

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040827

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Resolution of Necessity for the acquisition and condemnation of Parcels 304, 306, 310A, 310B, 313, 314, 500, 501, 502, 503, 534, and 535 for the Imperial Street Widening, Project 4060.

WHY ACTION IS NECESSARY: The Board must approve all real estate conveyances to Lee County.

WHAT ACTION ACCOMPLISHES: The Resolution of Necessity allows the County to proceed with condemnation, if necessary, so parcels can be obtained for the Imperial Street Widening Project.

2. DEPARTMENTAL CATEGORY: 12 ● **3. MEETING DATE:** 07-27-2004
COMMISSION DISTRICT # 3 **C12A**

4. AGENDA:		5. REQUIREMENT/PURPOSE: (Specify)		6. REQUESTOR OF INFORMATION:	
<input checked="" type="checkbox"/> CONSENT		<input checked="" type="checkbox"/> STATUTE	73, 125	A. COMMISSIONER	
<input type="checkbox"/> ADMINISTRATIVE		<input type="checkbox"/> ORDINANCE		B. DEPARTMENT	County Attorney
<input type="checkbox"/> APPEALS		<input type="checkbox"/> ADMIN. CODE		C. DIVISION	Litigation
<input type="checkbox"/> PUBLIC		<input type="checkbox"/> OTHER		BY: John Renner Chief Assistant County Attorney	
<input type="checkbox"/> WALK ON					
<input type="checkbox"/> TIME REQUIRED:					

7. BACKGROUND:

Negotiated for: Department of Transportation

Interest to Acquire: Fee Simple, as to Parcels 304, 306, 310A, 310B, 313, 314, 534, and 535; Easement interest as to Parcels 500, 501, 502 and 503.

Project Details: Widening of Imperial Street from Bonita Beach Road northerly to Dean Street, to provide a four-lane collector road with raised median and closed drainage, including landscaping, lighting, and signalization.

Staff Recommendation: County staff recommends that the Board approve the requested motion.

Attachments: Resolution of Necessity

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A	B	C	D	E	F				G
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i>			<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 6/22/04
 3:40 PM 567
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
 6/30/04
 9 AM

Rec. by CoAtty
 Date: 6/22/04
 Time: 10 AM
 Forwarded To:

6/22/04

**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:

Phase I of Imperial Street Widening, Project Number 4060, provides an expansion of Imperial Street from Bonita Beach Road northerly to Dean Street.

SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY

The Board of County Commissioners finds that the fee simple rights to property described in the attached Exhibit "A" and a perpetual slope easement described in the attached Exhibit "B" are necessary for Imperial Street Widening Project and is being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety, increased traffic flow for public as well as private vehicles, improved evacuation routes, by improving/widening Imperial Street to a four lane collector road with raised median and closed drainage, including landscaping, lighting, and signalization from Bonita Beach Road to East Terry.

Fee Simple Interest subject to existing easements, restrictions and reservations of record: Parcels 304, 306, 310-A, 310-B, 313, 314, 534, and 535, for right-of-way. Easement Interest also subject to existing easements, restrictions and reservations of record: Parcels 500, 501, 502, and 503, - perpetual slope easements for backfill for sidewalk.

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

Resolution of Necessity

Page 2

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

Provided further, that should the compensation resulting from the condemnation of any parcel of land hereinabove identified be equal to or greater than the compensation necessary to acquire the entire tract of which such parcel forms a part, then the County Attorney is authorized and directed to amend, supplement, or institute proceedings to condemn the entire parent tract of any such parcel.

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 Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew W. Coy	_____
John E. Albion	_____

DULY PASSED AND ADOPTED this _____ day of _____, 2004.

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

James R. Coleman & Associates, Inc.

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Exhibit "A"

Page 1 of 16

LEGAL DESCRIPTION

Parcel 304

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, being a portion of Lot 92 of Imperial Gate (an unrecorded subdivision), more particularly described as follows:

Commence at the southwest corner of the southeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the west line of said southeast quarter for 393.04 feet to an intersection with the westerly extension of the south line of the aforementioned Lot 92; thence N.88°45'08"E. along said south line for 18.91 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; Thence continue N.88°45'08"E. along said south line for 127.03 feet to an intersection with the east line of said Lot 92; thence N.00°58'24"W. along said east line for 50.00 feet to an intersection with the north line of said Lot 92; thence S.88°45'08"W. along said north line for 126.66 feet to an intersection with the aforementioned maintained right of way line; thence S.00°32'46"E. along said maintained right of way line for 50.00 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 3/20/2002

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL304



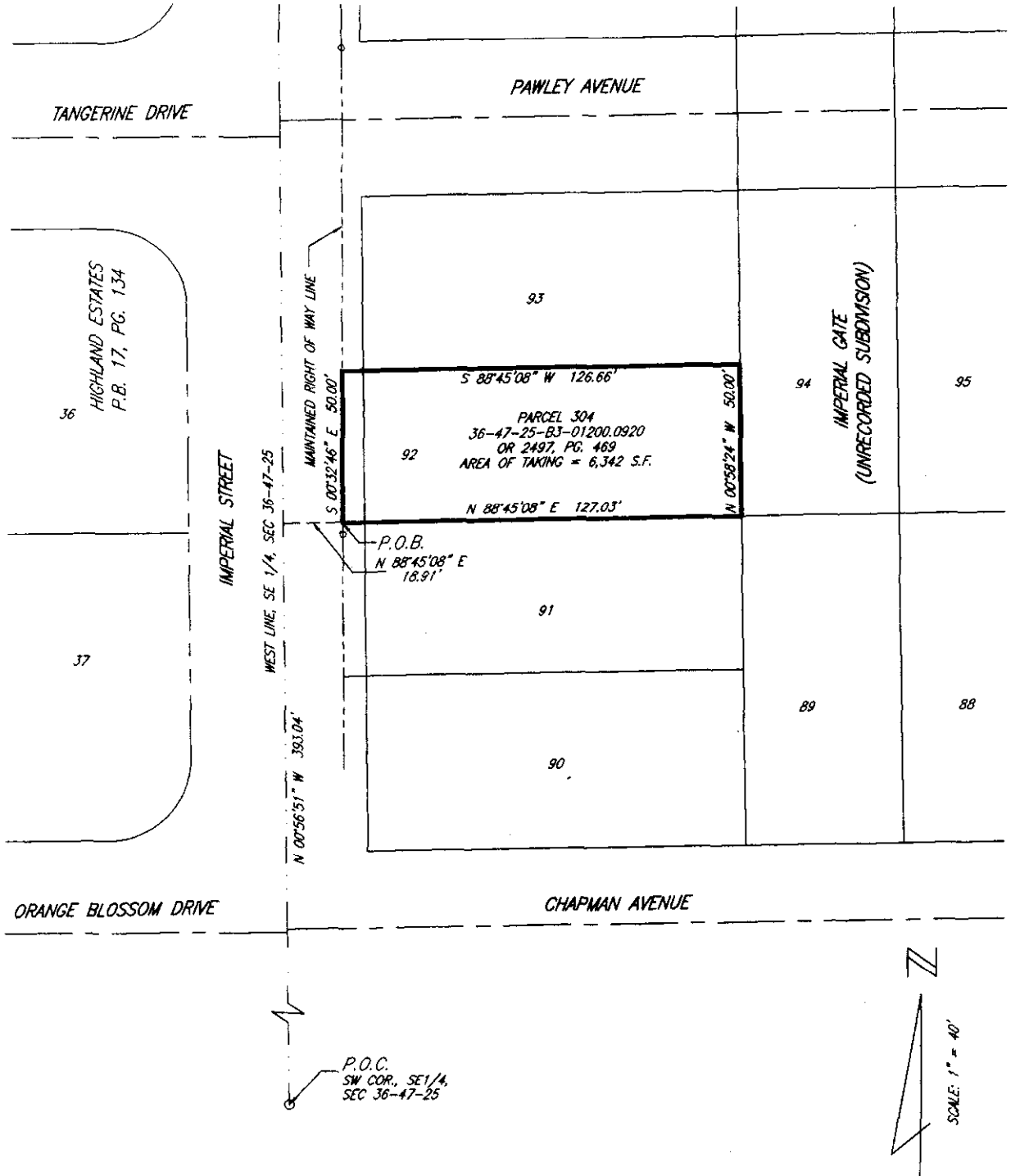
James R. Coleman & Associates, Inc.

