ AVENUE, BEING STATION 102+85.74; THENCE S01°24'11"E ALONG SAID BASE LINE A DISTANCE OF 663.40 FEET TO STATION 96+22.34; THENCE LEAVING SAID BASE LINE S88°35'49"W A DISTANCE OF 22.00 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY LINE S88°58'46"W A DISTANCE OF 66.50 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 22850.81 FEET, A DELTA OF 00°50'57", A CHORD OF 338.65 FEET AND A CHORD BEARING OF N01°52'06"W, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 338.66 FEET; THENCE N02°17'35"W A DISTANCE OF 651.27 FEET; THENCE N46°24'11"W A DISTANCE OF 30.90 FEET TO THE SOUTH RIGHT OF WAY LINE OF ZANA DRIVE (60 FT. R/W); THENCE N89°00'58"E ALONG SAID RIGHT OF WAY A DISTANCE OF 63.40 FEET TO A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET, A DELTA OF 89°34'51", A CHORD OF 35.23 FEET AND A CHORD BEARING OF S46°11'36"E; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 39.09 FEET; THENCE S01°24'11"E ALONG THE ORIGINAL RIGHT OF WAY LINE OF ORTIZ AVENUE A DISTANCE OF 83.90 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE S02°17'35"E A DISTANCE OF 837.00 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE S01°24'11"E A DISTANCE OF 65.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.520 ACRES, MORE OR LESS.

AREA OF REMAINDER: 4.643 ACRES, MORE OR LESS.  
AREA OF PARENT TRACT: 6.163 ACRES, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N01°24'11"W FROM P. I. STATION 94+99.08, BEING A P.K. NAIL & DISK "LB 3114" TO P.C. STATION 128+38.64, BEING A P.K. NAIL & DISK "LB 3114".

**Exhibit "A"**

Page 1 of 18

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

BOB L. POTTER, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

DATE

1/12/07

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**AIM Engineering & Surveying, Inc.**



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 134 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE 9-44S-25E
FILE: PARCEL 134 LEGAL	COUNTY: LEE COUNTY

100 0 50 200

SCALE IN FEET



SOUTH R/W LINE

ZANA DRIVE  
60' R/W

C-134-2

N46°24'11"W  
30.90'

N89°00'58"E  
63.40'

1054.60' (P)

N88°55'16"E  
2656.12' (COR. TO COR.)  
1331.78' (COR. TO B)

STA. 102+85.74

F.C.M. 4"x 4"  
TOP BROKEN AT  
CENTER OF  
SECTION 9

CAMPBELL ACRES UNIT I  
P.B. 28, PG. 90

1053.60' (C)

N00°59'03"W

TRACT "B"

651.27'

N02°17'35"W

C-134

S88°58'46"W  
66.50'

207.66'

N88°58'46"E 274.16' (P)

POINT OF BEGINNING

P.C. STA. 128+38.64  
P.K. NAIL & DISK "LB 3114"

107

STA. 106+33.72  
S89°00'58"W  
59.82'

STA. 106+09.16  
S88°35'49"W  
35.00'

S01°24'11"E  
83.90' (C) 83.26' (P)

P.I. SURVEY BASE LINE  
STA. 105+25.53  
P.K. NAIL & DISK "LB 3114"

STA. 105+25.26  
S88°35'49"W  
35.00'

105

104

103

102

101

100

99

98

97

96

95

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POINT OF COMMENCEMENT  
STA. 102+85.74

N88°55'16"E  
1324.34' (COR TO B)

NORTH LINE OF THE  
SOUTHEAST QUARTER  
OF SECTION 9-44-25

F.C.M. 4"x 4"  
WITH 1/2" I.R.  
TOP BROKEN AT  
EAST 1/4 CORNER  
OF SECTION 9

SURVEY BASE LINE  
ORTIZ AVENUE

C-134

D = 00°50'57"

R = 22850.81'

L = 338.66'

CB = N01°52'06"W

CD = 338.65'

C-134-1

D = 89°34'51"

R = 25.00'

L = 39.09' (P) (C)

CB = S46°11'36"E

CD = 35.23' (P) (C)

C-134-2

D = 33°43'04" (C)

R = 250.00'

L = 147.12' (C)

153.97' (P)

CB = S74°07'30"E

CD = 145.01' (C)

151.55' (P)

STA. 96+88.36  
S88°35'49"W  
22.00'

S01°24'11"E  
65.87' (C)  
86.08' (P)

STA. 96+22.34  
S88°35'49"W  
22.00'

LEGEND

- CB = CHORD BEARING
- CD = CHORD DISTANCE
- D = DELTA
- FND. = FOUND
- L = ARC LENGTH
- PG. = PAGE
- R = RADIUS
- P.B. = PLAT BOOK
- R/W = RIGHT OF WAY
- SF. = SQUARE FEET
- P.K. = PARKER-KALON NAIL
- P.C. = POINT ON CURVE
- COR. = CORNER
- I.R. = IRON ROD, SIZE
- STA. = STATION
- F.C.M. = FND CONCRETE MONUMENT
- (P) = PLAT
- (C) = CALCULATED
- ▭ = LEGAL AND SKETCH AREA
- ▭ = PROPERTY LINE
- = BASE LINE

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

P.I. STA. 94+99.08  
P.K. NAIL & DISK "LB 3114"

THIS IS NOT A SURVEY  
SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 134 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE 9-44S-25E
FILE: PARCEL 134 LEGAL	COUNTY: LEE COUNTY

Exhibit "A"

Page 2 of 18

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 135  
SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 135**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF TRACT "C" OF CAMPBELL ACRES, UNIT 1, RECORDED IN PLAT BOOK 28, PAGE 90, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST AND THE SURVEY BASE LINE OF ORTIZ AVENUE, BEING STATION 102+85.74; THENCE S01°24'11"E ALONG SAID BASE LINE A DISTANCE OF 663.40 FEET TO STATION 96+22.34; THENCE LEAVING SAID BASE LINE S88°58'46"W A DISTANCE OF 22.00 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING; THENCE S01°24'11"E, ALONG SAID WEST RIGHT OF WAY LINE OF ORTIZ AVENUE A DISTANCE OF 123.40 FEET; THENCE S00°26'23"W ALONG SAID RIGHT OF WAY A DISTANCE OF 77.28 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE S87°58'42"W A DISTANCE OF 64.77 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 22850.81 FEET, A DELTA OF 00°30'21", A CHORD OF 201.78 FEET AND A CHORD BEARING OF N01°11'27"W, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 201.78 FEET; THENCE N88°58'46"E A DISTANCE OF 66.50 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING.

CONTAINING 13329 SQUARE FEET, MORE OR LESS.

AREA OF REMAINDER: 29342 SQUARE FEET, MORE OR LESS.  
AREA OF PARENT TRACT: 42671 SQUARE FEET, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N01°24'11"W FROM P.I. STATION 94+99.08, BEING A P.K. NAIL & DISK "LB 3114", TO P.C. STATION 128+38.64, BEING A P.K. NAIL & DISK "LB 3114".

