

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

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

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

The Capital Improvement Project provides for the construction of the **Three Oaks Parkway North, Project No. 4053**, extending from Fiddlesticks Canal (a/k/a Airport Canal) to Daniels Parkway, by acquiring the necessary real property interests to construct a four-lane extension of Three Oaks Parkway, with sidewalks, bike lanes, stormwater drainage, and utilities.

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", are necessary for the Three Oaks Parkway North, Project No. 4053, 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, improvement of evacuation routes, through the construction of Three Oaks Parkway North with a four-lane divided roadway, sidewalks, bike lanes, stormwater drainage and utilities. **Exhibit "A" consists of Parcel 518.**

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 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 property described in attached Exhibit "A", for the above described public use or purpose.

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

John E. Manning	<u>Aye</u>
Cecil L Pendergrass	<u>Aye</u>
Vacant - DISTRICT 3	<u> </u>
Brian Hamman	<u>Aye</u>
Franklin Mann	<u>Aye</u>

DULY PASSED AND ADOPTED this 18th day of June, 2019.

ATTEST:
LINDA DOGGETT, CLERK

BY: Missy Flint
Deputy Clerk
Missy Flint
[Type or print name]
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

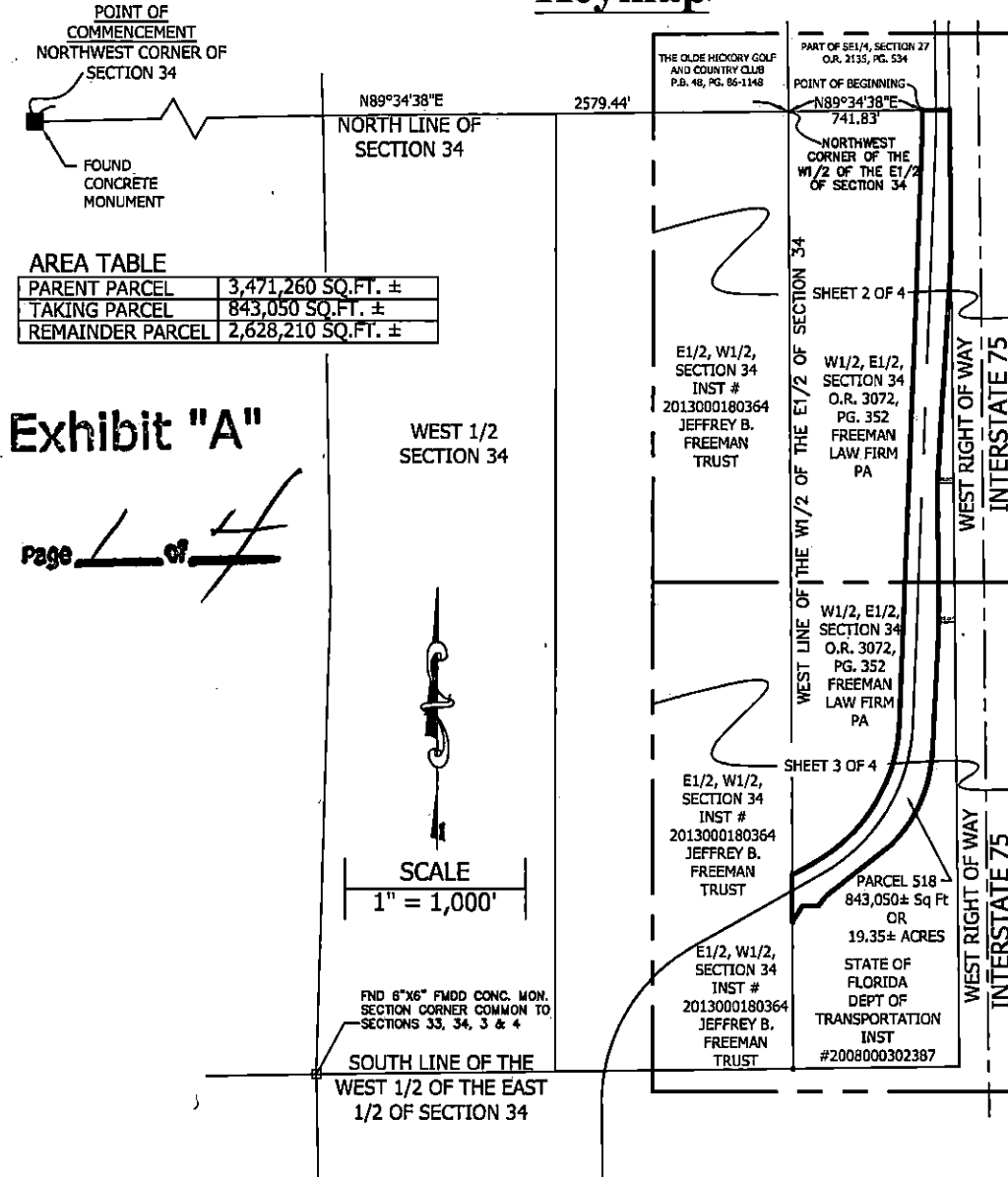
BY: Brian Hamman
[Signature]

