

ORDINANCE 57 - 16

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF A PARCEL OF LAND BEING LOTS 15 THROUGH 28, MATLACHA SHORES FIRST ADDITION, TOGETHER WITH A PORTION OF UNDIVIDED LOT A, UNIT NO. 1, MATLACHA ISLES, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR REDEFINITION OF CITY BOUNDARIES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, THE CITY OF CAPE CORAL, the owner of the real property subject to this Ordinance has petitioned the Cape Coral City Council for the annexation of said real property to the City of Cape Coral; and

WHEREAS, the aforesaid petition bears the signature of A. JOHN SZERLAG, CITY MANAGER OF THE CITY OF CAPE CORAL, the owner of the property proposed to be annexed; and

WHEREAS, the City of Cape Coral desires to insure that the site is developed consistent with the development located within the City and which will be utilized in a manner that should prove beneficial to the City.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS, PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. After considering the application of THE CITY OF CAPE CORAL, the City Council has determined that the property proposed to be annexed to the City is contiguous to the City's boundaries, reasonably compact, and such annexation will not result in the creation of enclaves.

SECTION 2. The City of Cape Coral hereby annexes to the incorporated City limits the following described real property:

Lots 15 through 28, Matlacha Shores First Addition, according to the plat thereof as recorded in Plat Book 10, Page 42, Public Records of Lee County, as depicted in Exhibit "A", attached hereto,

Together with

A Parcel of land being a portion of Undivided Lot A, Unit No. 1, Matlacha Isles recorded in Plat Book 16, Pages 132-133 of the Public Records of Lee County, Florida; being more particularly described as follows:

BEGIN at the Southwesterlymost corner of Undivided Lot A, as shown on the Plat of Unit No. 1, Matlacha Isles, recorded in Plat Book 16, Pages 132-133 of the Public Records of Lee County, Florida; and also being a point on the Northerly Right-of-Way line of Pine Island Road (State Road 78) (66' Wide); Thence run along the lines of said Undivided Lot "A", the following Eight (8) courses: N 00°00'30" W for a distance of 253.20' to the Northeast corner of Lot 28, as shown on the Plat of Matlacha Shores, 1st Addition, recorded in Plat Book 10, Page 42, of the Public Records of Lee County, Florida; also being a point on a non-tangential circular curve concave Southerly, whose radius point bears S 04°55'38" W a distance of 1239.93 feet therefrom; Thence run Westerly along the arc of said curve to the left, having a radius of 1239.93 feet, through a central angle of 06°55'36", subtended by a chord of 149.81 at a bearing of N 88°32'10" W, for an arc length of 149.90 feet to the end of said curve; Thence run N 00°00'30" W a distance of 74.78' to a point on a tangential curve concave Southeasterly; Thence run Northeasterly along the arc of said curve to the Right, having a radius of 40.00 feet, through a central angle of 81°27'00", subtended by a chord of 52.19 feet at a bearing of N 40°43'00" E, for an arc length of 56.86 feet to the end of said curve; Thence run N 81°26'30" E for a distance of 66.44 feet; Thence run S 76°01'00" E for a distance of 72.21 feet to the beginning of a tangential circular curve concave Southwesterly; Thence run Southeasterly along the arc of said curve to the Right, having a radius of 83.03 feet, through a central angle of 80°11'00", subtended by a chord of 106.94 feet at a bearing of S 35°55'30" E, for an arc length of 116.20 feet (116.19 feet – Plat) to a point of reverse curvature; thence run Southeasterly along the arc of said curve to the left, having a radius of 330.61 feet, through a central angle of

75°59'48", subtended by a chord of 407.07 feet (407.08 feet – Plat) at a bearing of S 33°49'54" E, for an arc length of 438.52 feet to the end of said curve; Thence leaving said lines of Undivided Lot "A", run S 18°10'00" W a distance of 17.00 feet to a point on the Northerly Right-of-Way line of Pine Island Road (State Road 78) (66' Wide); Thence run along said Right-of-Way line N 71°50'00" W for a distance of 107.70 feet to the beginning of a tangential circular curve concave Southwesterly; Thence run Westerly along the arc of said curve to the left, having a radius of 987.93 feet, through a central angle of 11°59'32", subtended by a chord of 206.40' at a bearing of N 77°49'50" W, for an arc length of 206.78 feet to the end of said curve and to the **POINT OF BEGINNING**.

Parcel contains 1.41 acres, more or less.

Bearings refer to the Plat of Unit No. 1, Matlacha Isles, recorded in Plat Book 16, Pages 132-133 of the Public Records of Lee County, Florida.

The herein described parcel is subject to Easements, Reservations and Restrictions of record, as depicted in Exhibit "B", attached hereto.

SECTION 3. The legal description of the boundaries of the City of Cape Coral is hereby amended to include the aforesaid property as a part of the municipality of the City of Cape Coral, Florida, and under the full jurisdiction of the municipality of Cape Coral.

SECTION 4. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 12th DAY OF December, 2016.


MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI
BURCH
CARIOSCIA
STOUT

aye
excused
aye
aye


LEON
ERBRICK
WILLIAMS
COSDEN

nay
aye
nay
nay

ATTESTED TO AND FILED IN MY OFFICE THIS 15th DAY OF December, 2016.


REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY

ord/Annexation AX16-0001 City of Cape Coral
Rev: 11/28/16

EXHIBIT "A"

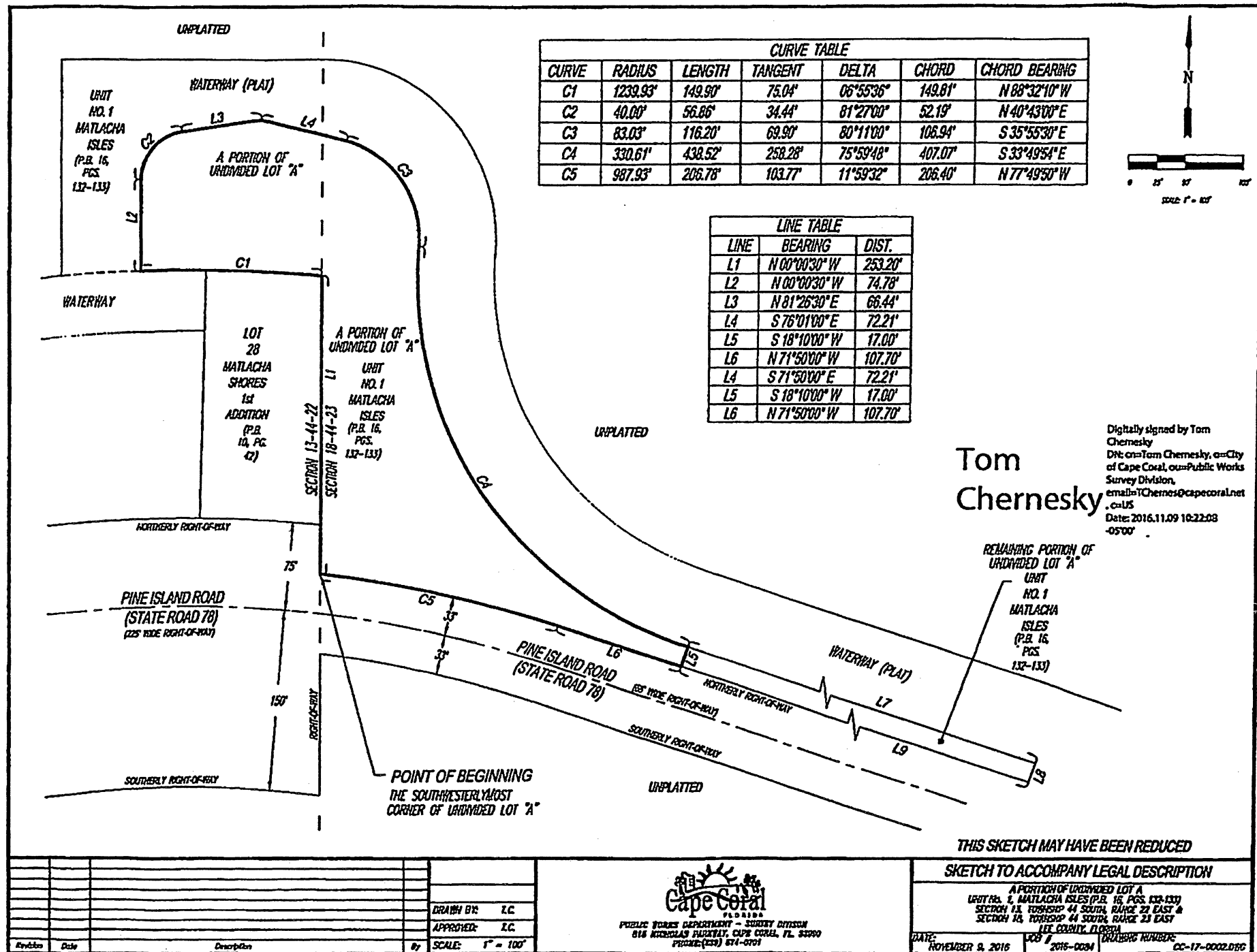


EXHIBIT "B"

ARTICLE II. BOUNDARIES

§ 2.01. Described.

The territorial limits of said municipality are defined as follows:

