

Date Critical ✓

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061261

1. ACTION REQUESTED/PURPOSE: Direct a non-emergency ordinance creating the Portofino Vineyards Community Development District to public hearing on November 14, 2006 at 9:30 a.m.

2. WHAT ACTION ACCOMPLISHES: Allows response to Prime Homes at Portofino Vineyards, Ltd.'s petition by providing a forum to evaluate the appropriateness of the request. If adopted, the ordinance will create an independent Special District capable of financing and servicing the basic services within the District boundary.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category:				5. Meeting Date:		
C12D				October 10, 2006 @ 9:30 a.m.		
6. Agenda:		7. Requirement/Purpose: (specify)		8. Request Initiated:		
<input checked="" type="checkbox"/> Consent		<input checked="" type="checkbox"/> Statute	Ch. 190 F.S.	Commissioner		
Administrative		Ordinance		Department	County Attorney's Office	
Appeals		Admin. Code		Division	Land Use	
Public		Other		By:		
Walk-On				Robert D. Spickerman Assistant County Attorney		

9. Background: Prime Homes at Portofino Vineyards, Ltd. has petitioned the Lee County Board of County Commissioners to adopt an ordinance establishing a Uniform Community Development District (UCDD) in accordance with the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes ("Act"). Section 190.005(2) sets forth the "exclusive and uniform method for the establishment of a Community Development District of less than 1,000 acres in size." This establishment "shall be pursuant to an ordinance adopted by the County Commission having jurisdiction over the majority of the land in the area in which the district is to be located . . ."

A community development district is a local unit of special purpose government created in accordance with the Act and limited to the performance of those specialized functions authorized by the Act for the delivery of urban community development services. The Act provides an alternative streamlined method for financing the construction, maintenance and operation of major infrastructures necessary for community development. Once a community development district has been

(Continued on second page)

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
					RK 9/27	JL 9/27	RK RB 9/27	MG 9/27/06	AS 9/27/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED
TO: CHAIRMAN
9/27/06 9:30 am

RECEIVED BY
COUNTY ADMIN:
9-27-06 9:50 AM
COUNTY ADMIN
FORWARDED TO:
11/28/06
9 AM

established, it serves as an infrastructure management tool that ultimately relieves existing county taxpayers of the financial burden of providing urban services to the landowners in the district.

The proposed Portofino Vineyards CDD is located on approximately 69 acres of land located between Three Oaks Parkway and I-75 in the San Carlos area. The land area is bounded on the north by vacant land; on the south by a multi-family development; on the east by I-75; and on the west by vacant land and single family homes. The property is located in Section 15, 22 and 23, Township 46 South, Range 25 East. The Portofino Vineyards Community Development District will be granted the power to finance, fund, plan, establish, acquire, construct or re-construct, enlarge or extend, equip, operate and maintain systems and facilities for the following basic infrastructure: water management; water supplies; sewer and wastewater management; bridges or culvert; district roads; and other projects within and outside the district boundary for which a Development Order may be issued. Additional powers for recreation and security systems will be requested sometime in the future.

The creation of the Portofino Vineyards Community Development District is not a development order within the meaning of Chapter 380, F.S. All county planning, environmental and land development laws, regulations and ordinances will apply to the development of land within the proposed Portofino Vineyards Community Development District, and the District can take no action that is inconsistent with those regulations.

In accordance with Section 190.005(1)(f), F.S., the proposed ordinance:

1. Establishes the external boundaries of the district.
2. Names the five persons designated to be the initial members of the Board of Supervisors. These members are as follows:
 - a. Linda Socolow
 - b. Jeanette Maldonado
 - c. John Nelson
 - d. Lorraine Vanella
 - e. Geovanna Fortier
3. Names the district: Portofino Vineyards Community Development District

PLEASE NOTE: F.S. §125.66 does not require a 5:00 p.m. public hearing to provide for adoption of this ordinance. However, if it is the Board's preference, this public hearing may be scheduled for consideration on the November 14, 2006, 5:00 p.m. public hearing agenda.

A copy of the Petition is available for review at the Department of Community Development.