Brian Hamman, Vice Chair
Chair/Vice Chair

Approved as to form for the
Reliance of Lee County only:

John J. Fredyma
John J. Fredyma, Esq.
Senior Assistant County Attorney
Lee County Attorney's Office

Keymap.



SURVEY NOTES:

1. BEARING BASED ON THE NORTH LINE OF SECTION 34 AS N89°34'38"E (FLORIDA WEST STATE PLANE COORDINATE SYSTEM).
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. *COPYRIGHT 2018, KING ENGINEERING ASSOCIATES, INC., ALL RIGHTS RESERVED.*
5. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF KING ENGINEERING, INC.
6. NOT VALID WITHOUT SHEET 2 OF 2.
7. INFORMATION SHOWN BASED ON LEE COUNTY PROPERTY APPRAISER AND TITLE INFORMATION FROM LEE COUNTY DEPARTMENT OF TRANSPORTATION.

LEGEND:

P.B. = PLAT BOOK
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE
SQ. FT. = SQUARE FEET

Keymap to Accompany Description

Parcel 518

A PORTION OF THE WEST 1/2 OF THE EAST
1/2 OF SECTION 34, TOWNSHIP 45 SOUTH,
RANGE 25 EAST, LEE COUNTY, FLORIDA

SHEET 1 OF 4

JOB # 17-0384 | PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E

THIS IS NOT A SURVEY

STOUTENCRAMER
A KING ENGINEERING COMPANY

King

ENGINEERING ASSOCIATES, INC.

CERTIFICATE OF AUTHORIZATION: LB2610

324 Nicholas Parkway West, Suite A, Cape Coral, FL 33991

Phone: (239) 673-9541 Fax: (239) 424-8181

www.kingengineering.com

I hereby certify that, to the best of my knowledge and belief, the sketch and description represent the subject location, made under my direction on July 23, 2018, in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors, and all matters in Code, pursuant to Section 7

LS 3839

STATE OF FLORIDA
Professional Surveyor and Mapper

DONALD D. STOUTEN (FOR THE FIRM)
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 60905-29
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISE / SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