Begin at a point where the intersection of the south line of Section 19, Township 44 South, Range 23 East intersects the shoreline of Matlacha Pass; thence run southerly along said shoreline of Matlacha Pass the following courses and distances: S 08° 23' 45" E 1120.24 feet, S 24° 57' 31" E 1464.82 feet, S 40° 28' 14" E 1443.81 feet, S 26° 49' 45" E 1700.83 feet, S 09° 10' 34" W 2012.80 feet, S 39° 18' 26" E 1290.47 feet, S 41° 45' 47" W 963.83 feet, S 14° 29' 01" W 1804.76 feet, S 17° 49' 47" E 1562.85 feet; thence passing from Section 31, Township 44 South, Range 23 East into Section 6, Township 45 South, Range 23 East run the following courses and distances: S 02° 59' 01" W 2119.73 feet, S 28° 59' 49" W 2648.56 feet, S 07° 31' 15" E 1218.69 feet, S 42° 07' 00" W 1480.72 feet, N 78° 52' 59" W 1921.82 feet, S 36° 07' 03" W 2484.51 feet, S 27° 10' 45" E 2750.01 feet, S 02° 54' 58" E 979.82 feet, N 83° 55' 06" E 661.70 feet, S 22° 14' 05" E 1369.98 feet, S 01° 15' 36" W 1368.30 feet, S 60° 58' 35" W 699.74 feet, S 50° 41' 31" E 3105.15 feet, S 12° 51' 19" E 716.93 feet, S 66° 58' 43" E 2144.74 feet, S 06° 54' 02" E 2323.40 feet, S 74° 51' 11" E 1528.57 feet, S 07° 54' 52" E 796.41 feet, S 23° 02' 52" W 1844.72 feet to a point in Section 30, Township 45 South, Range 23 East called Sword Point at the intersection of the shore of Matlacha Pass and the Caloosahatchee River; thence run easterly along the north shore of the Caloosahatchee River N 80° 17' 49" E 1426.08 feet, N 71° 20' 55" E 1315.24 feet, N 63° 01' 29" E 838.98 feet, N 59° 35' 01" E 890.15 feet, N 74° 45' 40" E 1219.25 feet, S 75° 41' 34" E 2222.31 feet, N 69° 46' 45" E 1593.62 feet, N 33° 34' 11" E 1334.17 feet, N 82° 37' 42" E 1326.92 feet, N 79° 30' 57" E 770.53 feet, N 15° 38' 04" W 1414.35 feet to a point near the southwest corner of "Cape Coral Unit 67" as recorded in Plat Book 25 at pages 57 through 65 of the Lee County Public Records, said point also being located in Section 22, Township 45 South, Range 23 East; thence continue along the shoreline of the Caloosahatchee River the following courses and distances: S 72° 27' 53" E 1017.43 feet, N 82° 35' 46" E 776.90 feet, S 80° 14' 01" E 588.85 feet, S 00° 47' 47" W 1438.53 feet, S 48° 37' 26" E 906.70 feet, N 77° 40' 26" E 891.02 feet, N 63° 07' 57" E 886.09 feet, N 84° 05' 26" E 2917.11 feet, S 84° 04' 41" E 774.56 feet, N 55° 34' 00" E 655.08 feet, (See Page 20 for continuation of Bulkhead Line legal description) thence southeasterly a distance of 300.00 feet; thence northeasterly along a line extending 300.00 feet water ward from the existing shoreline to a point on the section line lying between Sections 28 and 33, Township 44 South, Range 24 East and the north end of said Bulkhead Line; thence run along said section line N 88° 35' 04" E 19.76 feet to the westerly limits of the City of Fort Myers; thence run along said City Limit Line to a point where a line lying 680 feet north of and parallel with the section line between Sections 21 and 28, Township 44 South, Range 24 East intersects said City of Fort Myers limit line; thence run along said parallel line N 89° 59' 47" W 2229.62 feet to the section line lying between Sections 20 and 21, Township 44 South, Range 24 East; thence run along said section line N 00° 35' 37" W 2010.93 feet to the easterly quarter corner of Section 20, Township 44 South, Range 24 East; thence continue along said section line N 00° 01' 17" E 2657.05 feet to the southeast corner of Section 17, Township 44 South, Range 24 East; thence run along the easterly line of Section 17 N 00° 57' 33" E 2718.39 feet to the easterly quarter corner of Section 17, Township 44 South, Range 24 East; thence continue along said section line N 00° 57' 13" E 2717.95 feet to the southeast corner of Section 8, Township 44 South, Range 24 East; thence run along the easterly line of said Section 8 N 00° 05' 45" E

2651.79 feet to the quarter corner common to Section 8 and Section 9; thence run along southerly line of the west 1/2 of the west 1/2 of the northwest 1/4 (W 1/2 W 1/2 NW 1/4) of said Section 9 S 89° 23' 14" E 652.01 feet to the southeasterly corner of said fractional section; thence run along the easterly line of said fractional section N 00° 11' 15" E 2657.10 feet to the northeasterly corner of said fractional section, said corner being also a point on the centerline of Pondella Road and the southeasterly corner of the southwest 1/4 of the southwest 1/4 of the southwest 1/4 (SW 1/4 SW 1/4 SW 1/4) of Section 4, Township 44 South, Range 24 East; thence run along the easterly line of said fractional section N 05° 04' 12" W 678.83 feet to the northeasterly corner of said fractional section; thence run along the southerly line of the northeast 1/4 of the southwest 1/4 of the southwest 1/4 (NE 1/4 SW 1/4 SW 1/4) and the northwest 1/4 of the southeast 1/4 of the southwest 1/4 (NW 1/4 SE 1/4 SW 1/4) of said Section 4 S 89° 44' 12" E 1310.84 feet to the southeasterly corner of said fractional section; thence run along the easterly line of said fractional section N 04° 47' 21" W 679.25 feet to the northeasterly corner of said fractional section; thence run along the northerly line of said fractional section N 89° 46' 05" W 657.06 feet to the northwesterly corner of said fractional section; thence run along the easterly line of the southeast 1/4 of the northwest 1/4 of the southwest 1/4 (SE 1/4 NW 1/4 SW 1/4) of said Section 4 N 04° 55' 46" W 653.94 feet to a point on the southerly right-of-way line of Orchid Road (50 feet wide); thence run along said southerly right-of-way line N 89° 47' 58" W 708.85 feet to a point on the westerly right-of-way line of said Orchid Road; thence run along said westerly right-of-way line N 05° 04' 12" W 703.88 feet to a point on the east-west quarter section line of said Section 4; thence continue to run along said westerly right-of-way line N 05° 04' 02" W 559.02 feet to a point of intersection with the southerly right-of-way line of State Road 78 (Pine Island Road) thence run along said southerly right-of-way line S 62° 00' 45" W 660.26 feet to a point of intersection with the westerly line of the northwest 1/4 (NW 1/4) of said Section 4; thence run along the westerly line of said northwest 1/4 (NW 1/4) N 05° 11' 49" W 79.18 feet to a point on the northerly right-of-way line of said State Road 78; thence run along said northerly right-of-way N 62° 00' 45" E 2149.23 feet to a point on the westerly line of the east 1/2 of the east 1/2 of the northwest 1/4 (E 1/2 E 1/2 NW 1/4) of said Section 4; thence run along said westerly line of said fractional section N 04° 48' 31" W 1370.99 feet to the northwesterly corner of said fractional section; thence run along the northerly line of said fractional section N 89° 48' 10" E 666.11 feet to the north quarter corner of said Section 4, thence run along the northerly line of the northeast 1/4 (NE 1/4) of said Section 4 S 89° 59' 43" E 3.37 feet to a point on the easterly right-of-way line of Corbett Road as maintained, said point being also a non-tangent point on a curve; thence run southerly along said easterly right-of-way line on a curve concave to the west having for its elements a central angle of 11° 50' 29", a radius of 1,242.00 feet and a chord bearing and distance S 10° 02' 39" E 256.23 feet and arc distance of 256.69 feet; thence continue to run along said easterly right-of-way line S 04° 07' 24" E 687.23 feet; thence continue to run along said easterly right-of-way line S 14° 08' 29" E 78.18 feet to a point of intersection with the northerly right-of-way of said State Road 78; thence run along said northerly right-of-way line N 62° 00' 40" E 1254.38 feet to a Florida Department of Transportation right-of-way marker; thence run N 27° 59' 20" W 17.00 feet to a Florida Department of Transportation right-of-way marker; thence run N 62° 00' 40" E 650.11 feet to a point on the westerly bank of Yellow Fever Creek; thence run northwesterly along said bank N 51° 33' 07" W 128.10 feet; thence run N 00° 00' 17" E 25.00 feet on a line perpendicular to the northerly line of said Section 4 to a point on said northerly line; thence run along said northerly line S 89° 59' 43" E 290.00 feet to the southeasterly corner of the southwest 1/4 of the southeast