**Exhibit "A"**

Page 3 of 18

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 1/12/07  
BOB L. POTTER, P.S.M.C. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

**THIS IS NOT A SURVEY SHEET 1 OF 2**

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FLORIDA 33970  
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FX:239/332-8734

Licensed Business Number 3114

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 135 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE: 9-44S-25E
FILE: PARCEL 135 LEGAL	COUNTY: LEE COUNTY

LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
 PARCEL 135  
 SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST

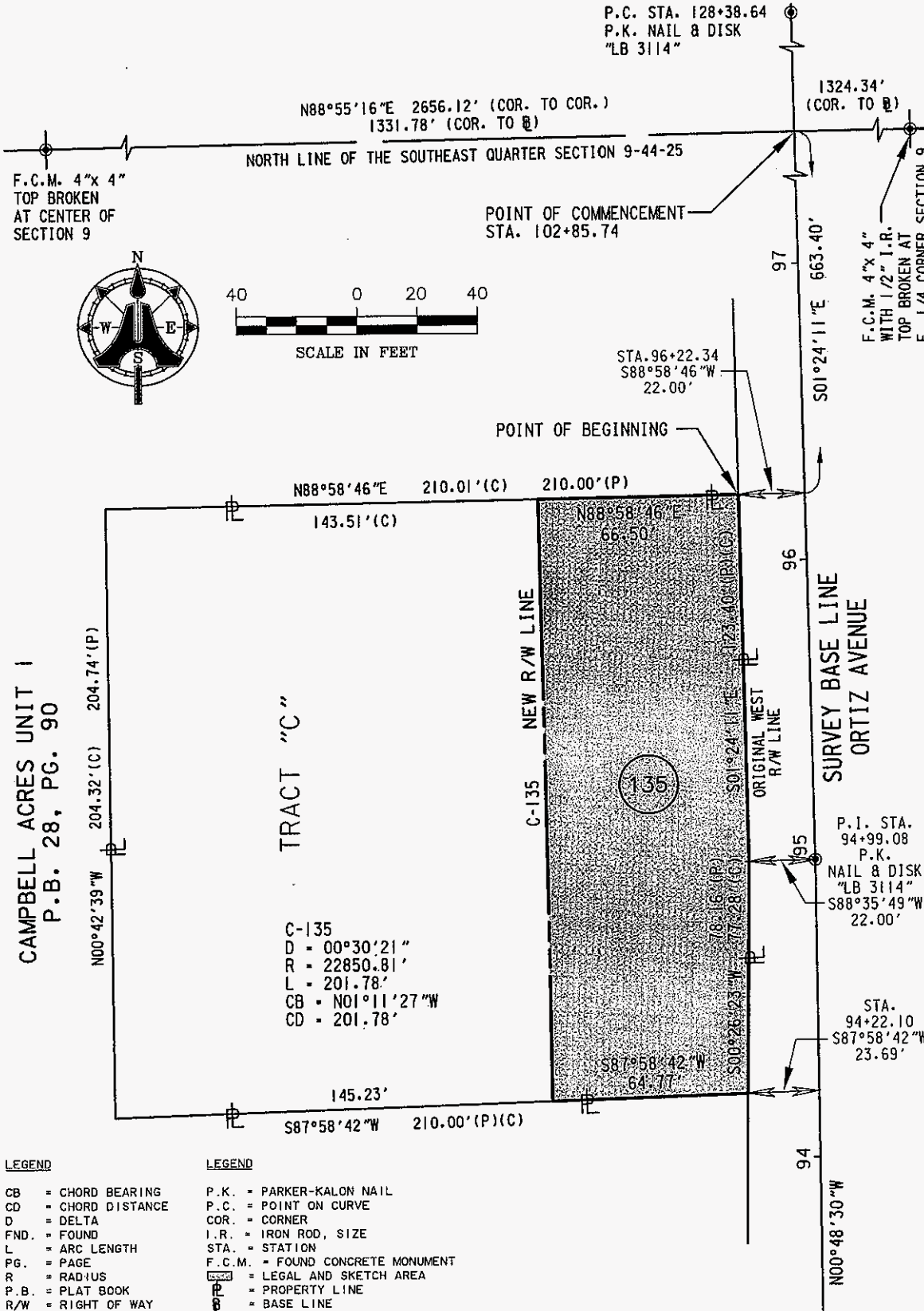


Exhibit "A"

Page 4 of 18

- LEGEND**
- CB = CHORD BEARING
  - CD = CHORD DISTANCE
  - D = DELTA
  - FND. = FOUND
  - L = ARC LENGTH
  - PG. = PAGE
  - R = RADIUS
  - P.B. = PLAT BOOK
  - R/W = RIGHT OF WAY
  - SF. = SQUARE FEET
  - (P) = PLAT
  - (C) = CALCULATED

- LEGEND**
- P.K. = PARKER-KALON NAIL
  - P.C. = POINT ON CURVE
  - COR. = CORNER
  - I.R. = IRON ROD, SIZE
  - STA. = STATION
  - F.C.M. = FOUND CONCRETE MONUMENT
  - [Shaded Area] = LEGAL AND SKETCH AREA
  - [Line] = PROPERTY LINE
  - [Line] = BASE LINE

AIM Engineering & Surveying, Inc.



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 FX:239/332-8734

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 135 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-05-07	SEC-TWP-RGE 09-44S-25E
FILE: PARCEL 135 LEGAL	COUNTY: LEE COUNTY

Licensed Business Number 3114

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 136  
SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 136.**

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF TRACT "D" OF CAMPBELL ACRES, UNIT 1, RECORDED IN PLAT BOOK 28, PAGE 90, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST AND THE SURVEY BASE LINE OF ORTIZ AVENUE, BEING STATION 102+85.74; THENCE S01°24'11"E ALONG SAID BASE LINE A DISTANCE OF 786.66 FEET TO A POINT OF INTERSECTION BEING STATION 94+99.08; THENCE CONTINUE ALONG SAID BASE LINE S00°48'30"E A DISTANCE OF 76.98 FEET TO STATION 94+22.10; THENCE LEAVING SAID BASE LINE S87°58'42"W A DISTANCE OF 23.69 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING; THENCE S00°26'23"W, ALONG SAID WEST RIGHT OF WAY LINE OF ORTIZ AVENUE A DISTANCE OF 127.56 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE S88°57'49"W A DISTANCE OF 62.04 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 22850.81 FEET, A DELTA OF 00°19'01", A CHORD OF 126.41 FEET AND A CHORD BEARING OF N00°46'46"W, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 126.41 FEET; THENCE N87°58'42"E A DISTANCE OF 64.77 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING.

CONTAINING 8041 SQUARE FEET, MORE OR LESS.

AREA OF REMAINDER: 16280 SQUARE FEET, MORE OR LESS.  
AREA OF PARENT TRACT: 24321 SQUARE FEET, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N00°48'30"W FROM P.I. STATION 67+99.04, BEING A P.K. NAIL & DISK "LB 3114" TO P.I. STATION 94+99.08, BEING A P.K. NAIL & DISK "LB 3114".

Exhibit "A"

Page 5 of 18

PREPARED BY  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 12/07  
BOB L. PATTER, P.S.M. - 33 DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**AIM Engineering & Surveying, Inc.**



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P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 136 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE 9-44S-25E
FILE: PARCEL 136 LEGAL	COUNTY: LEE COUNTY