Land Surveying Consultants
6298 Presidential Court, Unit 2
Fort Myers, Florida 33919
Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
DECEMBER, 2002	308456	PCL304
DATE	REVISION	BY

Exhibit "A"

Page 2 of 16



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).

JAMES R. COLEMAN & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

DATE: 3/2002

James R. Coleman & Associates, Inc.

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Exhibit "A"

Phone (239) 433-2070
Fax (239) 433-5126

Page 3 of 16

LEGAL DESCRIPTION

Parcel 306

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, being a portion of Lot 134 of Imperial Gate (an unrecorded subdivision), more particularly described as follows:

Commence at the southwest corner of the southeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the west line of said southeast quarter for 525.06 feet to an intersection with the center line of Pawley Avenue, and the westerly extension of the south line of the aforementioned Lot 134; thence N.88°45'12" E. along said south line for 19.84 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; Thence continue N.88°45'12"E. along said south line for 126.04 feet to an intersection with the east line of said Lot 134; thence N.00°58'24"W. along said east line for 82.00 feet to an intersection with the north line of said Lot 134; thence S.88°45'16"W. along said north line for 126.61 feet to an intersection with the aforementioned maintained right of way line; thence along said maintained right of way line for the following described two (2) courses; (1) S.01°41'02"E. for 59.09 feet; (2) thence S.00°32'46"E. for 22.91 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 3/08/2002

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL306



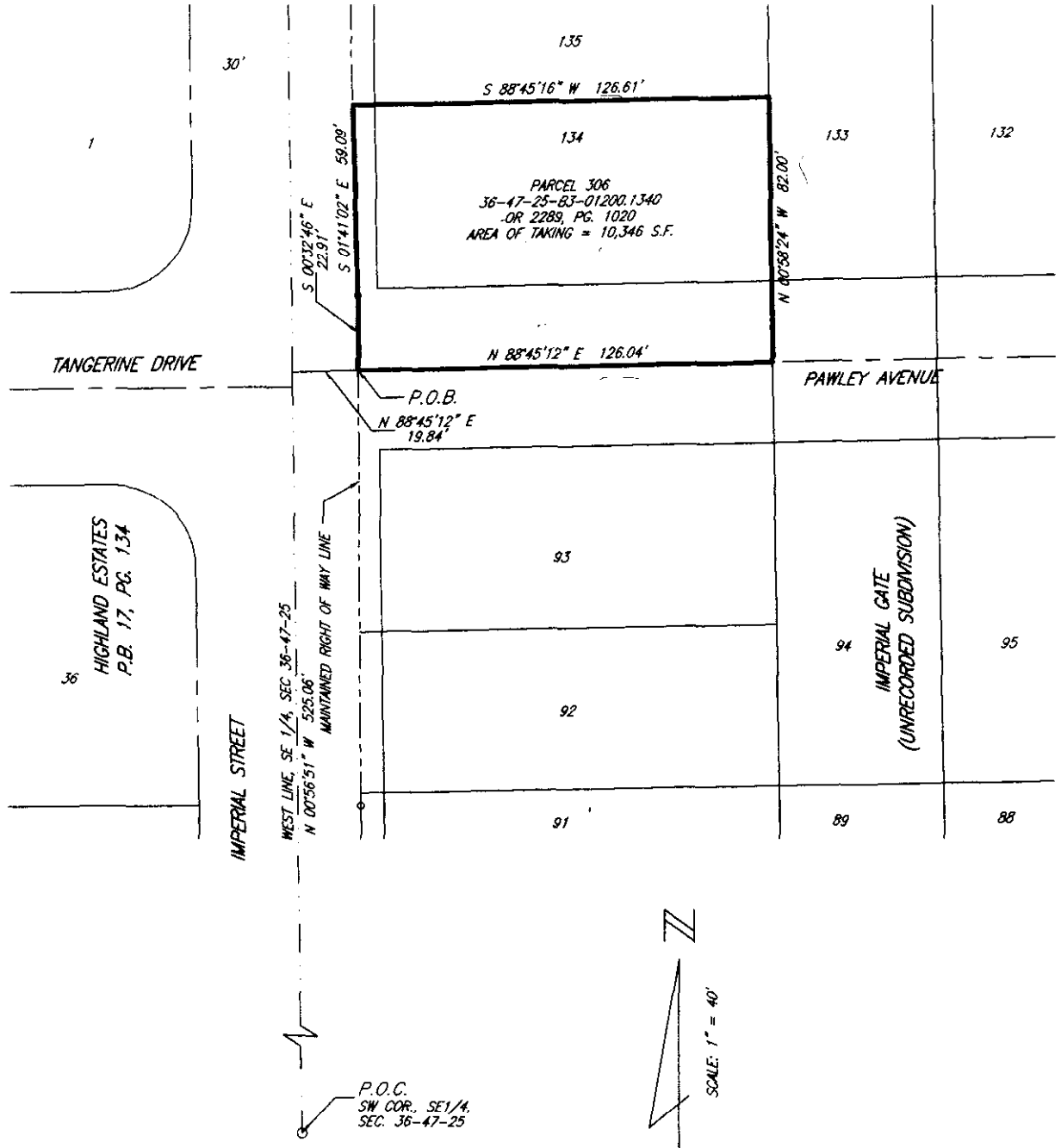
James R. Coleman & Associates, Inc.

Land Surveying Consultants
6238 Presidential Court, Unit 2
Fort Myers, Florida 33919
Phone: (239) 433-2070

Exhibit "A"

Page 4 of 16

DATE DECEMBER, 2002	JOB NO. 308456	DRAWING NO. PCL306



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREWITH AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).

JAMES R. COLEMAN & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

DATE: 3/22/02

James R. Coleman & Associates, Inc.