1/4 of the southeast 1/4 (SW 1/4 SE 1/4 SE 1/4) of Section 33, Township 43 South, Range 24 East; thence run along the easterly line of said fractional section N 03° 17' 47" E 664.33 feet to the northeasterly corner of said fractional section; thence run along the northerly line of said fractional section S 89° 59' 22" W 165.47 feet to a point on the easterly line of the west 1/2 of the east 1/2 of the west 1/2 of the southeast 1/4 (W 1/2 E 1/2 W 1/2 E 1/2 SE 1/4) of said Section 33, thence run along said easterly line of said fractional section N 03° 15' 23" E 1064.81 feet to an intersection with a line 400.00 feet north of and parallel to the northerly line of the southeast 1/4 of the southeast 1/4 (SE 1/4 SE 1/4) of said Section 33, thence run along said parallel line N 89° 58' 31" E 831.05 feet to a point of intersection with the easterly line of the southeast 1/4 (SE 1/4) of said Section 33; thence run along said easterly line of said fractional section N 03° 27' 20" E 928.61 feet to the east quarter (E 1/4) corner of said Section 33, thence run along the northerly line of said fractional section S 89° 56' 48" W 2002.29 feet to the southeasterly corner of the west 1/2 of the southwest 1/4 of the northeast 1/4 (W 1/2 SW 1/4 NE 1/4) of said Section 33; thence run along the easterly line of said fractional section N 02° 58' 38" E 1279.00 feet to an intersection with the south line of the north 50.00 feet of the west 1/2 of the southwest 1/4 of the northeast 1/4 (W 1/2 SW 1/4 NE 1/4) of said Section 33; thence run S 89° 54' 53" W 670.98 feet to a point 50.00 feet southerly of the northeasterly corner of the southeast 1/4 of the northwest 1/4 (SE 1/4 NW 1/4) of said Section 33; thence run S 89° 54' 43" W 327.24 feet on a line parallel to and 50.00 feet southerly of the northerly line of said fractional section to the approximate centerline of said Yellow Fever Creek; thence run along the centerline of said Yellow Fever Creek N 68° 37' 19" W 136.63 feet to a point on the northerly line of said fractional section; thence run along the northerly line of said fractional section S 89° 54' 43" W 948.45 feet to a point of intersection with the westerly right-of-way line of Corbett Road as maintained, said point being also a non-tangent point on a curve; thence run northerly along said westerly right-of-way line on a curve concave to the west having for its elements a central angle of 02° 33' 48", a radius of 1800.75 feet and a chord bearing and distance N 00° 21' 52" E 80.56 feet an arc distance of 80.56 feet; thence continue to run along said westerly right-of-way line N 00° 55' 02" W 1171.19 feet; thence continue to run along said westerly right-of-way line N 45° 27' 29" W 70.21 feet to a point of intersection with the southerly right-of-way line of Littleton Road; thence run along said southerly right-of-way line S 89° 28' 59" W 1161.53 feet to the northeasterly corner of a parcel of land conveyed to the Lee County Electric Cooperative in Official Record Book 322, at Page 678, Public Records of Lee County, Florida; thence run along the easterly line of said parcel S 00° 04' 18" E 217.00 feet to the southeasterly corner of said parcel; thence run along the southerly line of said parcel S 89° 52' 45" W 230.00 feet to the southwesterly corner of said parcel, being also a point on the westerly line of said Section 33; thence run along the westerly line of said parcel and said Section 33 N 00° 04' 18" W 250.00 feet to the corner common to Sections 28, 29, 32 and 33, Township 43 South, Range 24 East; thence run along the easterly line of said Section 29 N 00° 08' 09" W 2644.34 feet to the east quarter corner of said Section 29, being also the southeasterly corner of the east 1/2 of the southeast 1/4 of the northeast 1/4 (E 1/2 SE 1/4 NE 1/4) of Section 29, thence run along the southerly line of said fractional section S 89° 51' 23" W 640.23 feet to the southwesterly corner of said fractional section; thence run along the westerly line of said fractional section N 01° 20' 06" E 1308.58 feet to the northwesterly corner of said fractional section; thence run along the northerly line of said fractional section N 89° 38' 23" E 607.03 feet to the northeasterly corner of said fractional section; thence run along the easterly line of the northeast 1/4 of the northeast 1/4 (NE 1/4 NE 1/4) of said Section 29 N 00° 07' 09" W 1310.44 feet to the section corner common to the

