

**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 Extension North with a four-lane divided roadway, sidewalks, bike lanes, stormwater drainage and utilities. **Exhibit "A" consists of Parcels 519A and 519B.**

**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.

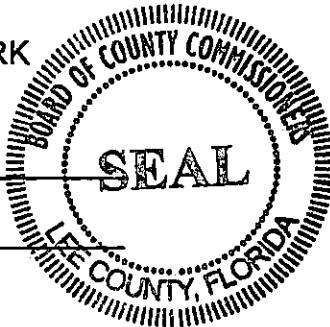
The foregoing Resolution was offered by Commissioner Manning, who moved its adoption. The motion was seconded by Commissioner Pendergrass, and upon being put to a vote was as follows:

John E. Manning	<u>Aye</u>
Cecil L Pendergrass	<u>Aye</u>
Vacant - <b>DISTRICT 3</b>	<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

POINT OF COMMENCEMENT  
NORTHWEST CORNER OF  
SECTION 34

# Sketch

THE OLDE HICKORY GOLF  
AND COUNTRY CLUB  
P.B. 48, PG. 86-1148

PART OF SE1/4, SECTION 27  
INST # 2017000082364  
IDS PROPERTY ADVISORS

N 89°34'38" E  
1289.72'

N 89°34'38" E

NORTH LINE OF  
SECTION 34

2579.44'

1289.72'

E1/2, W1/2, SECTION 34  
INST #2013000180364  
JEFFREY B. FREEMAN ESTATE

S 89°34'38" W  
881.83'

W1/2, E1/2, SECTION 34  
O.R. 3072, PG. 352  
FREEMAN LAW GROUP PA

FOUND  
CONCRETE  
MONUMENT  
AT 1-75  
R/W

## Exhibit "A" AREA TABLE

PARENT PARCEL	6,916,146 SQ.FT. ±
TAKING PARCEL	225,155 SQ.FT. ±
REMAINDER PARCEL	6,690,991 SQ.FT. ±

Page 1 of 4

N 00°01'15" E 5279.99'

PARCEL 519A  
225,155± Sq Ft  
OR  
5.17± ACRES

E1/2, W1/2,  
SECTION 34  
INST # 2013000180364  
JEFFREY B. FREEMAN  
ESTATE

N60° 44' 34"E  
663.00'

S60° 44' 34"W  
580.14'

POINT OF  
BEGINNING

L47

S 00°20'19"E  
4224.18'

E 01°02'00" S  
09'668

EAST LINE OF THE  
W1/2 OF SECTION 34

STATE OF FLORIDA  
DEPT. OF TRANSPORTATION  
INST # 20080000302387

FOUND  
CONCRETE  
MONUMENT  
AT 1-75  
R/W

FOUND  
CONCRETE  
MONUMENT  
N 89°22'56" E  
1321.36'

202.01'

L48

S80°25'17"E  
(TO RADIUS)

N 89°22'56" E 966.64'

SOUTH LINE OF THE  
E1/2 OF THE W1/2  
OF SECTION 34

N 89°22'56" E 920.05'

### LINE TABLE

Line #	Length	Direction
L47	171.37	S00° 20' 19"E
L48	152.81	S89° 22' 56"W

### CURVE TABLE

Curve #	Length	Radius	Delta	Tangent	CH. Bearing	CH. Length
C26	959.95	1075.00	51°09'50"	514.64	N35° 09' 38"E	928.37
C27	798.95	925.00	49°29'17"	426.31	S35° 59' 55"W	774.35

### 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.

SCALE

1" = 300'

Sheet 1 of 2

Sketch to Accompany Description

### Parcel 519A

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

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 represented hereon, made under my supervision on July 23, 2018, in accordance with the Florida Statutes, Chapter 461, Part I, and the Code of Professional Practice as set forth by the Florida Board of Professional Surveyors & Mappers, is a true and correct representation of the facts as stated in the sketch and description. Pursuant to Section 461.07, Florida Statutes.