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6238 Presidential Court Unit 2
Fort Myers, Florida 33919

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Fax (239) 433-5126

Exhibit "A"

Page 5 of 16

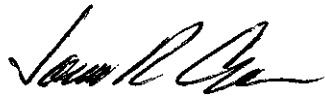
LEGAL DESCRIPTION

Parcel 310A

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner of the southeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the west line of said southeast quarter for 789.09 feet to an intersection with the center line of Saunders Drive, thence N.88°45'19" E. along said center line for 19.77 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; Thence continue N.88°45'19"E. along said center line for 125.99 feet to an intersection with the southerly extension of the east line of Lot 178 of Imperial Gate (an unrecorded subdivision); thence N.00°58'24"W. along said southerly extension for 25.00 feet to an intersection with the north line of Saunders Drive; thence S.88°45'19"W. along said north line for 120.02 feet to an intersection with the west line of said Lot 178; thence N.00°58'50"W. along said west line for 57.00 feet to an intersection with the north line of said Lot 178; thence S.88°45'23"W. along the westerly extension of said north line for 5.12 feet to an intersection with the aforementioned maintained right of way line of Imperial Street; thence along said maintained right of way line for the following described two (2) courses; (1) S.00°25'32"E. for 30.72 feet; (2) thence S.00°21'34"E. for 51.29 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: JAN 16 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL310A

RECEIVED
JAN 16 2003

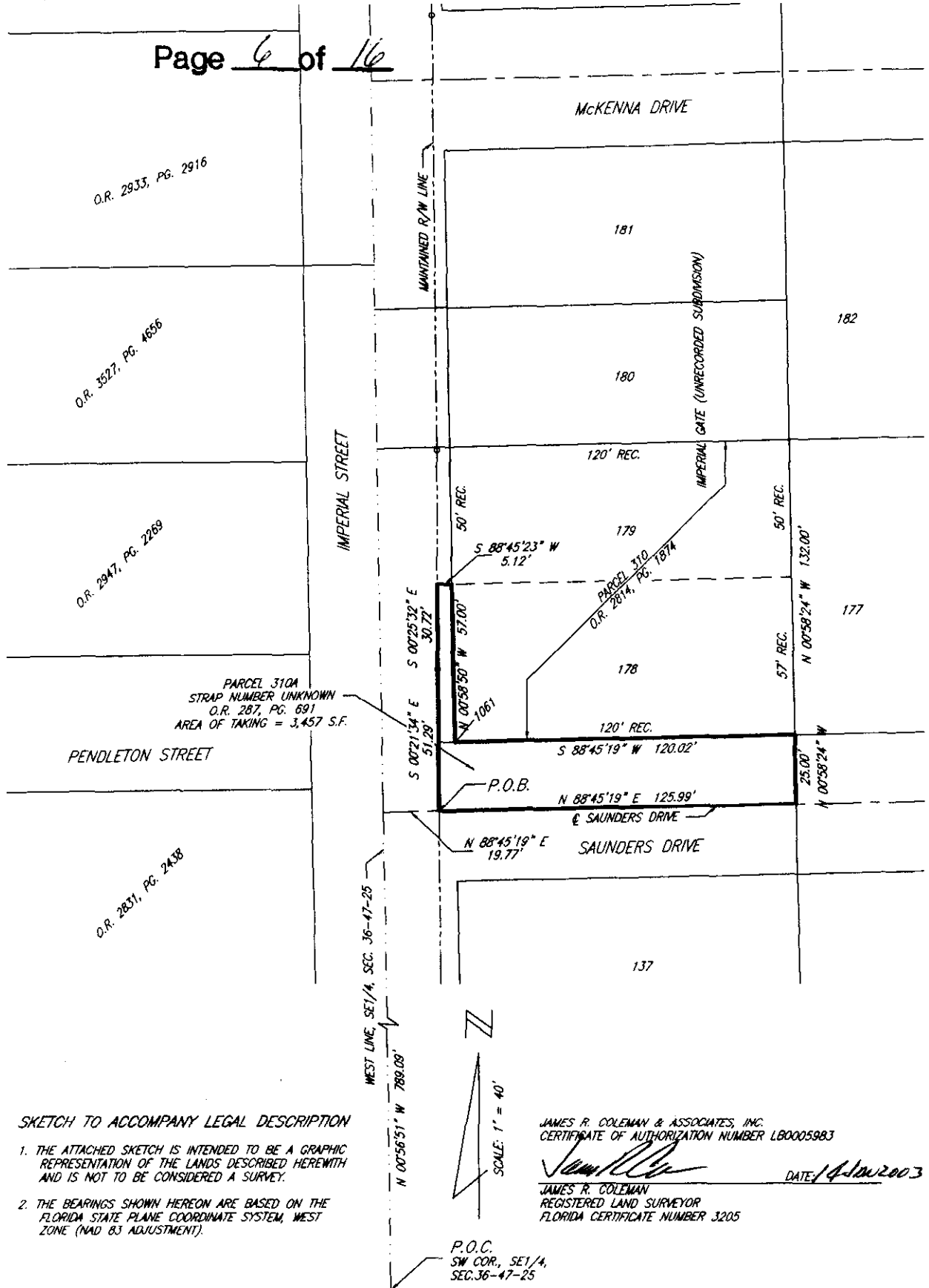


James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
JANUARY, 2003	308456	PCL310A

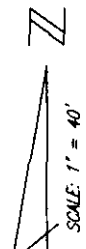
Exhibit "A"

Page 6 of 16



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

DATE: 1/4/2003

P.O.C.
 SW COR., SE1/4,
 SEC. 36-47-25

James R. Coleman & Associates, Inc.

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Exhibit "A"

Page 7 of 16

LEGAL DESCRIPTION

Parcel 310B

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner of the southeast quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the west line of said southeast quarter for 871.09 feet to an intersection with the westerly extension of the south line of Lot 179 of Imperial Gate (an unrecorded subdivision); thence N.88°45'23" E. along said westerly extension for 20.58 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; Thence continue N.88°45'23"E. along said westerly extension for 5.12 feet to an intersection with the west line of said Lot 179; thence N.00°58'50"W. along said west line for 50.00 feet to an intersection with the north line of said Lot 179; thence S.88°45'23"W. along the westerly extension of said north line for 4.52 feet to an intersection with the aforementioned maintained right of way line of Imperial Street; thence along said maintained right of way line for the following described two (2) courses; (1) S.01°37'02"W. for 1.12 feet; (2) thence S.00°20'16"E. for 48.89 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 14 Jun 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL310B