northeast corner of Section 29 and the northwest corner of Section 28; thence run along the section line common to Section 21 and Section 28, Township 43 South, Range 24 East N 88° 35' 49" E 2974.04 feet to the south quarter corner of said Section 21; thence continue along said south line S 89° 50' 03" E 2639.03 feet to the southeast corner of said Section 21, Township 43 South, Range 24 East; thence run along the easterly line of said Section 21 N 00° 01' 09" W 1477.16 feet; thence leaving said easterly section line run northeasterly N 74° 20' 03" E 1201.67 feet to the westerly right-of-way line of Highway U.S. 41; thence run northwesterly along said right-of-way line N 15° 39' 57" W 200.00 feet; thence continue along said right-of-way line N 74° 20' 03" E 32.00 feet and N 15° 39' 57" W 270.00 feet; thence run southwesterly leaving said right-of-way line S 74° 20' 03" W 1102.03 feet to the easterly section line of said Section 21; thence run northerly along the easterly section line of said Section 21 N 00° 01' 09" W 683.87 feet to the easterly quarter corner of said Section 21; thence continue along the easterly line of said Section 21 N 01° 21' 35" E 2242.82 feet; thence run northeasterly through Section 22, Township 43 South, Range 24 East N 74° 24' 02" E 220.03 feet to the westerly right-of-way line of Highway U.S. 41; thence run northwesterly along the said westerly right-of-way line of Highway U.S. 41 along the arc of a curve concave to the southwest having for its elements a central angle of 03° 26' 07", a radius of 5629.58 feet and a chord bearing and distance N 24° 21' 15" W 337.52 feet an arc distance of 337.52 feet; thence continue along said right-of-way line N 26° 04' 18" W 35.44 feet to a point where the north line of said Section 22 intersects said westerly right-of-way line of Highway U.S. 41; thence run westerly along the north line of said Section 22 S 89° 41' 33" W 47.73 feet to the northeast corner of Section 21, Township 43 South, Range 24 East; thence run along the north line of said Section 21 N 89° 56' 18" W 2622.98 feet to the north quarter corner of said Section 21; thence continue along the north line of said Section 21 S 89° 04' 55" W 3058.71 feet to the southeast corner of Section 17, Township 43 South, Range 24 East; thence run along the east line of said Section 17 N 00° 35' 56" E 2688.17 feet to the easterly quarter corner of said Section 17; thence continue along said easterly line N 00° 25' 24" W 2667.70 feet to the northeast corner of said Section 17; thence run along the north line of said Section 17 S 88° 21' 19" W 2349.04 feet to the north quarter corner of said Section 17; thence continue along the north line of said Section 17 N 88° 40' 41" W 2644.88 feet to the northeast corner of Section 18, Township 43 South, Range 24 East (According to Ordinance 24-05); thence run along the east line of Section 7, Township 43 South, Range 24 East (N 02° 32' 18" W 2689.72 feet to the east quarter corner of said Section 7; thence N 02° 03' 33" E 2639.48 feet to the southwest corner of Section 5, Township 43 South, Range 24 East; thence S 89° 40' 24" E 2266.64 feet to the south quarter corner of said Section 5; thence N 89° 52' 14" E 1682.06 feet along the south line of said Section 5; Thence N 00° 07' 46" W 80.00 feet leaving the south line of said Section 5; thence N 26° 03' 58" W 978.56 feet; thence N 89° 52' 14" E 1479.33 feet to an intersection with the west right-of-way line of Highway U.S. 41; thence N 26° 03' 58" W 4224.76 feet along said west right of way line to a point of curvature of a curve concave to the southwest having a radius of 7479.44 feet; thence along said curve to the left a distance of 509.47 feet through a central angle of 03° 54' 10", said curve is subtended by a chord which bears N 28° 01' 03"W a distance of 509.37 feet to the point of tangency; thence N 29° 58' 08" W a distance of 190.24 feet along said west right of way line to an intersection with the north line of said Section 5; thence S 89° 33' 12" W a distance of 73.31 feet to the north quarter corner of said Section 5; thence S 89° 39' 10"W a distance of 2620.15 feet along said north line to the northwest corner of said Section 5, Township 43 South, Range 24 East; thence S 01° 13' 48" W 2695.14 feet along the west line of said Section 5 to the west quarter corner; thence S 01° 12' 25"