**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 136  
SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

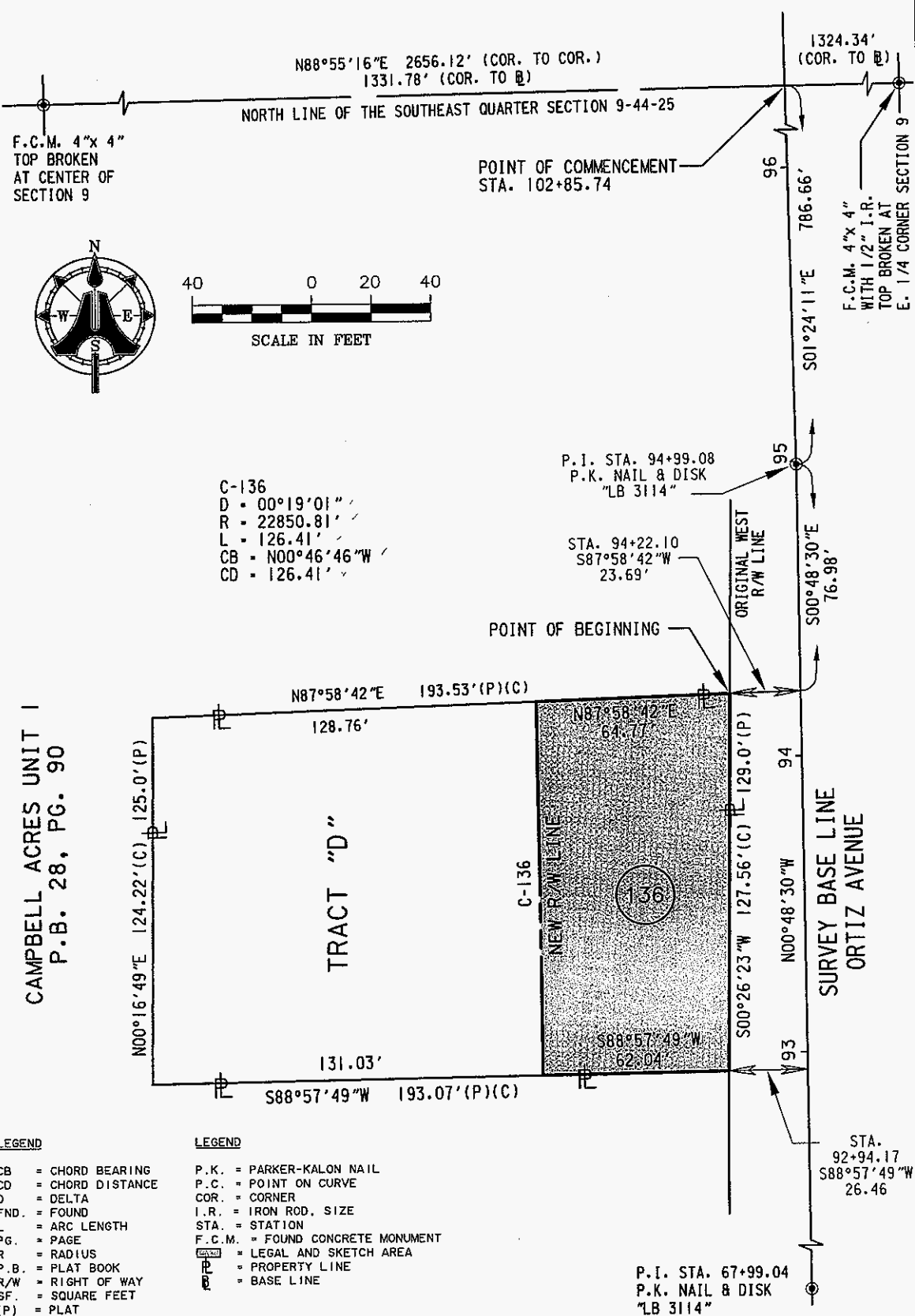


Exhibit "A"

Page 6 of 18

AIM Engineering & Surveying, Inc.

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Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 136 ORTIZ AVENUE		
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 01-08-07	SEC-TWP-RGE 09-44S-25E	FILE: PARCEL 136 LEGAL	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 138  
SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

PARCEL 138

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA ALSO BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4383, PAGE 4500, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID OFFICIAL RECORD BOOK 4383, PAGE 4500 AND THE RIGHT OF WAY LINE PER F.D.O.T. RIGHT OF WAY MAP SECTION 12570-2601 SAID POINT LYING 35.00 FEET S89°11'08"W, OF STATION 83+82.95; THENCE S89°11'08"W, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORD BOOK 4383, PAGE 4500, 65.00 FEET TO THE PROPOSED RIGHT OF WAY LINE; THENCE N00°48'30"W, 129.58 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A DELTA OF 01°07'20", A RADIUS OF 22,985.81 FEET, A CHORD OF 450.16 FEET AND A CHORD BEARING OF N00°14'50"W; THENCE ALONG SAID CURVE, CONCAVE EASTERLY, AN ARC DISTANCE OF 450.17 FEET TO THE NORTH LINE OF SAID OFFICIAL RECORD BOOK 4383, PAGE 4500; THENCE N89°04'41"E, ALONG SAID NORTH LINE, 61.45 FEET TO THE MAINTAINED RIGHT OF WAY LINE PER F.D.O.T. RIGHT OF WAY MAP SECTION 12570-2601; THENCE S00°56'00"E, ALONG SAID MAINTAINED RIGHT OF WAY, 393.58 FEET TO THE CHANGE FROM MAINTAINED RIGHT OF WAY LINE TO RIGHT OF WAY LINE PER F.D.O.T. RIGHT OF WAY MAP SECTION 12570-2601; THENCE S00°41'30"W, ALONG SAID RIGHT OF WAY LINE, 65.65 FEET; THENCE S00°48'30"E, ALONG SAID RIGHT OF WAY LINE, 120.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 37,588 SQUARE FEET MORE OR LESS.

AREA OF REMAINDER: 24.683 ACRES MORE OR LESS.  
AREA OF PARENT TRACT: 25.546 ACRES MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N00°48'30"W FROM P.I. STATION 67+99.04 BEING A PK NAIL AND DISK "LB 3114" TO P.I. STATION 94+99.08 BEING A PK NAIL AND DISK "LB 3114"

6/8/06 REVISED O.R.B. & PG.

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*[Signature]* 6/15/06  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5698

**AIM Engineering & Surveying, Inc.**



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Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

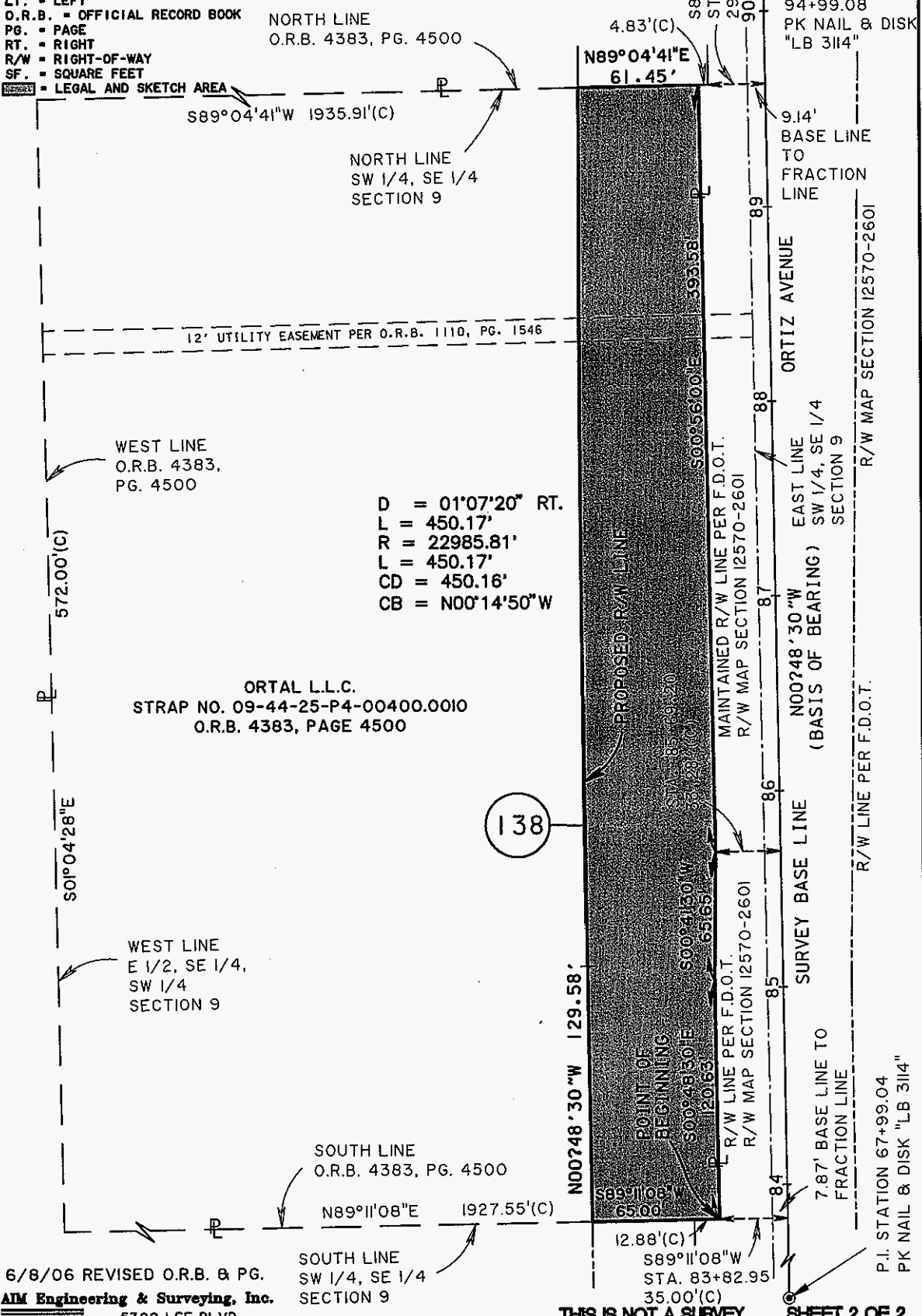
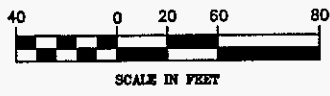
PROJECT NUMBER: 05-8974	DESCRIPTION LEGAL DESCRIPTION AND SKETCH FOR PARCEL 138 ORTIZ AVENUE LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 4/20/06	SEC-TWP-RGE 9-44S-25E	FILE: PARCEL 138-LEG	COUNTY: LEE COUNTY