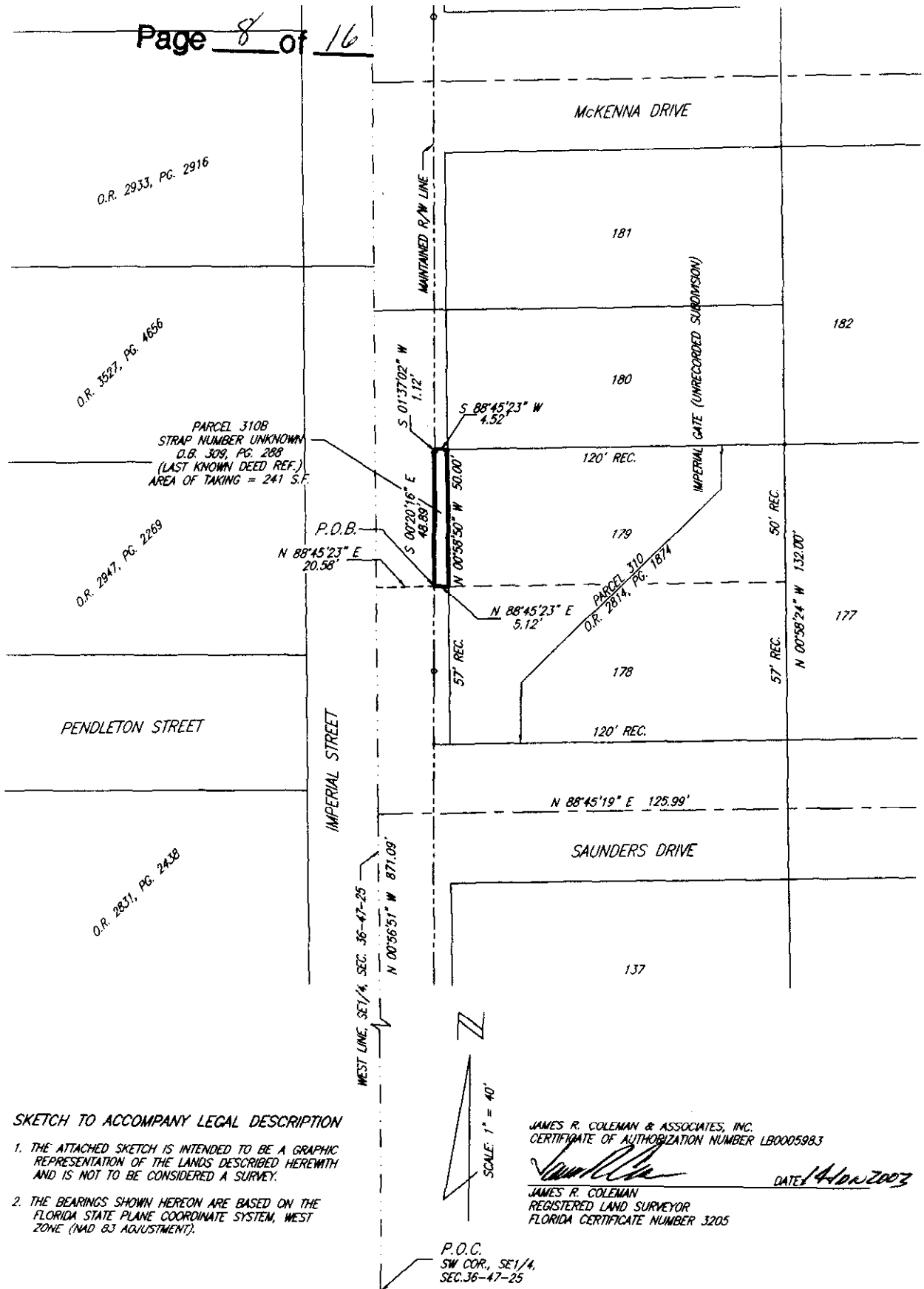


James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 8238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

Exhibit "A"

DATE JANUARY, 2003	JOB NO. 308456	DRAWING NO. PCL3108

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

DATE 14 Jan 2003

P.O.C.
 SW COR., SE1/4,
 SEC.36-47-25

James R. Coleman & Associates, Inc.

Land Surveying Consultants

1459 Cornell Place
Fort Myers, Florida 33919

Phone (239) 433-2070

Exhibit "A"

Page 9 of 16

LEGAL DESCRIPTION

Parcel 313

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the northwest corner of the southwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence S 00°56'51" E along the west line of the southeast quarter of said Section 36 for 131.60 feet; thence N 88°45'23" E for 21.21 feet to an intersection with the maintained right of way line of Imperial Street, and the point of beginning of the herein described parcel of land; thence continue N88°45'23" E for 124.38 feet; thence S 00°58'24" E for 131.99 feet; thence S 88°45'27" W for 123.86 feet to an intersection with the aforementioned maintained right of way line; thence along said maintained right of way line for the following described two (2) courses, (1) N 00°40'15" W for 23.26 feet; (2) thence N 01°18'48" W for 108.73 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate Of Authorization Number LB0005983



Date: 29 Jan 2004

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

308456 Pcl 313



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1450 Cornell Place
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
10 JAN 2004	308456	PCL313
DATE	REVISION	BY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

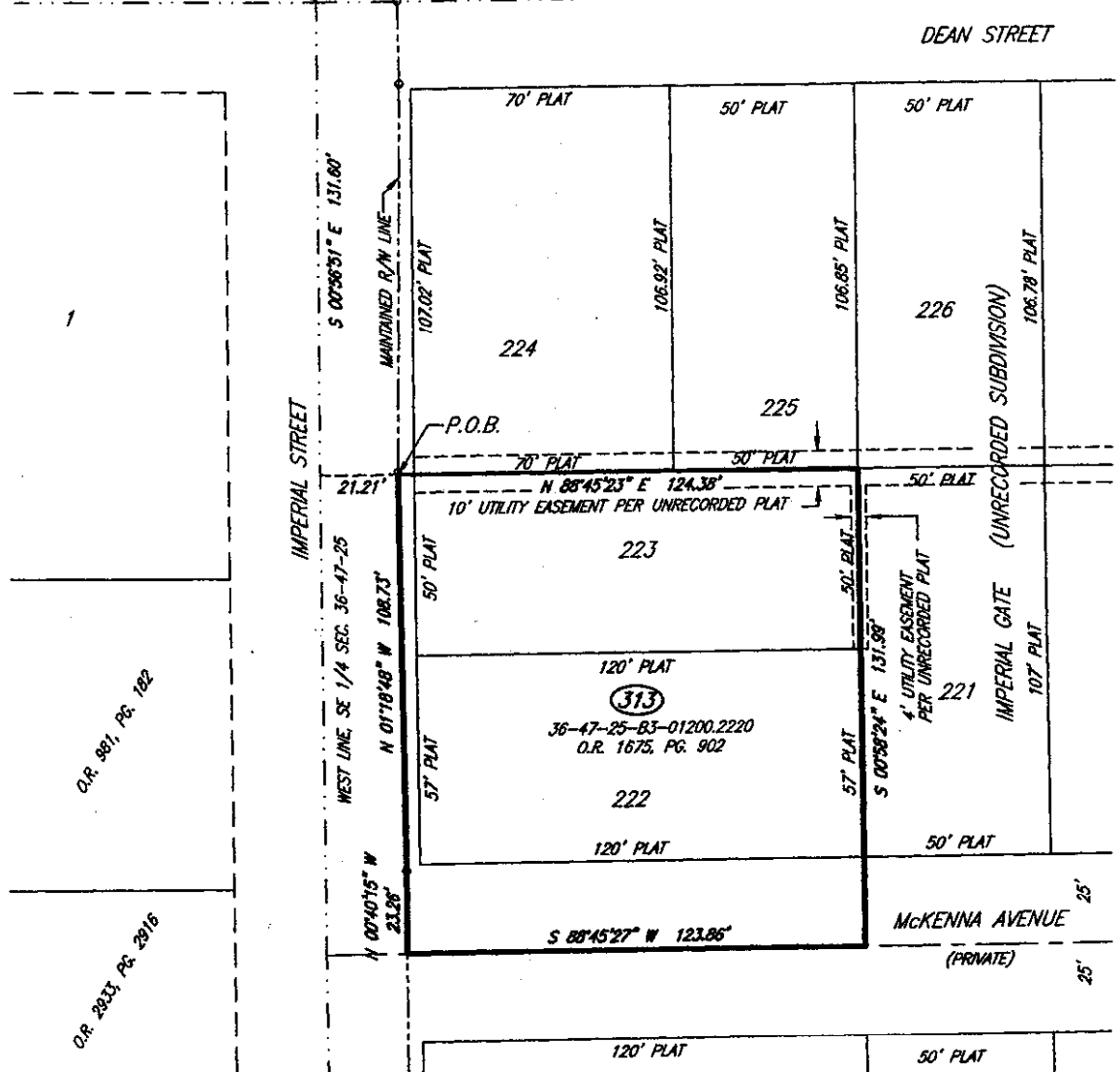
Exhibit "A"

Page 10 of 16

P.O.C.
 NW COR., SW 1/4, SE 1/4
 SEC. 36-47-25

O.R. 142, PG. 547

NORTH LINE, SW 1/4, SE 1/4, SEC. 36-47-25



SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005903

James R. Coleman
 DATE: 29 Jan 2004
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

James R. Coleman & Associates, Inc.