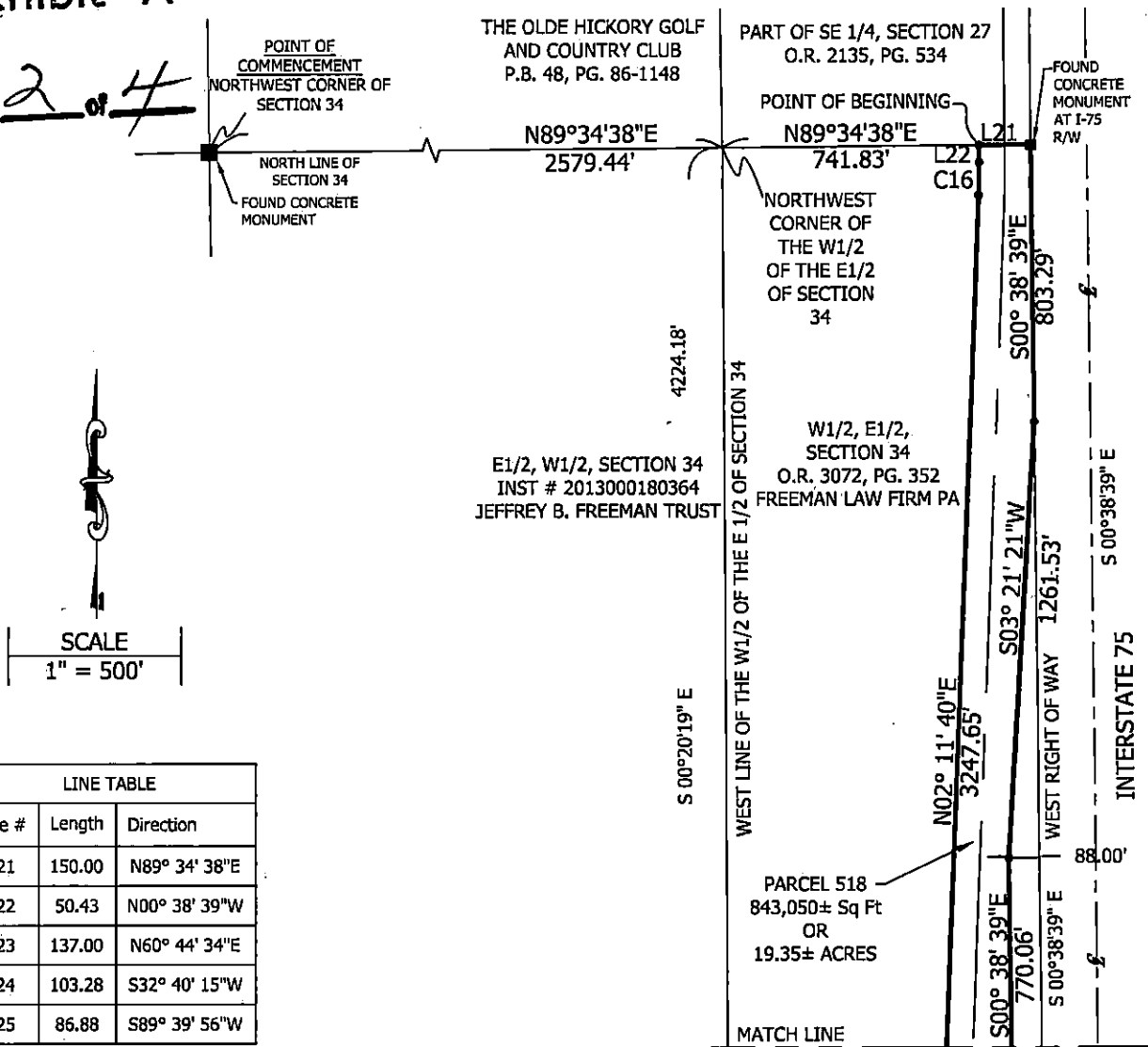
Donald D. Stouten
in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors, and all matters in Code, pursuant to Section 7
Florida Administrative Code, pursuant to Section 7
o=Stouten
Cramer, Inc., ou,
email=don@scisurvey.com, c=US.
vay.com, e=US.
DONALD D. STOUTEN (FOR THE FIRM)
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 60905-29
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Sheet 1 of 4
 Digitally signed by
 Donald D. Stouten
 DN: cn=Donald D
 Stouten, o=Stouten
 Cramer, Inc., ou,
 email=don@scisur
 vey.com, c=US,
 (FIRM)
 Date: 2009.05.29
 Time: 10:09:52
 and the ORIGINAL
 SIGNED SURVEYOR AND MAPPER