Exhibit "A"

Page 7 of 18

**LEGEND**

- D = DELTA
- R = RADIUS
- L = ARC LENGTH
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
- LT. = LEFT
- O.R.B. = OFFICIAL RECORD BOOK
- PG. = PAGE
- RT. = RIGHT
- R/W = RIGHT-OF-WAY
- SF. = SQUARE FEET
- LEGAL AND SKETCH AREA



D = 01°07'20" RT.  
 L = 450.17'  
 R = 22985.81'  
 L = 450.17'  
 CD = 450.16'  
 CB = N00°14'50"W

ORTAL L.L.C.  
 STRAP NO. 09-44-25-P4-00400.0010  
 O.R.B. 4383, PAGE 4500

138

**THIS IS NOT A SURVEY SHEET 2 OF 2**

Exhibit "A"  
 Page 8 of 18

6/8/06 REVISED O.R.B. & PG.  
**AIM Engineering & Surveying, Inc.**  
  
 5300 LEE BLVD.  
 P.O. BOX 1235  
 LEHIGH ACRES  
 FLORIDA 33970  
 239/332-4569  
 FX:239/332-8734  
 Licensed Business Number 3114

PROJECT NUMBER: 05-8974				DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 138			
DRAWN BY: LWC				CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION			
DATE: 4/20/06		SEC-TWP-RGE: 9-44S-25E		FILE: PARCEL 138-LEG		COUNTY: LEE COUNTY	

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 148A  
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 148A**

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF LOT 23 BALLARD ESTATES AN UNRECORDED SUBDIVISION OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND ORTIZ AVENUE SURVEY BASE LINE SAID POINT BEING P.I. STATION 50+85.23; THENCE N02°09'41"W, ALONG SAID BASE LINE A DISTANCE OF 958.32 FEET TO STATION 60+43.55; THENCE LEAVING SAID BASE LINE S88°33'17"W, A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF ORTIZ AVENUE PER OFFICIAL RECORD BOOK 961, PAGE 577 AND THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY LINE S88°33'17"W, A DISTANCE OF 54.70 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2932.29 FEET, A DELTA OF 02°32'00", A CHORD OF 129.65 FEET AND A CHORD BEARING OF N00°03'58"W; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 129.66 FEET; THENCE N88°47'57"W, A DISTANCE OF 10.50 FEET; THENCE N01°36'03"E, A DISTANCE OF 41.09 FEET; THENCE S88°42'41"E, A DISTANCE OF 10.50 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2932.29 FEET, A DELTA OF 01°35'51", A CHORD OF 81.75 FEET AND A CHORD BEARING OF N02°48'07"E; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 81.75 FEET; THENCE N43°46'48"W, A DISTANCE OF 37.17 FEET; THENCE N88°40'14"E, A DISTANCE OF 64.88 FEET TO THE WEST RIGHT OF WAY LINE OF ORTIZ AVENUE PER OFFICIAL RECORD BOOK 961, PAGE 577; THENCE S02°09'41"E, ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 279.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 14289 SQUARE FEET MORE OR LESS.

AREA OF REMAINDER: 3.389 ACRES MORE OR LESS.  
AREA OF PARENT TRACT: 3.717 ACRES MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N02°09'41"W FROM P.I. STATION 50+85.23 BEING A PK NAIL & DISK "AIM LB 3114" TO P.I. STATION 63+62.99 BEING A PK NAIL & DISK ILLEGIBLE.

**Exhibit "A"**

Page 9 of 18

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

BOB L. POTTER, P.S.M. DATE 11/12/07  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**AIM Engineering & Surveying, Inc.**

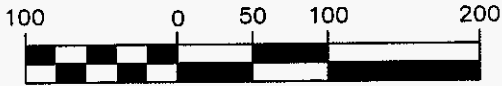


5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

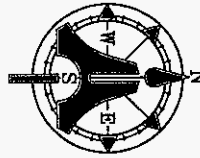
Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 148A ORTIZ AVENUE, LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 11/20/06	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 148A-LEG	COUNTY: LEE COUNTY