W 1326.20 feet to the northeast corner of the east one half of the southeast one quarter of the southeast one quarter of Section 6, Township 43 South, Range 24 East; thence N 88° 38' 47" W 665.50 feet along the north line of said fractional section line to the northwest corner of the east one half of the southeast one quarter of the southeast one quarter of Section 6, Township 43 South, Range 24 East; thence S 01° 12' 20" W 1338.36 feet along the west line of said fractional section line to the southwest corner of the east one half of the southeast one quarter of the southeast one quarter of Section 6, Township 43 South, Range 24 East, and a point on the south line of said Section 6; thence N 89° 41' 37" W 1996.65 feet along said south line of said Section 6 to the south quarter corner; thence N 85° 33' 54" W 2746.91 feet along said south line of said Section 6 to the southwest corner; thence S 00° 47' 36" W 2668.99 feet along the west line of Section 7, Township 43 South, Range 24 East to the west quarter corner of said Section 7; thence S 00° 47' 07" W 2669.11 feet along the west line of said Section 7 to the northwest corner of said Section 18; thence run along the west line of said Section 18 S 00° 20' 44" W 2711.35 feet to the west quarter corner of said Section 18; thence continue along said westerly line of Section 18 S 00° 44' 56" W 2661.05 feet to the northwest corner of Section 19, Township 43 South, Range 24 East; thence run along the westerly line of said Section 19 S 01° 04' 45" W 2690.55 feet to the west quarter corner of said Section 19; thence continue along said west line S 00° 08' 13" E 2652.21 feet to the northeast corner of Section 25, Township 43 South, Range 23 East; thence run along the north line of said Section 25 S 89° 39' 26" W 2647.24 feet to the north quarter corner of said Section 25; thence continue along said north line S 89° 25' 38" W 2658.91 feet to the southeast corner of Section 23, Township 43 South, Range 23 East; thence run along the easterly line of said Section 23 N 00° 26' 31" E 2274.82 feet; thence run through Section 23 S 62° 46' 04" W 4939.09 feet to the north line of Section 26, Township 43 South, Range 23 East; thence run along the north line of said Section 26 N 89° 48' 30" W 940.88 feet to the northwest corner of said Section 26 and the northeast corner of Section 27, Township 43 South, Range 23 East; thence (according to Ordinance 98-07) run along the east line of the southeast quarter of the southeast quarter of Section 22, Township 43 South, Range 23 East N 00° 25' 16" E 1340.90 feet to the northeast corner of said fractional section; thence run N 89° 41' 51" W 1334.68 feet along the north line of said fractional section to the northwest corner of said fractional section; thence (according to Ordinance 26-05) N 89° 41' 44" W 1334.61 feet along the north line of the southwest quarter of the southeast quarter of said Section 22 to the northwest corner of said fractional section; thence N 00° 11' 47" E 1342.33 feet along the east line of the southwest quarter of said Section 22 to the northeast corner of said southwest quarter; thence N 89° 40' 08" W a distance of 2007.41 feet along the north line of said southwest quarter; thence S 00° 01' 21" E 1343.42 feet along a line parallel with the west line of the southwest quarter of said Section 22 to a point on the north line of the southwest quarter of the southwest quarter of said Section 22; thence S 89° 41' 59" E 667.42 feet along the north line of the southwest quarter of the southwest quarter of said Section 22 to the northeast corner of said fractional section; thence S 00° 05' 13" W 1343.05 feet along the east line of said fractional section to the southeast corner of said fractional section, and a point on the south line of said Section 22; thence N 89° 43' 50" W 1332.28 feet along said south line to the southwest corner of said Section 22, Township 43 South, Range 23 East; thence (according to Ordinance 25-05) N 00° 01' 21" W 2687.55 feet along the east line of the southeast quarter of Section 21, Township 43 South, Range 23 East to the northeast corner of said southeast quarter; thence N 00° 01' 32" W 2687.92 feet along the east line of the northeast quarter of said Section 21 to the northeast corner of said Section 21; thence S 89° 41' 37" W 2717.50 feet along the north line of the northeast quarter of said Section 21 to