Land Surveying Consultants

1459 Cornell Place
Fort Myers, Florida 33919

Phone (239) 433-2070

Exhibit "A"

Page 11 of 16

LEGAL DESCRIPTION

Parcel 314

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the northwest corner of the southwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N 88°49'03" E along the north line of the southwest quarter of the southeast quarter of said Section 36 for 22.02 feet to an intersection with the maintained right of way line of Imperial Street, and the point of beginning of the herein described parcel of land; thence continue N 88°49'03" E for 123.51 feet; thence S 00°58'24" E for 131.45 feet; thence S 88°45'23" W for 124.38 feet to an intersection with the aforementioned maintained right of way line; thence along said maintained right of way line for the following described three (3) courses, (1) N 01°18'48" W for 0.87 feet; (2) thence N 00°20'05" W for 107.71 feet; (3) thence N 01°47'11" W for 23.01 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate Of Authorization Number LB0005983



Date: 29 Jan 2004

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

308456 Pcl 314



James R. Coleman & Associates, Inc.

Land Surveying Consultants
1459 Cornell Place
Fort Myers, Florida 33819
Phone: (239) 433-2070

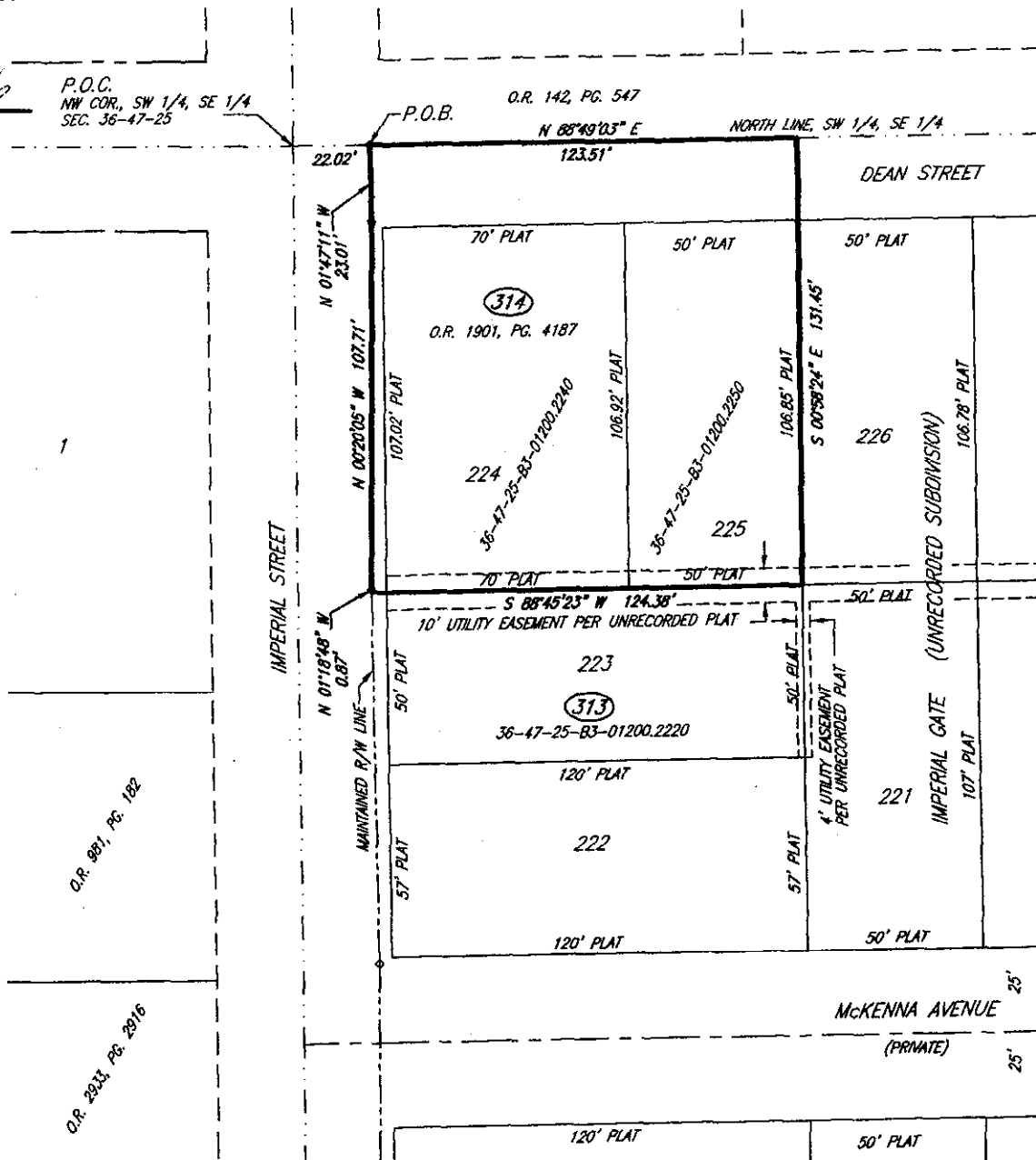
DATE 10 JAN 2004	JOB NO. 308456	ISSUING AGENCY FCL314

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Exhibit "A"

Page 12 of 16

P.O.C.
NW COR., SW 1/4, SE 1/4
SEC. 36-47-25



SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREWITH AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

SCALE: 1" = 40'

JAMES R. COLEMAN & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205
DATE: 23 Jan 2004

James R. Coleman & Associates, Inc.

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Exhibit "A"

Phone (239) 433-2070
Fax (239) 433-5126

Page 1.3 of 16

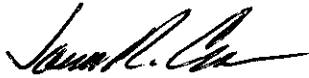
LEGAL DESCRIPTION

Parcel 534

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southeast corner of the southwest quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the east line of said southwest quarter for 658.35 feet to an intersection with the south line of the south half of the northeast quarter of the southeast quarter of the southwest quarter of said section 36; thence S.89°29'07"W. along said south line for 17.73 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; thence continue S.89°29'07"W. along said south line for 7.27 feet to an intersection with a line parallel with and 25.00 feet west of as measured at right angles to the east line of the southwest quarter of said Section 36; thence N.00°56'51"W. along said parallel line for 329.19 feet to an intersection with the north line of the south half of the northeast quarter of the southeast quarter of the southwest quarter of said Section 36; thence N.89°30'43"E. along said north line for 4.55 feet to an intersection with the aforementioned maintained right of way line; thence along said maintained right of way line for the following described nine (9) courses; (1) S.00°48'59"E. for 35.90 feet; (2) thence S.13°04'21"E. for 12.13 feet; (3) thence S.03°25'01"E. for 20.95 feet; (4) thence S.01°17'45"E. for 41.40 feet; (5) thence S.08°34'06"W. for 22.07 feet; (6) thence S.20°50'39"W. for 9.84 feet; (7) thence S.05°53'43"E. for 15.94 feet; (8) thence S.11°06'16"E. for 27.66 feet; (9) thence S.01°00'24"E. for 145.11 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 14 JAN 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL534