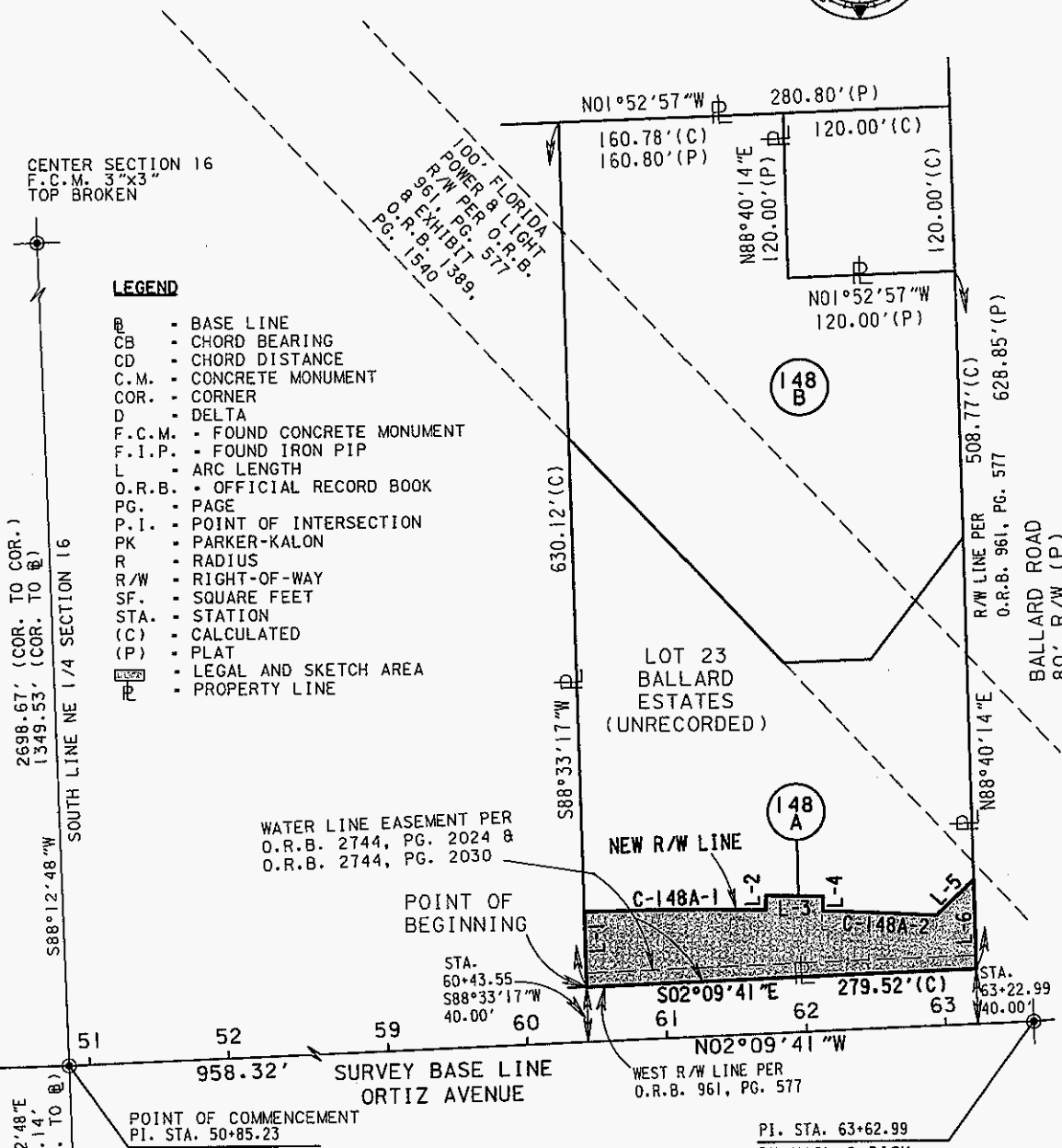
SCALE IN FEET



CENTER SECTION 16  
F.C.M. 3"x3"  
TOP BROKEN

**LEGEND**

- BL - BASE LINE
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- C.M. - CONCRETE MONUMENT
- COR. - CORNER
- D - DELTA
- F.C.M. - FOUND CONCRETE MONUMENT
- F.I.P. - FOUND IRON PIP
- L - ARC LENGTH
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- P.I. - POINT OF INTERSECTION
- PK - PARKER-KALON
- R - RADIUS
- R/W - RIGHT-OF-WAY
- SF. - SQUARE FEET
- STA. - STATION
- (C) - CALCULATED
- (P) - PLAT
- LEGAL AND SKETCH AREA
- PROPERTY LINE



WATER LINE EASEMENT PER  
O.R.B. 2744, PG. 2024 &  
O.R.B. 2744, PG. 2030

POINT OF  
BEGINNING

STA.  
60+43.55  
S88°33'17"W  
40.00'

NEW R/W LINE

C-148A-1

STA.  
63+22.99  
N02°09'41"W  
40.00'

POINT OF COMMENCEMENT  
PI. STA. 50+85.23  
PK NAIL & DISK  
"LB 642"

PI. STA. 63+62.99  
PK NAIL & DISK  
ILLEGIBLE

C-148A-1  
D - 02°32'00"  
R - 2932.29  
L - 129.66'  
CB - N00°03'58"W  
CD - 129.65'

LINE	DISTANCE	BEARING
L-1	54.70'	S88°33'17"W
L-2	10.50'	N88°47'57"W
L-3	41.09'	N01°36'03"E
L-4	10.50'	S88°42'41"E
L-5	37.17'	N43°46'48"W
L-6	64.88'	N88°40'14"E

C-148A-2  
D - 01°35'51"  
R - 2932.29  
L - 81.75'  
CB - N02°48'07"E  
CD - 81.75'

Exhibit "A"

Page 10 of 18

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 148A ORTIZ AVENUE LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 01/09/07	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 148A-LEG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 148B  
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 148B**

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF LOT 23 BALLARD ESTATES AN UNRECORDED SUBDIVISION OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND ORTIZ AVENUE SURVEY BASE LINE SAID POINT BEING P.I. STATION 50+85.23; THENCE N02°09'41"W, ALONG SAID BASE LINE A DISTANCE OF 958.32 FEET TO STATION 60+43.55; THENCE LEAVING SAID BASE LINE S88°33'17"W, A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF ORTIZ AVENUE PER OFFICIAL RECORD BOOK 961, PAGE 577; THENCE LEAVING SAID RIGHT OF WAY LINE S88°33'17"W, A DISTANCE OF 399.62 FEET TO THE POINT OF BEGINNING; THENCE S88°33'17"W, A DISTANCE OF 230.50 FEET; THENCE N01°52'57"W, A DISTANCE OF 160.78 FEET; THENCE N88°40'14"E, A DISTANCE OF 120.00 FEET; THENCE N01°52'57"W, A DISTANCE OF 120.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF BALLARD ROAD PER OFFICIAL RECORD BOOK 961, PAGE 577; THENCE N88°40'14"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 195.02 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE S52°43'33"E, A DISTANCE OF 110.40 FEET; THENCE S01°35'54"E, A DISTANCE OF 62.92 FEET; THENCE S47°15'41"W, A DISTANCE OF 224.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.890 ACRES MORE OR LESS.

AREA OF REMAINDER: 1.827 ACRES MORE OR LESS.  
AREA OF PARENT TRACT: 3.717 ACRES MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N02°09'41"W FROM P.I. STATION 50+85.23 BEING A PK NAIL & DISK "AIM LB 3114" TO P.I. STATION 63+62.99 BEING A PK NAIL & DISK ILLEGIBLE.

**Exhibit "A"**

Page 11 of 18

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

BOB L. POTTER, P.E., P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688  
DATE 11/20/07

**THIS IS NOT A SURVEY SHEET 1 OF 2**

**AIM Engineering & Surveying, Inc.**



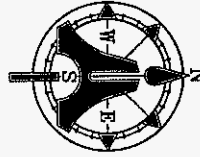
5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 148B ORTIZ AVENUE LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 11/20/06	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 148B-LEG	COUNTY: LEE COUNTY