LS 3839

STATE OF FLORIDA

Professional Engineer and Mapper

Donald D. Stouten

Donald D. Stouten, Inc., ou,  
email=don@scisurvey.com, c=US

Date: 2019.05.29

SHEET 1 OF 2

JOB # 17-0384 PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E

# Exhibit "A"

## Description

Page 2 of 4

### PARCEL 519A DESCRIPTION:

A PORTION OF THE EAST ONE HALF (E 1/2) OF THE WEST ONE HALF (W 1/2) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 34 RUN ALONG THE NORTH LINE OF SAID FRACTION N89°34'38"E FOR 2579.44 FEET TO THE EAST LINE OF SAID FRACTION; THENCE RUN, ALONG THE EAST LINE OF SAID FRACTION, S00°20'19"E FOR 4224.18 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE, ALONG THE EAST LINE OF SAID FRACTION, S00°20'19"E FOR 171.37 FEET; THENCE RUN S60°44'34"W FOR 580.14 FEET TO THE BEGINNING OF A 925 FEET RADIUS CURVE, CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'17", A CHORD BEARING AND CHORD OF S35°59'55"W FOR 774.35 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 798.95 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID FRACTION; THENCE RUN, ALONG THE SOUTH LINE OF SAID FRACTION, S89°22'56"W FOR 152.81 FEET TO THE (NON-TANGENT POINT OF CURVATURE OF A 1075.00 FEET RADIUS CURVE TO WHICH A RADIAL LINE BEARS S80°25'17"E) BEGINNING OF A 1075.00 FEET RADIUS CURVE CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A CENTRAL ANGLE OF 51°09'50", A CHORD BEARING AND CHORD OF N 35°09'38"E FOR 928.37 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 959.95 FEET TO THE END OF SAID CURVE; THENCE RUN N60°44'34"E FOR 663.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 225,155 SQUARE FEET ± OR 5.17 ACRES

<b>THIS IS NOT A SURVEY</b>	<b>Description to Accompany Sketch</b> <b>Parcel 519A</b> A PORTION OF THE EAST 1/2 OF THE WEST 1/2 OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	<b>STOUTENCRAMER</b> A KING ENGINEERING COMPANY <b>King</b> 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 represented hereon, made under my direction on <b>July 23, 2018</b> 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.  <i>See Sheet 1 of 2 for Signature and Seal</i>
JOB # 17-0334      PREPARED FOR: Avalon Engineering  SECTION 34, TOWNSHIP 45S, RANGE 25E		<b>DONALD D. STOUTEN (FOR THE FIRM)</b> FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 3839 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

# Sketch

THE OLDE HICKORY GOLF  
AND COUNTRY CLUB  
P.B. 48, PG. 86-1148

PART OF SE1/4, SECTION 27  
INST # 2017000082364  
IDS PROPERTY ADVISORS

POINT OF  
COMMENCEMENT  
NORTHWEST CORNER OF  
SECTION 34

N 89°34'38" E  
1289.72'

FOUND  
CONCRETE  
MONUMENT

N 89°34'38" E 2579.44'  
N 89°34'38" E 1289.72'  
NORTH LINE OF  
SECTION 34

E1/2, W1/2, SECTION 34  
INST #2013000180364  
JEFFREY B. FREEMAN ESTATE

W1/2, E1/2, SECTION 34  
O.R. 3072, PG. 352  
FREEMAN LAW GROUP PA

FOUND  
CONCRETE  
MONUMENT  
AT I-75  
R/W

## AREA TABLE

PARENT PARCEL	6,916,146 SQ.FT. ±
TAKING PARCEL	395,377 SQ.FT. ±
REMAINDER PARCEL	6,520,769 SQ.FT. ±

## LINE TABLE

Line #	Length	Direction
L49	121.32	N60° 44' 34"E
L50	188.81	S00° 20' 19"E
L51	69.78	S78° 08' 10"E
L52	17.03	S50° 16' 28"E
L53	27.15	S74° 33' 38"E
L54	68.12	S50° 16' 27"E
L55	29.93	S61° 01' 35"E
L56	44.06	S54° 49' 01"E
L57	220.88	S28° 21' 31"E
L58	192.53	S23° 42' 43"E

SCALE  
1" = 300'