Attachment:

Proposed ordinance establishing the Portofino Vineyards Community Development District

ORDINANCE NO. ____

AN ORDINANCE ESTABLISHING PORTOFINO VINEYARDS COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A DISTRICT NAME; SETTING FORTH THE AUTHORITY FOR ADOPTING THE ORDINANCE; ESTABLISHING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; ESTABLISHING THE GOVERNING DISTRICT CHARTER AS FLORIDA STATUTES CHAPTER 190; PROVIDING FOR NOTICE TO SUBSEQUENT PURCHASERS; PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Pride Homes at Portofino Vineyards, Ltd. has petitioned the Board of County Commissioners to establish PORTOFINO VINEYARDS COMMUNITY DEVELOPMENT DISTRICT; and

WHEREAS, the Board of County Commissioners, after proper published notice, conducted a local public information-gathering ordinance hearing as required by law and finds as follows:

1. The petition is complete in that it meets the requirements of Section 190.005(1)(a), Florida Statutes; and all statements contained within the petition are true and correct.

2. The costs to the County and government agencies from establishment of the district are nominal. There is no adverse impact on competition or employment from district establishment. The persons affected by establishment are the future landowners, present landowners, Lee County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from district establishment as the entity to manage and finance the statutory services identified. The impact of district establishment

and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the district. Methodology is set forth in the economic impact statement on file. The statement of estimated regulatory costs of this petition on district establishment is adequate.

3. Establishment of the proposed district, whose charter must be in accordance with the general law as set forth in Sections 190.006 -190.041, Florida Statutes, is not inconsistent with the local Comprehensive Plan of Lee County or the State Comprehensive Plan.

4. The area of land within the proposed district is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.

5. The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

6. The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

7. The area that will be served by the district is amenable to separate special district government.

8. The proposed district, once established, may petition the Board of County Commissioners for consent to exercise one or more of the powers granted by charter in Section 190.012(2), Florida Statutes.

9. Upon the effective date of this Ordinance, the proposed Portofino Vineyards Community Development District will be duly and legally authorized to exist and exercise all of its general and special powers as limited by law; and has the right to seek consent from Lee County for the grant of authority to exercise special powers in accordance with F.S. 190.012(2), without question as to the district's continued right, authority and power to exercise its limited powers as established by this ordinance.

10. All notice requirements of law were met and complete notice was timely given.

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

SECTION ONE: DISTRICT NAME

The community development district herein established will be known as Portofino Vineyards Community Development District.

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

**SECTION THREE: ESTABLISHMENT OF
COMMUNITY DEVELOPMENT DISTRICT**

Portofino Vineyards Community Development District is hereby established within the boundaries of the real property described in Exhibit "A" attached hereto and incorporated by reference.

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are designated to be the initial members of the Board of Supervisors:

1. Linda Socolow
5555 Anglers Avenue #16B
Ft. Lauderdale, FL 33312
2. Jeanette Maldonado
5555 Anglers Avenue #16B
Ft. Lauderdale, FL 33312
3. John Nelson
5555 Anglers Avenue #16B
Ft. Lauderdale, FL 33312
4. Lorraine Vanella
5555 Anglers Avenue #16B
Ft. Lauderdale, FL 33312
5. Geovanna Fortier
5555 Anglers Avenue #16B
Ft. Lauderdale, FL 33312

SECTION FIVE: STATUTORY PROVISIONS GOVERNING DISTRICT

Portofino Vineyards Community Development District will be governed by the provisions of Chapter 190, Florida Statutes.

SECTION SIX: NOTICE TO SUBSEQUENT PURCHASERS

Any and all agreements for the sale of property within the boundaries of the Portofino Vineyards Community Development District must include the disclosure statement required in Florida Statutes §190.048 for the initial sale of the property. This requirement applies to the initial seller of a parcel as well as all subsequent sellers, successors and assigns, for the life of the Portofino Vineyards Community Development District.

SECTION SEVEN CONFLICT OF SEVERABILITY

In the event this Ordinance conflicts with any other Lee County ordinance or other applicable law, the more restrictive will apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

SECTION EIGHT: EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Secretary of State.