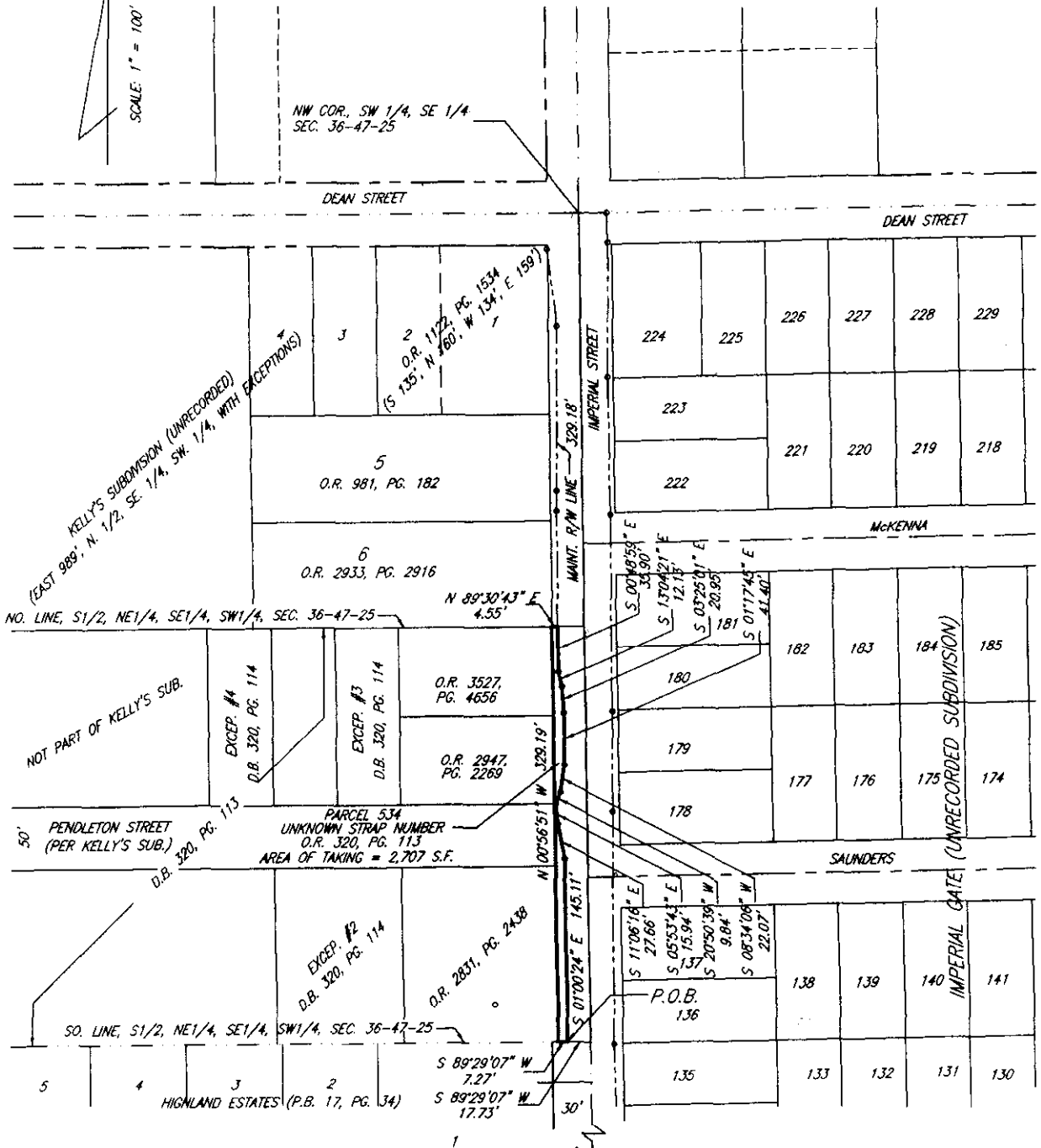
James R. Coleman & Associates, Inc.

Land Surveying Consultants
6298 Presidential Court, Unit 2
Fort Myers, Florida 33919
Phone: (239) 438-2070

Exhibit "A"

Page 14 of 16

DATE	JANUARY, 2003	JOB NO.	308456	DRAWING NO.	PCL534
DATE		REVISION		BY	



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).

P.O.C.
FND. MCKEE DISK
SE COR., SW 1/4,
SEC. 36-47-25

JAMES R. COLEMAN & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

[Signature]
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

DATE: 14 JAN 2003

James R. Coleman & Associates, Inc.

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Exhibit "A"

Page 15 of 16

LEGAL DESCRIPTION

Parcel 535

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southeast corner of the southwest quarter of Section 36, Township 47 South, Range 25 East, Lee County, Florida, thence N.00°56'51"W. along the east line of said southwest quarter for 987.53 feet to an intersection with the north line of the south half of the northeast quarter of the southeast quarter of the southwest quarter of said section 36; thence S.89°30'43"W. along said north line for 20.45 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; thence continue S.89°30'43"W. along said north line for 4.55 feet to an intersection with a line parallel with and 25.00 feet west of as measured at right angles to the east line of the southwest quarter of said Section 36; thence N.00°56'51"W. along said parallel line for 296.84 feet; to an intersection with the aforementioned maintained right of way line; thence along said maintained right of way line for the following described four (4) courses; (1) S.07°39'19"E. for 58.49 feet; (2) thence S.00°15'19"E. for 130.39 feet; (3) thence S.00°48'50"W. for 16.21 feet; (4) thence S.00°48'59"E. for 92.20 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 14 Jan 2008