Exhibit "A"

Sketch

Page 2 of 4



LINE TABLE		
Line #	Length	Direction
L21	150.00	N89° 34' 38"E
L22	50.43	N00° 38' 39"W
L23	137.00	N60° 44' 34"E
L24	103.28	S32° 40' 15"W
L25	86.88	S89° 39' 56"W

CURVE TABLE						
Curve #	Length	Radius	Delta	Tangent	Ch. Bearing	Ch. Length
C15	945.22	925.00	58°32'54"	518.54	N31° 28' 07"E	904.63
C16	95.37	1925.00	02°50'19"	47.69	N00° 46' 30"E	95.36
C18	571.22	780.51	41°55'55"	299.08	S23° 49' 19"W	558.55
C19	80.60	465.00	09°55'53"	40.40	S39° 49' 22"W	80.50

LEGEND:
P.B. = PLAT BOOK
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Not Valid without Sheets 1, 3 & 4 of 4

Sketch to Accompany Description

Parcel 518

A PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

THIS IS NOT A SURVEY

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A KING ENGINEERING COMPANY

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ENGINEERING ASSOCIATES, INC.

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Phone: (239) 673-9541 Fax: (239) 424-8181
www.kingengineering.com

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on July 23, 2018 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

See Sheet 1 of 4 for Signature and Seal

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SHEET 2 OF 4

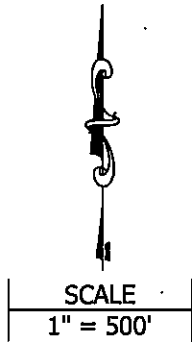
JOB # 17-0384 PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E

Sketch

Exhibit "A"

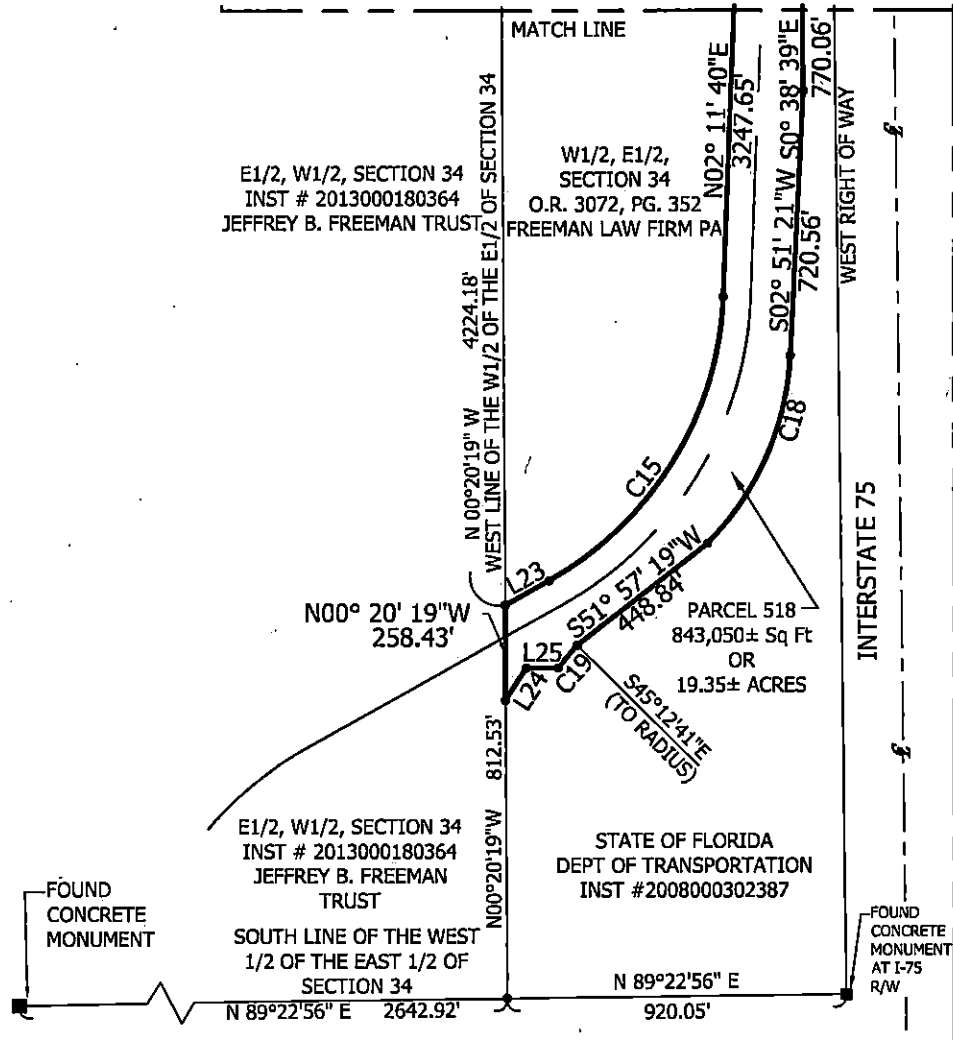
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Parcel 518