SCALE IN FEET

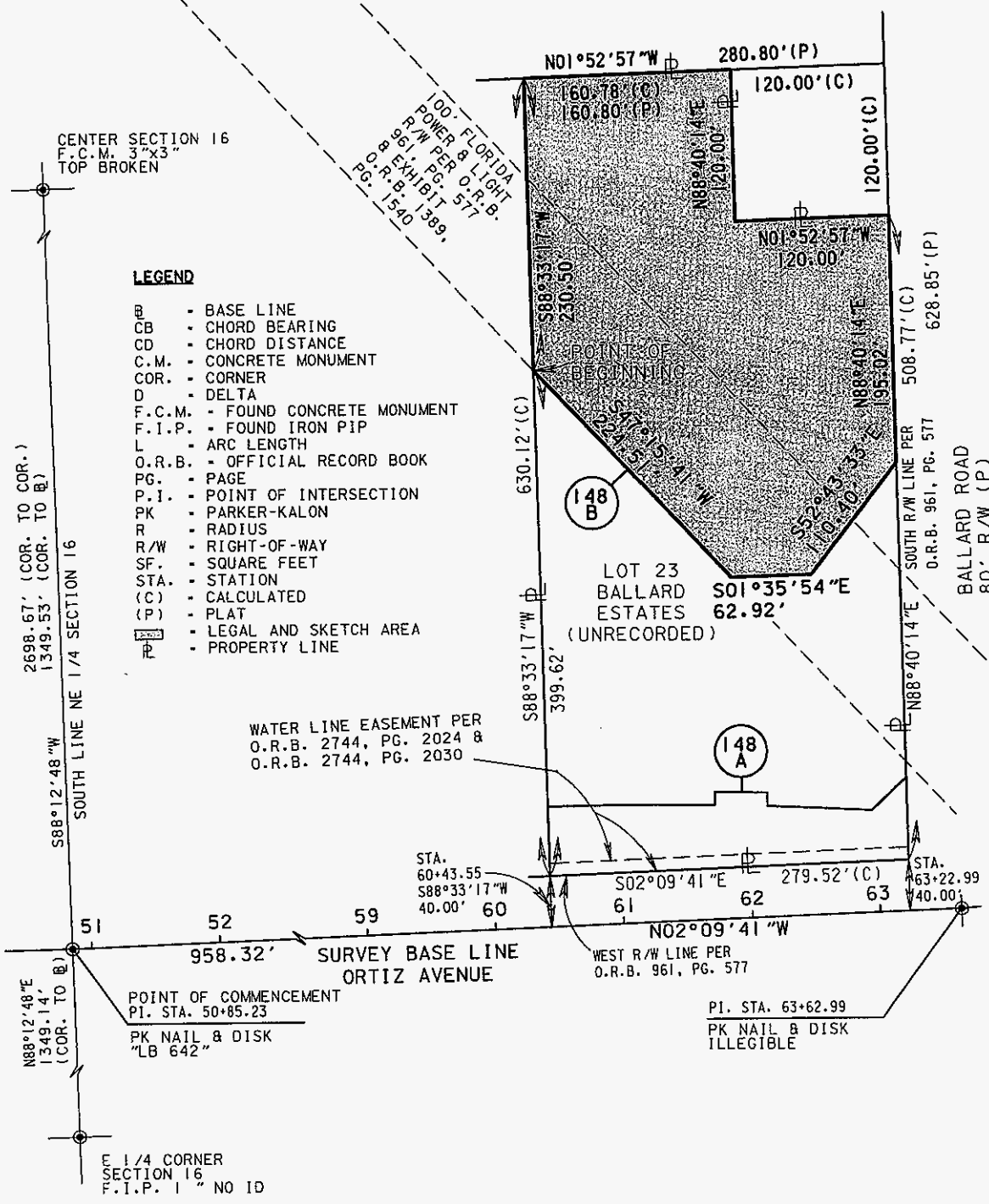


CENTER SECTION 16  
F.C.M. 3"x3"  
TOP BROKEN

**LEGEND**

- B - BASE LINE
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- C.M. - CONCRETE MONUMENT
- COR. - CORNER
- D - DELTA
- F.C.M. - FOUND CONCRETE MONUMENT
- F.I.P. - FOUND IRON PIP
- L - ARC LENGTH
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- P.I. - POINT OF INTERSECTION
- PK - PARKER-KALON
- R - RADIUS
- R/W - RIGHT-OF-WAY
- SF. - SQUARE FEET
- STA. - STATION
- (C) - CALCULATED
- (P) - PLAT
- ▭ - LEGAL AND SKETCH AREA
- ▭ - PROPERTY LINE

100' FLORIDA  
POWER & LIGHT  
O.R.B. 961, PG. 577  
O.R.B. EXHIBIT  
PG. 1389,  
PG. 1540

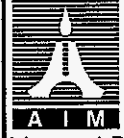


WATER LINE EASEMENT PER  
O.R.B. 2744, PG. 2024 &  
O.R.B. 2744, PG. 2030

Exhibit "A"

Page 12 of 18

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 148B ORTIZ AVENUE LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 01/09/07	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 148B-LEG	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 149  
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 149**

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF LOT 24 OF BALLARD ESTATES AN UNRECORDED SUBDIVISION OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST AND THE SURVEY BASE LINE OF ORTIZ AVENUE, THENCE N02°09'41"W ALONG SAID BASE LINE A DISTANCE OF 638.88 FEET TO STATION 57+24.11; THENCE LEAVING SAID BASE LINE S88°26'21"W A DISTANCE OF 40.00 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE AND THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY LINE S88°26'21"W A DISTANCE OF 55.00 FEET; THENCE N02°09'41"W A DISTANCE OF 277.22 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2932.29 FEET, A DELTA OF 00°49'43", A CHORD OF 42.41 FEET AND A CHORD BEARING OF N01°44'49"W, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 42.41 FEET; THENCE N88°33'17"E A DISTANCE OF 54.70 FEET TO THE ORIGINAL WEST RIGHT OF WAY LINE OF ORTIZ AVENUE; THENCE S02°09'41"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 319.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 17573 SQUARE FEET, MORE OR LESS.

AREA OF REMAINDER: 4.233 ACRES, MORE OR LESS.  
AREA OF PARENT TRACT: 4.637 ACRES, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N02°09'41"W FROM P. I. STATION 50+85.23, BEING A P.K. NAIL & DISK "LB 3114" TO P. I. STATION 63+62.99, BEING A P.K. NAIL & DISK, ILLEGIBLE.

Exhibit "A"

Page 13 of 18

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 1/12/07  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

**AIM Engineering & Surveying, Inc.**



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 149 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE: 16-44S-25E
FILE: PARCEL 149 LEGAL	COUNTY: LEE COUNTY

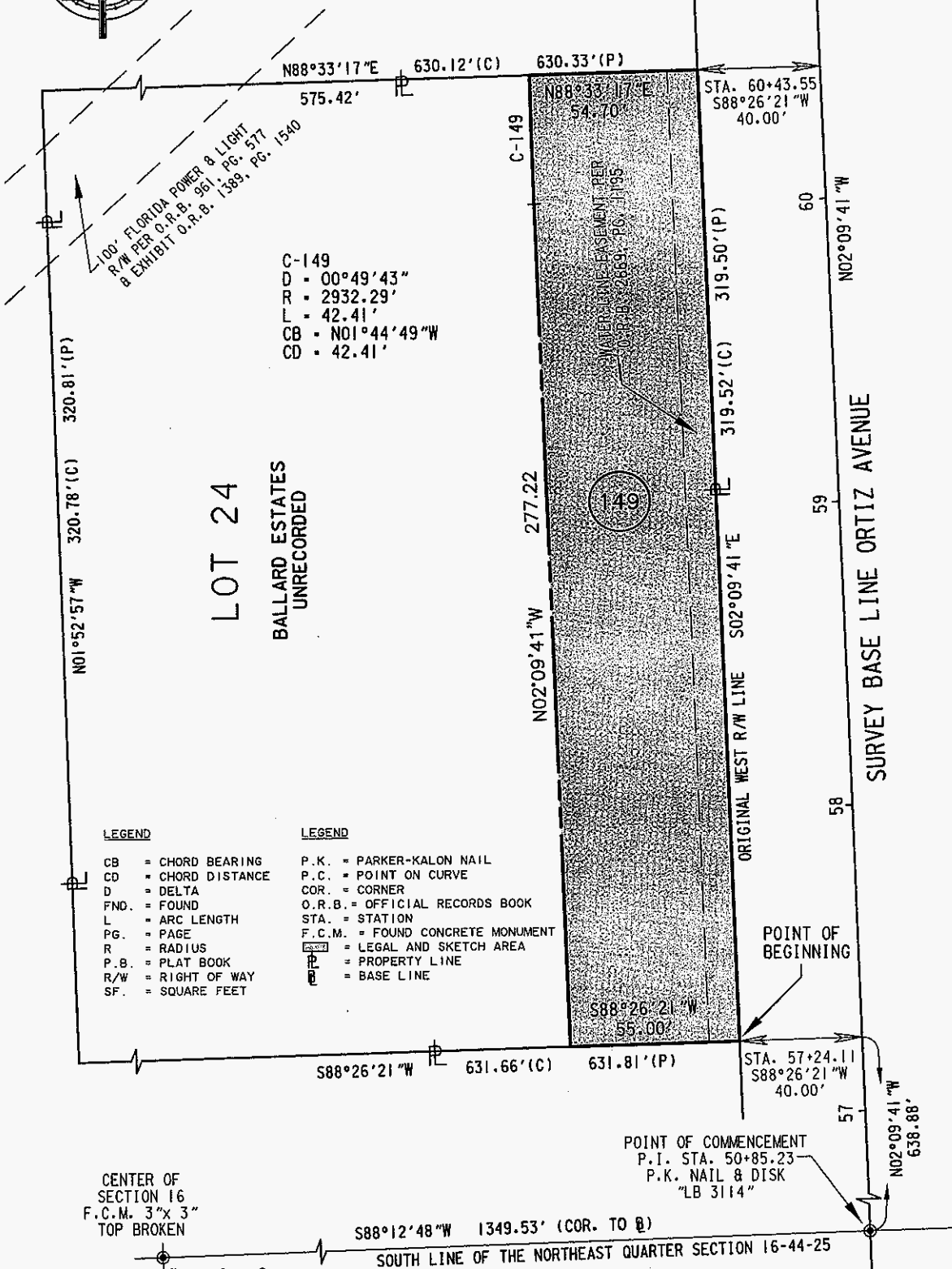
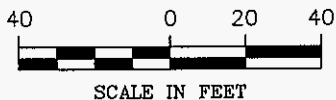


LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION

PARCEL 149

SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST

P.I. STA. 63+62.99  
P.K. NAIL & DISK ILLEGIBLE



C-149  
D = 00°49'43"  
R = 2932.29'  
L = 42.41'  
CB = N01°44'49"W  
CD = 42.41'

LEGEND

- CB = CHORD BEARING
- CD = CHORD DISTANCE
- D = DELTA
- FND. = FOUND
- L = ARC LENGTH
- PG. = PAGE
- R = RADIUS
- P.B. = PLAT BOOK
- R/W = RIGHT OF WAY
- SF. = SQUARE FEET

LEGEND

- P.K. = PARKER-KALON NAIL
- P.C. = POINT ON CURVE
- COR. = CORNER
- O.R.B. = OFFICIAL RECORDS BOOK
- STA. = STATION
- F.C.M. = FOUND CONCRETE MONUMENT
- [Symbol] = LEGAL AND SKETCH AREA
- [Symbol] = PROPERTY LINE
- [Symbol] = BASE LINE

Exhibit "A"

Page 14 of 18

AIM Engineering & Surveying, Inc.



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 149 ORTIZ AVENUE
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 01-08-07	SEC-TWP-RGE: 16-44S-25E
FILE: PARCEL 149 LEGAL	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 150  
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 150**

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA ALSO BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4521, PAGE 2890 KNOWN AS LOTS 29 AND 30, BALLARD ESTATES (UNRECORDED), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH-WEST 1/4 OF SAID SECTION 16 AND ORTIZ AVENUE SURVEY BASE LINE SAID POINT BEING P.I. STATION 50+85.23; THENCE N02°09'41"W, ALONG SAID BASE LINE A DISTANCE OF 30.00 FEET TO STATION 51+15.23; THENCE S88°12'36"W A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 4521, PAGE 2890 AND THE POINT OF BEGINNING: THENCE S88°12'36"W, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORD BOOK 4521, PAGE 2890, A DISTANCE OF 55.00 FEET; THENCE N02°09'41"W, A DISTANCE OF 609.26 FEET TO THE NORTH LINE OF SAID OFFICIAL RECORD BOOK 4521, PAGE 2890; THENCE N88°26'21"E, ALONG SAID NORTH LINE OF OFFICIAL RECORD BOOK 4521, PAGE 2890, A DISTANCE OF 55.00 FEET TO THE EAST LINE OF SAID OFFICIAL RECORD BOOK 4521, PAGE 2890; THENCE S02°09'41"E, ALONG SAID EAST LINE OF OFFICIAL RECORD BOOK 4521, PAGE 2890, A DISTANCE OF 609.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 33,501 SQUARE FEET MORE OR LESS.

AREA OF REMAINDER: 12.832 ACRES MORE OR LESS.

AREA OF PARENT TRACT: 13.601 ACRES MORE OR LESS.

**Exhibit "A"**

Page 15 of 18

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N02°09'41"W FROM P.I. STATION 50+85.23 BEING A PK NAIL AND DISK "LB 642" TO P.I. STATION 63+62.99 BEING A PK NAIL AND DISK ILLEGIBLE

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 8/11/06  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5888

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**AIM Engineering & Surveying, Inc.**



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 150 ORTIZ AVENUE LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 8/80/06	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 150-LEG	COUNTY: LEE COUNTY



**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 212  
SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST**

**PARCEL 212**

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING A PORTION OF LOT 2, HIGH COTTON INDUSTRIAL PARK DESCRIBED IN PLAT BOOK 34, PAGE 2, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, LYING 40.00 FEET, N88°14'36"E OF ORTIZ AVENUE SURVEY BASE LINE P.I. STATION 24+40.55; THENCE N01°15'29"W, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 295.06 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A DELTA OF 89°30'04", A RADIUS OF 30.00 FEET, A CHORD OF 42.24 FEET AND A CHORD BEARING OF N43°29'33"E; THENCE ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, AN ARC DISTANCE OF 46.86 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE N88°14'36"E, ALONG SAID NORTH LINE, A DISTANCE OF 8.03 FEET TO A POINT ON A NON-TANGENTIAL CURVE TO THE LEFT HAVING A DELTA OF 01°08'14", A RADIUS OF 3186.54 FEET, A CHORD OF 63.25 FEET AND A CHORD BEARING OF S07°52'51"E; THENCE ALONG SAID CURVE, CONCAVE EASTERLY, AN ARC DISTANCE OF 63.25 FEET TO A POINT OF REVERSE CURVE HAVING A DELTA OF 03°51'16", A RADIUS OF 3907.22 FEET, A CHORD OF 262.81 FEET AND A CHORD BEARING OF S06°31'20"E; THENCE ALONG SAID CURVE, CONCAVE WESTERLY, AN ARC DISTANCE OF 262.86 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE S88°14'36"W, ALONG SAID SOUTH LINE, A DISTANCE OF 69.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,756 SQUARE FEET MORE OR LESS.

AREA OF REMAINDER: 1.331 ACRES MORE OR LESS.  
 AREA OF PARENT TRACT: 1.738 ACRES MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF ORTIZ AVENUE, HAVING A BEARING OF N01°15'29"W FROM P.I. STATION 24+40.55 BEING A BOLT IN CUTOUT TO P.I. STATION 37+62.98 BEING A PK NAIL AND DISK "LB 3114"

**Exhibit "A"**

**Page 17 of 19**

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*Bob L. Potter* 10/2/06  
 BOB L. POTTER, P.S.M. DATE  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 5685

**THIS IS NOT A SURVEY SHEET 1 OF 2**

**AIM Engineering & Surveying, Inc.**



5300 LEE BLVD.  
 P.O. BOX 1235  
 LEHIGH ACRES  
 FLORIDA 33970  
 239/332-4569  
 FX:239/332-8734

Licensed Business Number 3114

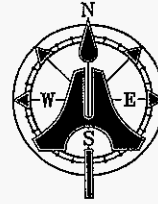
PROJECT NUMBER: 05-8974	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 212 ORTIZ AVENUE, LEE COUNTY		
DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 10/2/06	SEC-TWP-RGE 16-44S-25E	FILE: PARCEL 212-LEG	COUNTY: LEE COUNTY

**LEGEND**

- Δ - DELTA ANGLE
- R - RADIUS
- L - ARC LENGTH
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- LT. - LEFT
- O/A - OVERALL
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- RT. - RIGHT
- P.I. - POINT OF INTERSECTION
- Ⓟ - SURVEY BASE LINE
- (C) - CALCULATED DATA
- (P) - PLAT DATA
- [Hatched Box] - LEGAL AND SKETCH AREA