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

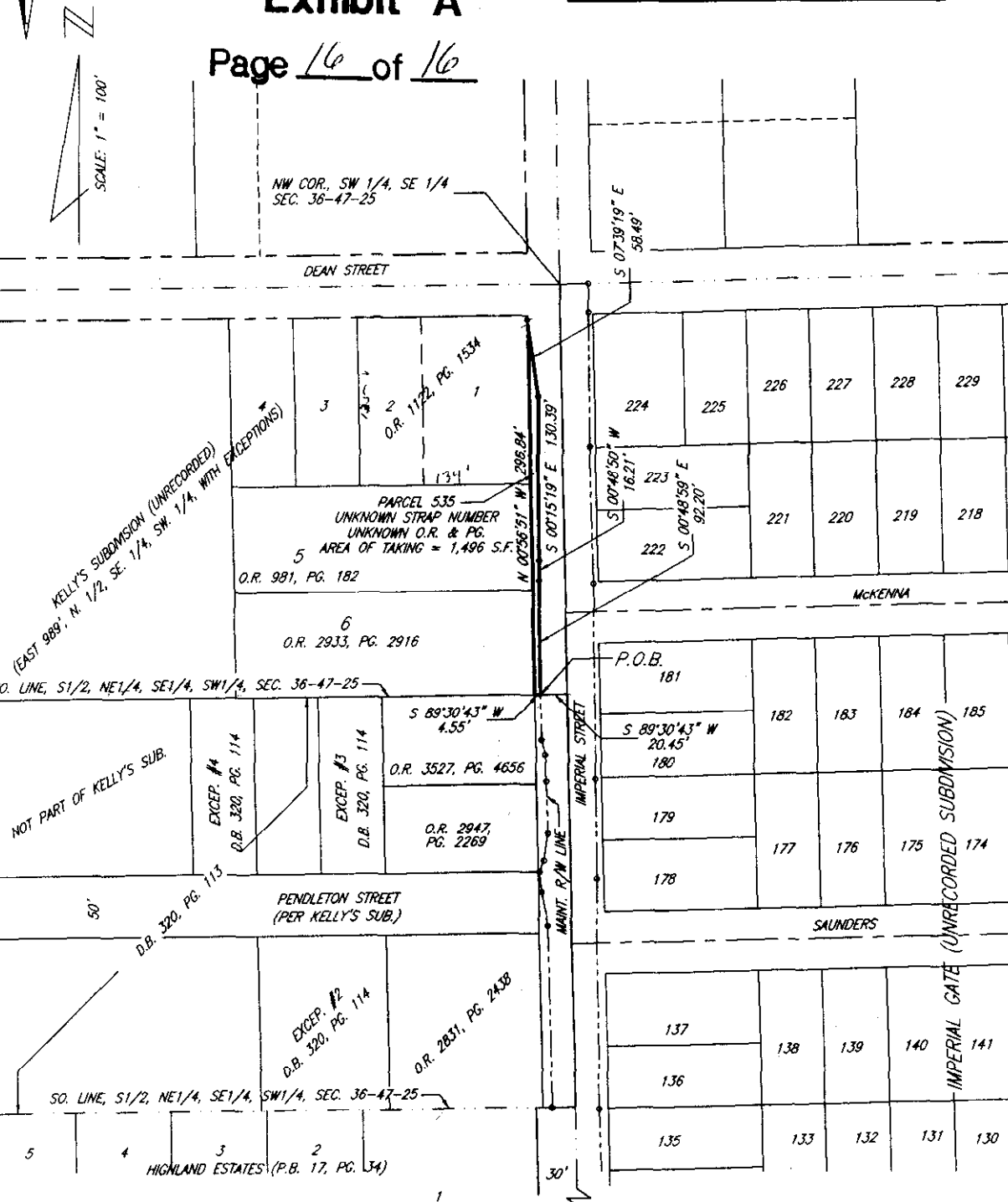
JRCAPCL535

James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
JANUARY, 2003	308456	PCL535
DATE	REVISION	BY

Exhibit "A"

Page 16 of 16



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREWITH AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).

P.O.C.
 FND, McKEE DISK
 SE COR., SW 1/4,
 SEC. 36-47-25

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 DATE: 19 Jan 2003
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

Exhibit "B"

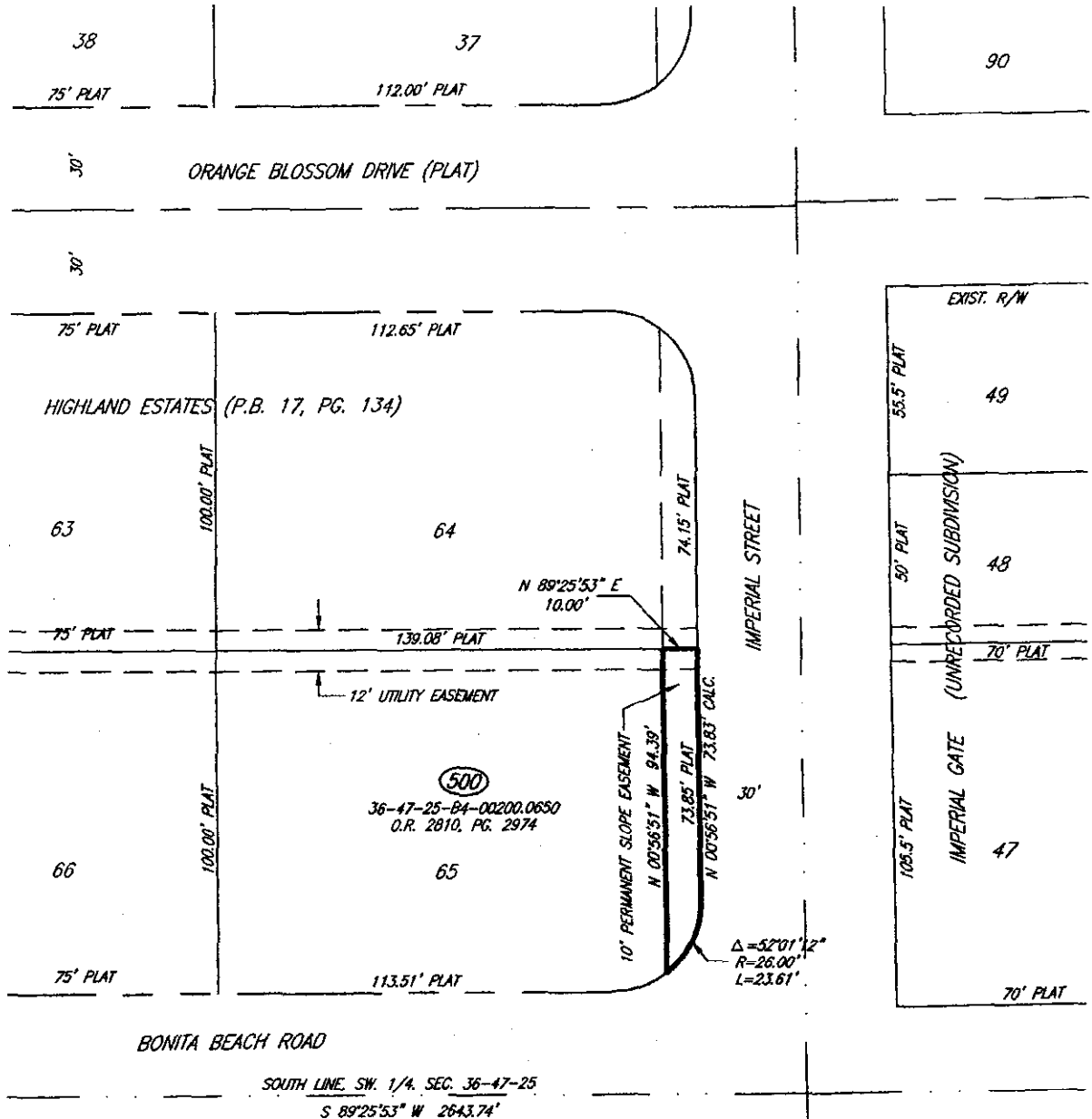
Page 1 of 4



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1459 Cornell Place
 Fort Myers, Florida 33919
 Phone: (889) 433-2070

DATE	JOB NO.	DRAWING NO.
10 JAN 2004	308456	ESMT_500

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LEGAL DESCRIPTION

THE EAST 10.00 FEET OF LOT 65 OF HIGHLAND ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17 AT PAGE 134 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

SCALE: 1" = 40'

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE 29 Jan 2004

Exhibit "B"