Commissioner _____ made a motion to adopt the foregoing ordinance, seconded by Commissioner _____. The vote was as follows:

ROBERT P. JANES _____
DOUGLAS ST. CERNY _____
RAY JUDAH _____
TAMMARA HALL _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS _____ day of _____, 20__.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairwoman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
2515 Northbrooke Plaza Drive-Suite 200
Naples, Florida 34119
(239) 597-2061
Fax (239) 597-3082

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTIONS 15, 22 & 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 15, 22 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE AFORESAID SECTION 22; THENCE RUN S.88°23'14"W. ALONG THE NORTH LINE OF SAID SECTION 22 FOR 104.96 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE THREE OAKS PARKWAY REALIGNMENT PROJECT (COUNTY PROJECT # CN-02-06); THENCE RUN S.14°13'19"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1625.74 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 783.32 FEET ALONG THE ARC OF A CURVE CONCAVE WESTERLY, WITH A RADIUS OF 1200.00 FEET, A DELTA OF 37°24'02", A CHORD BEARING OF S.04°28'42"W. AND A CHORD DISTANCE OF 769.48 FEET TO A POINT OF TANGENCY; THENCE RUN S.23°10'43"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 38.83 FEET TO A POINT ON A CURVE; THENCE RUN SOUTHWESTERLY ALONG THE AFORESAID RIGHT-OF-WAY LINE FOR 50.07 FEET ALONG THE ARC OF A CURVE (NOT RADIAL TO THE PREVIOUSLY DESCRIBED LINE) CONCAVE NORTHERLY, WITH A RADIUS OF 30.00 FEET, A DELTA OF 95°36'18" (95°37'07" PER RIGHT-OF-WAY MAP), A CHORD BEARING OF S.68°59'13"W. AND A CHORD DISTANCE OF 44.45 FEET TO A POINT ON A NON-COMPOUND CURVE; THENCE RUN NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 119.77 FEET (120.03 FEET PER RIGHT-OF-WAY MAP) ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, WITH A RADIUS OF 469.00 FEET; A DELTA OF 14°37'54" (14°39'51" PER RIGHT OF-WAY MAP), A CHORD BEARING OF N.57°52'21"W. AND A CHORD DISTANCE OF 119.44 FEET (119.71 PER RIGHT-OF-WAY MAP) TO A POINT ON A CURVE ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (100 FEET WIDE); THENCE RUN NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 966.65 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1025.00 FEET, A DELTA OF 54°02'04", A CHORD BEARING OF N.49°05'43"W. AND A CHORD DISTANCE OF 931.23 FEET TO A POINT OF TANGENCY; THENCE RUN N.76°06'45"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE FOR 313.88 FEET; THENCE RUN N.26°14'39"E. FOR 124.11 FEET; THENCE RUN N.37°33'24"E. FOR 84.87 FEET; THENCE RUN N.23°18'32"E. FOR 218.36 FEET; THENCE RUN N.17°34'52"E. FOR 221.62 FEET; THENCE RUN N.12°01'41"E. FOR 230.68 FEET; THENCE RUN N.01°30'08"E. FOR 255.46 FEET; THENCE RUN N.05°41'05"W. FOR 530.19 FEET; THENCE RUN N.23°08'49"W. FOR 120.28 FEET; THENCE RUN N.39°13'50"W. FOR 128.89 FEET; THENCE RUN N.57°59'19"W. FOR 96.55 FEET; THENCE RUN N.65°27'58"W. FOR 336.91 FEET; THENCE RUN N.71°11'03"W. FOR 137.25 FEET; THENCE RUN N.79°10'17"W. FOR 96.62 FEET; THENCE RUN N.70°58'05"W. FOR 45.72 FEET; THENCE RUN N.60°30'15"W. FOR 219.67 FEET; THENCE RUN N.66°30'07"W. FOR 191.21 FEET; THENCE RUN N.64°44'50"W. FOR 177.69 FEET, SAID POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (50.00 FEET FROM CENTERLINE); THENCE RUN NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE (NOT RADIAL TO THE PREVIOUSLY DESCRIBED LINE) FOR 55.75 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 1735.28 FEET, A DELTA OF 1°50'27", A CHORD BEARING OF N.30°05'08"E. AND A CHORD DISTANCE OF 55.75 FEET TO A POINT OF COMPOUND CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 193.03 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 810.00 FEET, A DELTA OF 13°39'14", A CHORD BEARING OF N.37°49'58"E. AND A CHORD DISTANCE OF 192.57 FEET TO

SHEET 1 OF 3

S:\Jobs\21xx\2187\SURVEY\Descriptions\2056SR_DESC.doc

Fort Myers Office
10511 Six Mile Cypress Pkwy, Suite #101
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