the northwest corner of said fractional section; thence S 89° 42' 10" W 1916.51 feet along said north line of said Section 21; thence S 54° 17' 36" W 118.09 feet leaving said north line of said Section 21; thence S 78° 20' 38" W 301.91 feet; thence S 15° 21' 13" W 262.95 feet; thence S 18° 10' 46" E 451.89 feet; thence S 33° 57' 11" W 319.46 feet; thence S 35° 48' 07" W 468.40 feet; thence N 66° 47' 49" W 42.84 feet to a point on the west line of the northwest quarter of Section 21, Township 43 South, Range 23 East; thence continuing N 66° 47' 49" W 377.85 feet into the northeast quarter of Section 20, Township 43 South, Range 23 East; thence S 18° 49' 16" W 468.74 feet; thence S 08° 13' 52" W 274.82 feet; thence S 04° 42' 08" E 209.62 feet; thence S 89° 37' 02" W 1504.13 feet along the south line of the north 135 acres of the east half of said Section 20 (according to Ordinance 82-08); thence N 14° 07' 22" W 309.02 feet; thence N 04° 51' 51" W 328.57 feet; thence N 30° 46' 26" E 373.82 feet; thence N 47° 37' 42" E 418.12 feet; thence N 52° 52' 36" E 419.74 feet; thence N 29° 30' 00" E 428.71 feet; thence N 49° 17' 46" W 233.40 feet; thence N 15° 46' 07" W 212.80 feet to a point on the north line of Section 20, Township 43 South, Range 23 East; thence continuing N 15° 46' 07" W 89.89 feet into Section 17, Township 43 South, Range 23 East; thence N 55° 38' 13" E 549.53 feet; thence N 42° 55' 12" E 375.71 feet; thence N 13° 01' 14" W 493.30 feet; thence N 63° 35' 28" E 412.89 feet; thence S 82° 04' 31" E 408.21 feet to a point on the east line of said Section 17; thence N 00° 53' 51" E 1425.75 feet along said east line to the east quarter corner of said Section 17; thence N 00° 54' 06" E 2697.18 feet along said east line to the northeast corner of said Section 17; thence S 88° 35' 09" W 2674.19 feet along the north line of the northeast quarter of said Section 17 to the north quarter corner of said Section 17; thence S 00° 47' 41" W 5345.30 feet along the west line of the east half of said Section 17 to the south quarter corner of said Section 17; thence S 89° 37' 06" W 2663.07 feet along the south line of the southwest quarter of said Section 17 to the southeast corner of Section 18, Township 43 South, Range 23 East; thence run along the easterly line of said Section 18 N 00° 18' 15" E 2648.42 feet to the east quarter corner of Section 18; thence continue along said east line N 00° 18' 16" E 2648.42 feet to the southeast corner of Section 7, Township 43 South, Range 23 East; thence run along the easterly line of said Section 7 N 01° 57' 06" E 2827.30 feet to the east quarter corner of said Section 7; thence continue along said east line of Section 7 N 01° 57' 06" E 2827.30 feet to the northeast corner of Section 7; thence (according to Ordinance 71-83) run along the easterly line of Section 6, Township 43 South, Range 23 East N 00° 41' 35" E 830.69 feet; thence run S 88° 22' 20" W 5302.18 feet to a point common to said Section 6, Township 43 South, Range 23 East and Section 1, Township 43 South, Range 22 East; thence run N 89° 35' 23" W 2733.91 feet more or less to the shoreline of Charlotte Harbor; thence run along the shore line of said Charlotte Harbor the following courses and distances: S 18° 00' 34" W 894.01 feet, S 13° 28' 18" W 1135.63 feet, S 05° 47' 14" W 908.22 feet, S 03° 53' 52" W 1197.51 feet, S 66° 19' 18" W 200.00 feet, S 16° 11' 40" W 1787.75 feet, S 17° 40' 32" W 4457.28 feet and S 33° 22' 03" W 1924.16 feet to a point near the north line of Section 23, Township 43 South, Range 22 East; thence continue along said shore line S 30° 50' 38" W 3276.08 feet, S 19° 52' 56" W 2623.35 feet, S 10° 10' 52" W 1577.19 feet, S 02° 08' 07" W 2698.19 feet; thence continue S 19° 40' 48" W 2124.71 feet crossing what would be the extension of the section line between Sections 26 and 35, Township 43 South, Range 22 East; thence continue along said shore line S 07° 29' 59" E 1864.60 feet, S 29° 48' 07" W 2384.34 feet; thence continue along said shore line S 12° 06' 44" W 737.70 feet crossing the extension westerly of the township line between Township 43 South, Range 22 East and Township 44 South, Range 22 East; thence continue along said shore line the following courses and distances: S 04° 05' 57" W 1525.02 feet, S 21° 32' 31" W 1337.22 feet, S 00° 24' 49" E 1740.33 feet, S 13° 12' 58" E