E1/2, W1/2,  
SECTION 34  
INST # 2013000180364  
JEFFREY B. FREEMAN  
ESTATE

STATE OF FLORIDA  
DEPT. OF TRANSPORTATION  
INST # 20080000302387

EAST LINE OF THE W1/2  
OF SECTION 34

FOUND  
CONCRETE  
MONUMENT  
AT I-75  
R/W

POINT OF  
BEGINNING

FOUND  
CONCRETE  
MONUMENT

N 89°22'56" E  
1321.36'

202.01'

PARCEL 519B  
395,377 ± Sq Ft  
OR  
9.08 ± ACRES

S89° 22' 56"W 966.64'

SOUTH LINE OF THE  
E1/2 OF THE W1/2  
OF SECTION 34

S78°44'44"E  
(TO RADIUS)

## 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.

## CURVE TABLE

Curve #	Length	Radius	Delta	Tangent	CH. Bearing	CH. Length
C28	798.95	925.00	49°29'17"	426.31	N35° 59' 55"E	774.35

Sketch to Accompany Description

## Parcel 519B

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

THIS IS NOT A SURVEY

**STOUTENCRAMER**  
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I hereby certify that, to the best of my knowledge and belief, the sketch and description represent the true and correct location of the described property in accordance with Standards of Practice as set forth by the Surveyors & Mappers in Chapter SJ-17, Florida Administrative Code, pursuant to Section 402.02, F.S.

LS 3839  
STATE OF FLORIDA  
Professional Engineer and Mapper

Digitally signed by  
Donald Stouter  
DN: cn=Donald Stouter, o=Stouten Cramer, Inc., ou, email=don@scisurvey.com, c=US.

Sheet 1 of 2  
11/13/18 6:48

SHEET 1 OF 2

JOB # 17-0384 PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E

# Exhibit "A"

## Description

Page 4 of 4

### PARCEL 519B DESCRIPTION:

A PORTION OF THE EAST ONE HALF (E 1/2) OF THE WEST ONE HALF (W 1/2) OF SECTION 34, TOWNSHIP

45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34 RUN, ALONG THE NORTH LINE OF SAID FRACTION, N89°34'38"E FOR 2579.44 FEET TO THE EAST LINE OF SAID FRACTION; THENCE RUN, ALONG THE EAST LINE OF SAID FRACTION, S00°20'19"E FOR 5106.33 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE, ALONG THE EAST LINE OF SAID FRACTION, S00°20'19"E FOR 188.81 FEET TO THE SOUTH LINE OF SAID FRACTION; THENCE RUN, ALONG THE SOUTH LINE OF SAID FRACTION, S 89°22'56"W FOR 966.64 FEET TO THE NON-TANGENT POINT OF CURVATURE OF A 925.00 FEET RADIUS CURVE, CONCAVE TO THE SOUTHEAST, TO WHICH A RADIAL LINE BEARS S78°44'44"E, SAID CURVE HAVING A CENTRAL ANGLE OF 49°29'17", A CHORD BEARING AND CHORD OF N35°59'55"E FOR 774.35 FEET, RUN ALONG THE ARC OF SAID CURVE FOR 798.95 FEET TO THE END OF SAID CURVE; THENCE RUN N60°44'34"E FOR 121.32 FEET; THENCE RUN S23°42'43"E FOR 192.53 FEET; THENCE RUN S28°21'31"E FOR 220.88 FEET; THENCE RUN S54°49'01"E FOR 44.06 FEET; THENCE RUN S61°01'35"E FOR 29.93 FEET; THENCE RUN S50°16'27"E FOR 68.12 FEET; THENCE RUN S74°33'38"E FOR 27.15 FEET; THENCE RUN S50°16'28"E FOR 17.03 FEET; THENCE RUN S78°08'10"E FOR 69.78 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 395,377 SQUARE FEET ± OR 9.08 ACRES

**THIS IS NOT A SURVEY**

### Description to Accompany Sketch

#### Parcel 519B

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

*Not Valid without Sheet 1 of 2*

*Sheet 2 of 2*

**STOUTENCRAMER**  
A KING ENGINEERING COMPANY

**King**  
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CERTIFICATE OF AUTHORIZATION: LB2610

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*See Sheet 1 of 2 for Signature and Seal*

DONALD D. STOUTEN (FOR THE FIRM)  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 3839  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB # 17-0384 PREPARED FOR: Avalon Engineering

SECTION 34, TOWNSHIP 45S, RANGE 25E