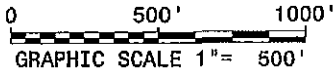
Sarasota Office
1144 Tallevast Road Suite #115
Sarasota, Florida 34243
(941) 360-1618
Fax (941) 360-6918

Port Charlotte Office
12653 SW CR 769 Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

A POINT OF TANGENCY; THENCE RUN N.44°39'35"E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 222.09 FEET TO A POINT OF CURVATURE; THENCE RUN NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE 382.06 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, WITH A RADIUS OF 1030.00 FEET, A DELTA OF 21°15'10", A CHORD BEARING OF N.34°02'00"E. AND A CHORD DISTANCE OF 379.87 FEET TO A POINT ON A CURVE ON THE RIGHT-OF-WAY LINE OF THE AFORESAID REALIGNMENT OF THREE OAKS PARKWAY; THENCE RUN NORTHEASTERLY ALONG THE RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 123.36 FEET (122.84 FEET PER RIGHT-OF-WAY MAP) ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 470.00 FEET, A DELTA OF 15°02'16" (14°58'31" PER RIGHT-OF-WAY MAP), A CHORD BEARING OF N.51°02'10"E. (N.51°04'03"E. PER RIGHT-OF-WAY MAP), AND A CHORD DISTANCE OF 123.00 FEET (122.49 FEET PER RIGHT-OF-WAY MAP) TO A POINT OF TANGENCY; THENCE RUN N.58°33'18"E. ALONG THE RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 42.94 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG SAID REALIGNMENT FOR 45.82 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY, WITH A RADIUS OF 30.00 FEET, A DELTA OF 87°30'29", A CHORD BEARING OF S.77°41'27"E. AND A CHORD DISTANCE OF 41.49 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 586.03 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY, WITH A RADIUS OF 1350.00 FEET, A DELTA OF 24°52'19", A CHORD BEARING OF S.46°22'22"E. AND A CHORD DISTANCE OF 581.44 FEET TO A POINT OF TANGENCY; THENCE RUN S.58°48'32"E. ALONG SAID RIGHT-OF-WAY OF SAID REALIGNMENT FOR 200.62 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY OF SAID REALIGNMENT FOR 933.83 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1200.00 FEET, A DELTA OF 44°35'13", A CHORD BEARING OF S.36°30'56"E. AND A CHORD DISTANCE OF 910.44 FEET TO A POINT OF TANGENCY; THENCE RUN S.14°13'19"E. ALONG THE RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 226.11 FEET TO THE **POINT OF BEGINNING.**

SAID TRACT CONTAINS 68.910 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE AFORESAID SECTION 22 AS BEING S.88°23'14"W.



POINT OF COMMENCEMENT
NORTHEAST CORNER
SECTION 22, TOWNSHIP 46 SOUTH
RANGE 25 EAST

POINT OF BEGINNING

INTERSTATE 75

SURVEY BASE LINE
THREE OAKS PARKWAY

SEC. 23, TWP. 46 S., RNG. 25 E.
SEC. 22, TWP. 46 S., RNG. 25 E.

SEC. 15, TWP. 46 S., RNG. 25 E.
SEC. 22, TWP. 46 S., RNG. 25 E.

CORNER DUNE AT THREE OAKS
DUNE 130
(P.L. 113, PCL. 113-82)

CORNER DUNE AT THREE OAKS
DUNE 130
(P.L. 113, PCL. 113-82)