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SHEET 3 OF 4

JOB # 17-0384 PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E

Exhibit "A"

Description

Page 4 of 4

PARCEL 518 DESCRIPTION:

A PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, N°89°34'38"E FOR 2579.44 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 34; THENCE CONTINUE N89°34'38"E FOR 741.83 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN ALONG THE NORTH LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 34, N89°34'38"E FOR 150.00 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE INTERSTATE 75; THENCE RUN ALONG SAID WEST RIGHT-OF-WAY LINE S00°38'39"E FOR 803.29 FEET; THENCE RUN S03°21'21"W FOR 1261.53 FEET; THENCE RUN S00°38'39"E FOR 770.06 FEET; THENCE RUN S02°51'21"W FOR 720.56 FEET TO THE POINT OF CURVATURE OF A 780.51 FEET RADIUS CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 41°55'55", A CHORD BEARING AND CHORD OF S23°49'19"W FOR 558.55 FEET, THENCE RUN ALONG THE ARC OF SAID CURVE FOR 571.22 FEET; THENCE RUN S51°57'19"W FOR 448.84 FEET TO A NON-TANGENT 465.00 FOOT RADIUS CURVE CONCAVE TO THE EAST, TO WHICH A RADIAL LINE BEARS S45°12'41"E SAID CURVE HAVING A CENTRAL ANGLE OF 09°55'53", A CHORD BEARING AND CHORD OF S39°49'22"W FOR 80.50 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 80.60 FEET TO THE END OF SAID CURVE; THENCE RUN S 89°39'56"W FOR 86.88 FEET; THENCE RUN S 32°40'15"W FOR 103.28 FEET; THENCE RUN N00°20'19"W FOR 258.43 FEET; THENCE RUN N60°44'34"E FOR 137.00 FEET TO A POINT OF CURVATURE OF A 925.00 FEET RADIUS CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 58°32'54", A CHORD BEARING AND CHORD OF N31°28'07"E FOR 904.63 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 945.22 FEET TO THE END OF SAID CURVE; THENCE RUN N02°11'40"E FOR 3247.65 FEET TO THE POINT OF CURVATURE OF A 1925.00 FEET RADIUS CURVE CONCAVE TO THE WEST, SAID CURVE HAVING A CENTRAL ANGLE OF 02°50'19", A CHORD BEARING AND CHORD OF N00°46'30"E FOR 95.36 FEET, RUN ALONG THE ARC OF SAID CURVE 95.37 FEET TO THE END OF SAID CURVE; THENCE RUN N00°38'39"W FOR 50.43 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SECTION 34 AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 843,050± SQ FT OR 19.35± ACRES MORE OR LESS.

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Parcel 518

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