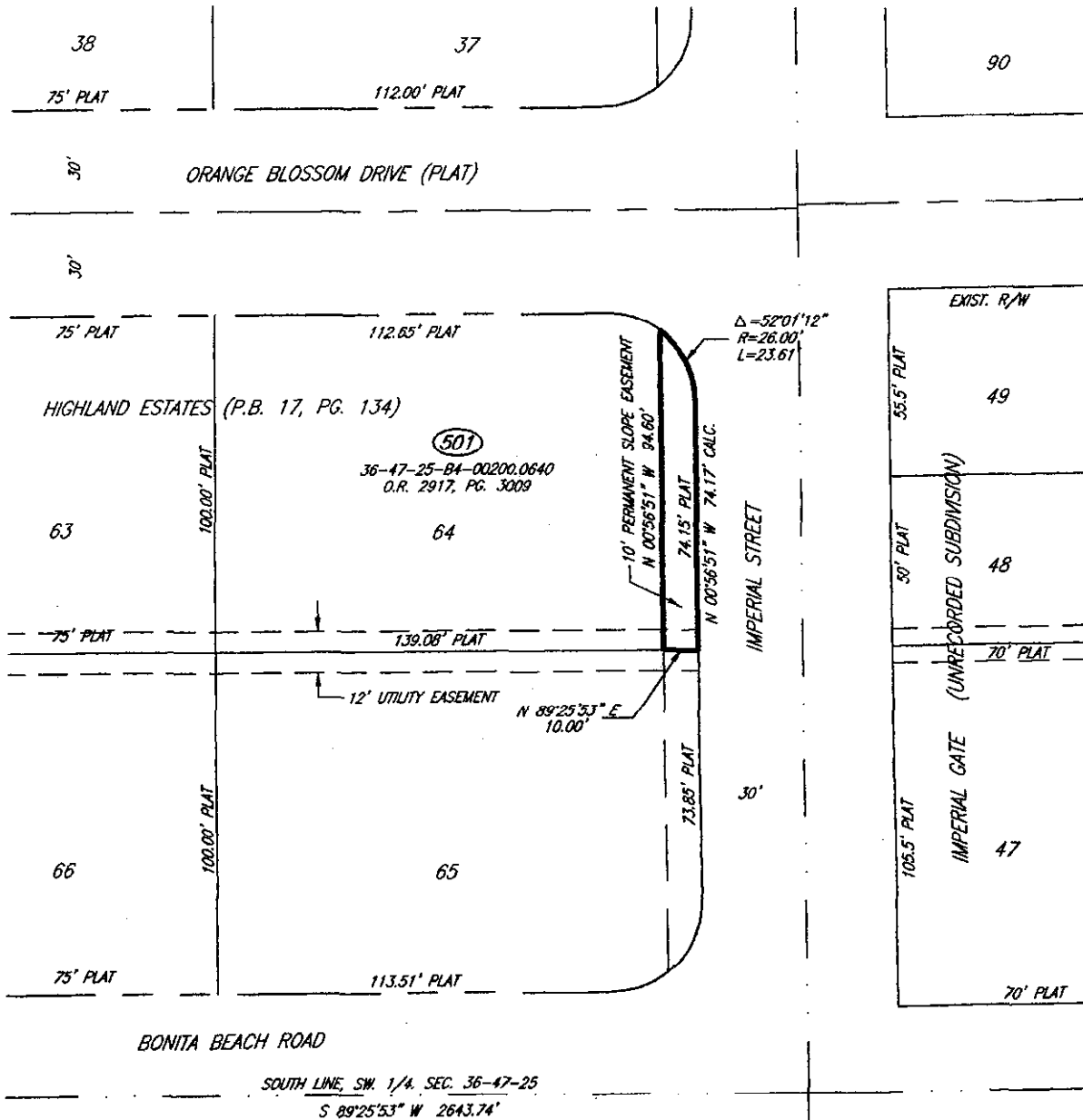
Page 2 of 4



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1459 Cornell Place
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE 10 JAN 2004	JOB NO. 308456	DRAWING NO. ESMT_501

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LEGAL DESCRIPTION

THE EAST 10.00 FEET OF LOT 64 OF HIGHLAND ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17 AT PAGE 134 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman DATE: 29 Jan 2004
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

Exhibit "B"

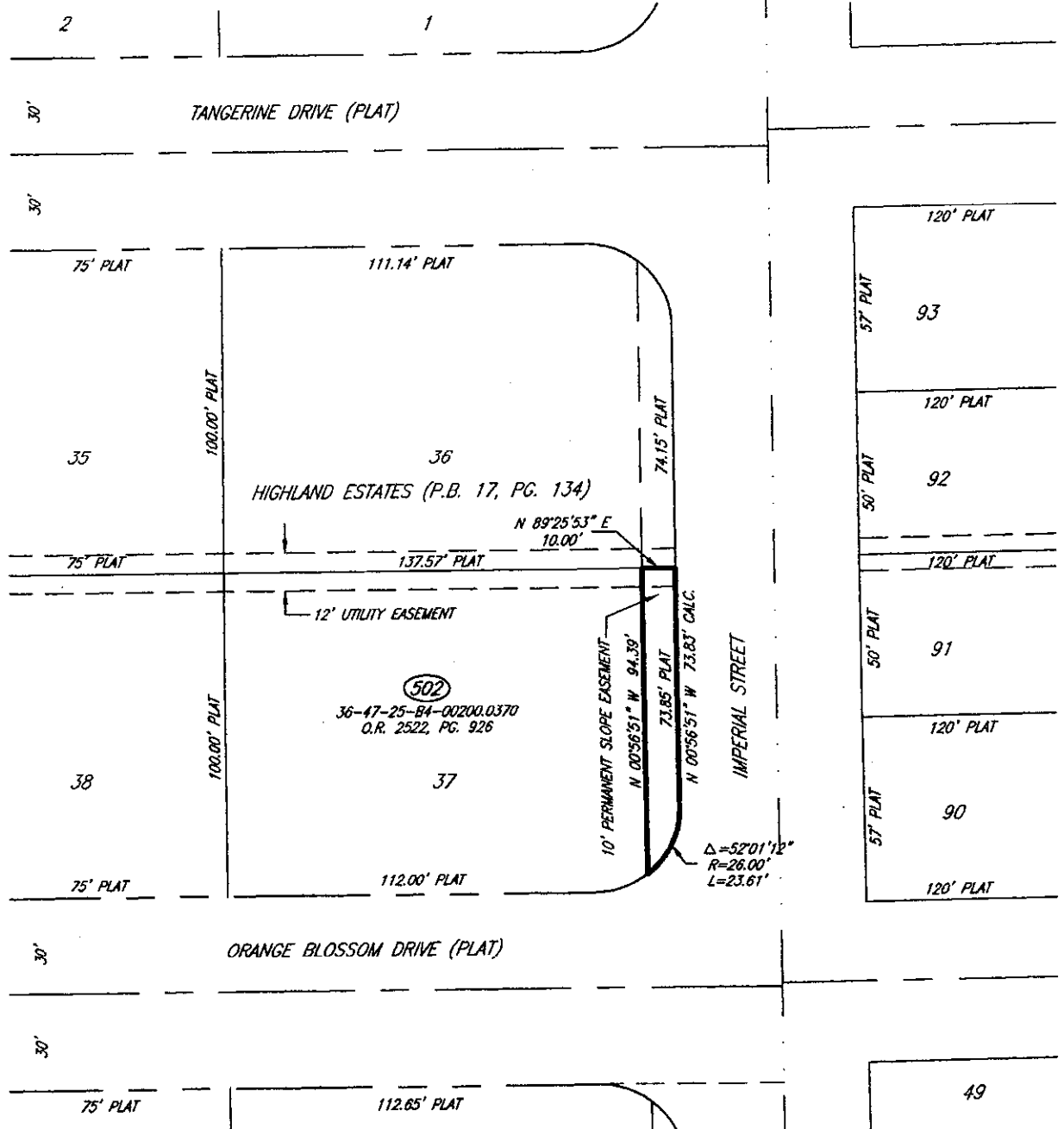
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James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1459 Cornell Place
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE 10 JAN 2004	JOB NO. 308456	DRAWING NO. ESMT_502

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LEGAL DESCRIPTION

THE EAST 10.00 FEET OF LOT 37 OF HIGHLAND ESTATES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 17 AT PAGE 134 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

SCALE: 1" = 40'

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE: 23 Jan 2004