THREE OAKS PARKWAY

SKETCH TO ACCOMPANY DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 15, 22 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 15, 22 AND 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE AFORESAID SECTION 22; THENCE RUN S. 08° 23' 14" W. ALONG THE NORTH LINE OF SAID SECTION 22 FOR 104.38 FEET TO THE POINT OF BEGINNING; SAID POINT LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE THREE OAKS PARKWAY REALIGNMENT PROJECT (COUNTY PROJECT # CH-02-08); THENCE RUN S. 14° 19' 16" E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 1625.74 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 783.32 FEET ALONG THE ARC OF A CURVE CONCAVE WESTWARD, WITH A RADIUS OF 1200.00 FEET, A DELTA OF 37° 24' 02", A CHORD BEARING OF S. 04° 28' 48" W. AND A CHORD DISTANCE OF 769.48 FEET TO A POINT OF TANGENCY; THENCE RUN S. 23° 10' 43" W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 38.83 FEET TO A POINT ON A CURVE; THENCE RUN SOUTHWESTERLY ALONG THE AFORESAID RIGHT-OF-WAY LINE FOR 30.07 FEET ALONG THE ARC OF A CURVE (NOT RADIAL TO THE PREVIOUSLY DESCRIBED LINE) CONCAVE NORTHERLY, WITH A RADIUS OF 30.00 FEET, A DELTA OF 95° 38' 10" (95° 37' 07" PER RIGHT-OF-WAY MAP), A CHORD BEARING OF S. 88° 59' 13" W. AND A CHORD DISTANCE OF 44.45 FEET TO A POINT ON A NON-COMPOUND CURVE; THENCE RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 118.77 FEET (120.05 FEET PER RIGHT-OF-WAY MAP) ALONG THE ARC OF A CURVE CONCAVE NORTHERLY, WITH A RADIUS OF 469.00 FEET, A DELTA OF 14° 37' 54" (14° 39' 51" PER RIGHT-OF-WAY MAP), A CHORD BEARING OF N. 67° 52' 21" W. AND A CHORD DISTANCE OF 119.44 FEET (119.77 FEET PER RIGHT-OF-WAY MAP) TO A POINT ON A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (100 FEET WIDE); THENCE RUN NORTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR 566.65 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1025.00 FEET, A DELTA OF 64° 02' 04", A CHORD BEARING OF N. 49° 05' 43" W. AND A CHORD DISTANCE OF 351.62 FEET TO A POINT OF TANGENCY; THENCE RUN N. 10° 06' 42" W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE FOR 313.88 FEET; THENCE RUN N. 28° 14' 59" E. FOR 124.11 FEET; THENCE RUN N. 37° 39' 24" E. FOR 84.87 FEET; THENCE RUN N. 23° 18' 32" E. FOR 210.38 FEET; THENCE RUN N. 17° 34' 53" E. FOR 221.02 FEET; THENCE RUN N. 12° 07' 41" E. FOR 289.68 FEET; THENCE RUN N. 07° 30' 08" E. FOR 255.48 FEET; THENCE RUN N. 23° 08' 49" W. FOR 120.28 FEET; THENCE RUN N. 37° 50' 19" W. FOR 98.55 FEET; THENCE RUN N. 85° 27' 58" W. FOR 339.31 FEET; THENCE RUN N. 71° 31' 05" W. FOR 137.25 FEET; THENCE RUN N. 79° 10' 17" W. FOR 96.62 FEET; THENCE RUN N. 70° 58' 05" W. FOR 45.72 FEET; THENCE RUN N. 80° 30' 15" W. FOR 219.67 FEET; THENCE RUN N. 66° 30' 02" W. FOR 181.21 FEET; THENCE RUN N. 64° 46' 50" W. FOR 177.69 FEET; THENCE RUN N. 58° 33' 18" E. FOR 42.34 FEET; THENCE RUN S. 86° 29' 14" W. FOR 104.98 FEET; THENCE RUN S. 29° 10' 43" W. FOR 38.83 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 45.82 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 328.05 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, WITH A RADIUS OF 1000.00 FEET, A DELTA OF 21° 15' 10", A CHORD BEARING OF N. 34° 02' 00" E. AND A CHORD DISTANCE OF 379.87 FEET TO A POINT ON A CURVE ON THE RIGHT-OF-WAY LINE OF THE AFORESAID REALIGNMENT OF THREE OAKS PARKWAY; THENCE RUN NORTHEASTERLY ALONG THE RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 129.36 FEET (122.84 FEET PER RIGHT-OF-WAY MAP) ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, WITH A RADIUS OF 470.00 FEET, A DELTA OF 15° 02' 18" (14° 58' 31" PER RIGHT-OF-WAY MAP), A CHORD BEARING OF N. 51° 02' 10" E. (N. 51° 04' 03" E. PER RIGHT-OF-WAY MAP), AND A CHORD DISTANCE OF 123.00 FEET (122.49 FEET PER RIGHT-OF-WAY MAP) TO A POINT OF TANGENCY; THENCE RUN N. 65° 53' 15" E. FOR 45.72 FEET; THENCE RUN N. 60° 30' 15" W. FOR 219.67 FEET; THENCE RUN N. 66° 30' 02" W. FOR 181.21 FEET; THENCE RUN N. 64° 46' 50" W. FOR 177.69 FEET; THENCE RUN N. 58° 33' 18" E. FOR 42.34 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID REALIGNMENT FOR 45.82 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHERLY, WITH A RADIUS OF 30.00 FEET, A DELTA OF 87° 30' 25", A CHORD BEARING OF S. 77° 41' 27" E. AND A CHORD DISTANCE OF 41.49 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 586.03 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHEASTERLY, WITH A RADIUS OF 1350.00 FEET, A DELTA OF 24° 52' 19", A CHORD BEARING OF S. 48° 22' 22" E. AND A CHORD DISTANCE OF 581.44 FEET TO A POINT OF TANGENCY; THENCE RUN S. 58° 42' 32" E. ALONG SAID RIGHT-OF-WAY OF SAID REALIGNMENT FOR 200.62 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY OF SAID REALIGNMENT FOR 333.83 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, WITH A RADIUS OF 1200.00 FEET, A DELTA OF 46° 35' 13", A CHORD BEARING OF N. 58° 50' 50" E. AND A CHORD DISTANCE OF 310.44 FEET TO A POINT OF TANGENCY; THENCE RUN S. 14° 19' 16" E. ALONG THE RIGHT-OF-WAY LINE OF SAID REALIGNMENT FOR 228.11 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 68.910 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE AFORESAID SECTION 22 AS BEING S. 03° 23' 14" W.