SCALE IN FEET 1" = 40'



P.I. STATION 37+62.98  
PK NAIL & DISK "LB 3114"

C-1  
Δ = 89°30'04" RT.  
L = 46.84'(P), 46.86'(C)  
R = 30.00'(P)  
CB = N43°29'33"E  
CD = 42.23'(P), 42.24'(C)

STATION 27+65.35  
69.74'(C)

N88°14'36"E NORTH LINE LOT 2

92.57'(C)  
100.66'(P) 100.61'(C) O/A  
8.03'(C)

Δ = 44°49'22" RT.  
L = 74.32'(P)(C)  
R = 95.00'(P)  
CB = S69°20'43"E  
CD = 72.44'(P)(C)

HIGH COTTON LANE S.E.  
80' RIGHT OF WAY (P)  
S46°56'02"E  
60.66'(P)  
61.03'(C)

STATION 27+35.96  
40.00'(C)

Δ = 01°08'14" LT.  
L = 63.25'(C)  
R = 3186.54'  
CB = S07°52'51"E  
CD = 63.25'(C)

A 6' PUBLIC UTILITY & DRAINAGE EASEMENT IS RESERVED AROUND THE BOUNDARY OF EACH BUILDING SITE, AND A 10' ELECTRICAL UTILITY EASEMENT IS RESERVED ALONG THE NORTH, EAST AND SOUTH BOUNDARIES OF THE TOTAL PARCEL (P)

ORTIZ REAL PROPERTY, LLC  
STRAP NO. 16-44-25-P3-00100.0020  
LOT 2  
HIGH COTTON INDUSTRIAL PARK  
PLAT BOOK 34, PAGE 2

Δ = 03°51'16" RT.  
L = 262.86'(C)  
R = 3907.22'  
CB = S06°31'20"E  
CD = 262.81'(C)

SOUTH LINE LOT 2

243.43'(P)(C) O/A  
174.25'(C)

10' FLORIDA POWER & LIGHT EASEMENT (P) & O.R.B. 1480, PG. 1950

SECTION 16  
SECTION 21

N88°14'36"E  
40.00'(C)

S88°14'36"W

1333.21'  
(CORNER TO Ⓟ)

SOUTH LINE SECTION 16,  
TOWNSHIP 44 SOUTH,  
RANGE 25 EAST

F.C.M. 3"x3"  
W/ DISK  
"PRM 2358"

P.I. STATION 24+40.55  
BOLT IN CUTOUT

POINT OF BEGINNING  
SW CORNER  
LOT 2

NO1°15'29"W SURVEY BASE LINE  
ORTIZ AVENUE

WEST LINE LOT 2  
295.06'(C)

295.28'(P)

NO1°15'29"W

10' RIGHT OF WAY DEDICATION AREA  
PER CITY OF FORT MYERS ANNEXATION  
AGREEMENT O.R.B. 2027, PG. 3886

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Licensed Business Number 3114

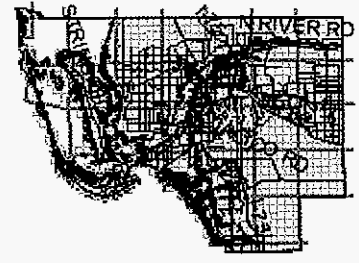
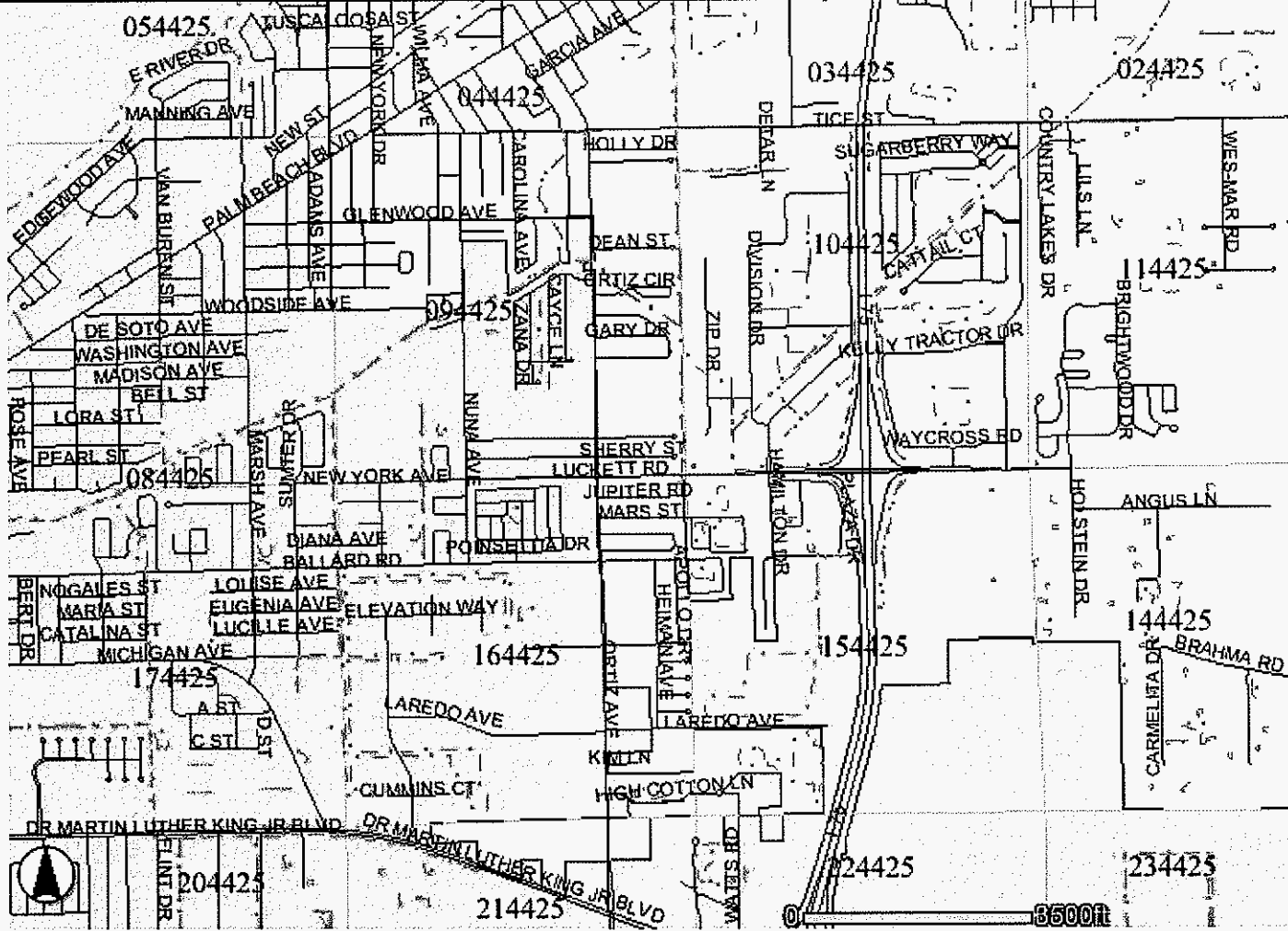
THIS IS NOT A SURVEY SHEET 2 OF 2

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DRAWN BY: LWC	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
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Exhibit "A"

Page 18 of 18

### Ortiz Avenue, Project 4072 - MLK Jr. Blvd to Palm Beach Blvd



- Legend**
- Hydro Features
  - Road Center Line
  - Township Range Lines
  - Township Range Labels
  - Section Lines
  - City Limits
  - Santa Springs
  - Cape Coral
  - Fort Myers
  - Sanibel
  - Town of Fort Myers Beach