DESCRIPTION REVISED 7-10-06
SHEET 3 OF 3

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 26° 14' 38" E	124.11'
L2	N 37° 39' 24" E	84.87'
L3	N 23° 18' 32" E	210.38'
L4	N 17° 34' 53" E	221.02'
L5	N 12° 07' 41" E	289.68'
L6	N 07° 30' 08" E	255.48'
L7	N 23° 08' 49" W	120.28'
L8	N 37° 50' 19" W	98.55'
L9	N 85° 27' 58" W	339.31'
L10	N 71° 31' 05" W	137.25'
L11	N 79° 10' 17" W	96.62'
L12	N 70° 58' 05" W	45.72'
L13	N 80° 30' 15" W	219.67'
L14	N 66° 30' 02" W	181.21'
L15	N 64° 46' 50" W	177.69'
L16	N 58° 33' 18" E	42.34'
L17	S 86° 29' 14" W	104.98'
L18	S 29° 10' 43" W	38.83'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1200.00'	37° 24' 02"	783.32'	769.48'	S 04° 28' 48" W
C2	30.00'	95° 38' 10"	50.06'	44.45'	S 88° 59' 13" W
C3	469.00'	14° 37' 54"	119.77'	119.44'	N 67° 52' 21" W
C4	1025.00'	64° 02' 04"	356.66'	301.23'	N 49° 05' 43" W
C5	1735.28'	01° 50' 27"	55.75'	55.75'	N 30° 05' 08" E
C6	810.00'	13° 39' 14"	199.03'	192.57'	N 37° 49' 59" E
C7	1020.00'	21° 16' 10"	382.08'	379.87'	N 34° 02' 00" E
C8	470.00'	15° 02' 18"	123.36'	123.00'	N 51° 02' 10" E
C9	30.00'	87° 30' 25"	45.82'	41.49'	S 77° 41' 28" E
C10	1350.00'	24° 52' 19"	586.03'	581.43'	S 48° 22' 23" E
C11	1200.00'	46° 35' 13"	333.83'	310.44'	S 58° 50' 50" E

LEGEND

- O.R. OFFICIAL RECORDS BOOK
- P.B. PLAT BOOK
- P.C. PAGE
- C1 CURVE 1 OF CURVE TABLE
- L1 LINE 1 OF LINE TABLE

PREPARED BY:

Banks Engineering, Inc.

ENGINEERING, SURVEYING & LAND PLANNING
2615 NORTHBROOK PLAZA DRIVE - SUITE 200
NAPLES, FLORIDA 34110

(254) 597-2081
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6890

THIS IS NOT A SURVEY

Thomas G. Shaw 7-10-06

THOMAS G. SHAW, P.S.M.
FLORIDA CERTIFICATION NO. 4572

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