1353.91 feet, S 33° 07' 01" E 2424.76 feet, S 51° 56' 04" E 2427.21 feet, S 12° 24' 44" W 1036.04 feet, S 49° 20' 49" E 1750.88 feet, S 62° 25' 52" E 2536.69 feet, S 01° 55' 58" W 1221.26 feet, S 53° 32' 24" E 1650.19 feet and S 80° 00' 11" E 213.96 feet to the northwest corner of Matlacha Shores (Plat Book 10, Page 29 of the Lee County Public Records); thence run along the boundary of said Matlacha Shores and Matlacha Isles the following courses and distances: S 89° 17' 45" E 595.00 feet, S 09° 33' 45" E 662.10 feet, S 89° 17' 45" E 708.50 feet to the northwest corner of Matlacha Isles; thence continue S 89° 17' 45" E 24.76 feet, N 63° 04' 15" E 1089.98 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 1239.93 feet and a chord bearing and distance N 74° 01' 00" E 470.87 feet to a point not tangent to said curve; thence run N 00° 01' 25" W 178.21 feet, N 89° 58' 35" E 214.76 feet to the range line lying between Section 13 of Township 44 South, Range 22 East and Section 18, Township 44 South, Range 23 East; thence run through said Section 18 along the arc of a curve to the right having a radius of 148.03 feet and a chord bearing and distance S 42° 56' 17.5" E 216.83 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 265.56 feet and a chord bearing and distance of S 33° 51' 09" E 327.05 feet to a point of tangency; thence continue S 71° 51' 08" E 817.78 feet, N 00° 14' 24" E 1110.44 feet, S 89° 45' 36" E 1370.00 feet, S 00° 14' 24" W 105.00 feet, S 89° 45' 36" E 55.00 feet, S 00° 14' 24" W 1523.09 feet to a non-tangent point of curve; thence run along the arc of a curve to the left having a radius of 1104.43 feet and a chord bearing and distance S 79° 59' 50" E 10.14 feet to a point on said curve; thence run S 00° 14' 24" W 65.19 feet to the south quarter corner of Section 18, Township 44 South, Range 23 East; thence run along the southerly line of said Section 18, Township 44 South, Range 23 East S 89° 50' 18" E 2642.45 feet to the southwest corner of Section 17, Township 44 South, Range 23 East; thence run along the south line of said Section 17 S 89° 38' 02" E 5393.24 feet to the southwest corner of Section 16, Township 44 South, Range 23 East (said point being the Point of Commencement for Ordinance 99-02); thence run along the south line of said Section 16 N 87° 41' 52" E 2004.48 feet to the northeast corner of the west half of the northeast quarter of the northwest quarter (W 1/2 NE 1/4 NW 1/4) of Section 21, Township 44 South, Range 23 East; thence run along the easterly line of the west half of the northeast quarter of the northwest quarter (W 1/2 NE 1/4 NW 1/4) of Section 21 S 00° 29' 17" E 1339.31 feet to the southeast corner of said fractional section; thence run along the southerly line of said fractional section S 87° 41' 33" W 664.19 feet to the southwest corner of said fractional section; thence run along the westerly line of the southeast 1/4 of the northwest 1/4 (SE 1/4 NW 1/4) of said Section 21 S 00° 35' 35" E 1379.68 feet to the northeast corner of the north 1/2 of the north 1/2 of the northwest 1/4 of the southwest 1/4 (N 1/2 N 1/2 NW 1/4 SW 1/4) of said Section 21; thence run along the easterly line of said fractional section S 00° 35' 35" E 338.64 feet to the southeast corner of said fractional section; thence run along the southerly line of said fractional section S 89° 23' 58" W 693.70 feet to the southeast corner of the north 1/2 of the northwest 1/4 of the northwest 1/4 of the southwest 1/4 (N 1/2 NW 1/4 NW 1/4 SW 1/4) of section 21; thence (according to Ordinance 50-90) run along the east line of said fractional section N 01° 24' 32" W 333.33 feet; thence run along the north line of said fractional section S 89° 22' 44" W 676.10 feet to the northwest corner of the southwest 1/4 of section 21; thence run along the west line of the southwest 1/4 of section 21 S 01° 47' 17" E 1330.29 feet to the northeast corner of the south 1/2 of the southeast 1/4 (S 1/2 SE 1/4) of Section 20, Township 44 South, Range 23 East; thence (according to Ordinance 51-88) run along the northerly line of said fractional section S 89° 46' 18" W 1327.07 feet to the southeast corner of the northwest 1/4 of the southeast 1/4 (NW 1/4 SE 1/4) of said Section 20; thence run along the easterly line of said fractional section N 02° 11' 08"

W 1330.06 feet to the southeast corner of the southwest 1/4 of the northeast 1/4 (SW 1/4 NE 1/4) of said Section 20; thence run along the easterly line of said fractional section N 01° 12' 00" W 1339.18 feet to a point on the southerly line of a parcel described in Ordinance No. 51-88 as "the north half (N 1/2) of the northeast quarter (NE 1/4) less the easterly 880 feet, and less the northerly 33 feet for road right-of-way, in Section 20, Township 44 South, Range 23 East, Lee County, Florida"; thence run along the southerly line of said parcel N 89° 42' 24" E 453.87 feet to the southeast corner of said parcel; thence run along the easterly line of said parcel N 00° 34' 09" W 1306.81 feet to the northeast corner of said parcel; being also a point on the southerly right-of-way line of State Road 78 (Pine Island Road); thence run along the northerly line of said parcel and the said southerly right-of-way line S 89° 38' 02" W 1816.24 feet to the northwest corner of said parcel; thence run along the westerly line of the northeast 1/4 (NE 1/4) of said Section 20, being also the easterly line of Royal Tee Subdivision as recorded in Plat Book 37, at pages 1 through 19, Public Records of Lee County, Florida, S 01° 50' 00" E 2675.18 feet to the southwest corner of said fractional section; thence run along the westerly line of the north 1/2 of the northwest 1/4 of the southeast 1/4 (N 1/2 NW 1/4 SE 1/4) of said Section 20, being also the easterly line of said Royal Tee Subdivision S 01° 50' 45" E 665.24 feet to the northwest corner of the south 1/2 of the northwest 1/4 of the southeast 1/4 (S 1/2 NW 1/4 SE 1/4) of said Section 20; thence run along the northerly line of said fractional section N 89° 47' 10" E 30.00 feet to a point of intersection with a line 30.00 feet east of and parallel to the westerly line of said fractional section; thence run along said parallel line S 01° 50' 45" E 665.24 feet to a point of intersection with the northerly line of the south 1/2 of the southeast 1/4 (S 1/2 SE 1/4) of said Section 20; thence run along the northerly line of said fractional section S 89° 46' 18" W 30.00 feet to the northwest corner of said fractional section, being also a point on the easterly line of said Royal Tee Subdivision; thence run along the westerly line of said fractional section and the easterly line of said Royal Tee Subdivision S 01° 50' 45" E 1330.47 feet to the southwest corner of said fractional section; thence run westerly along the section line between the southwest 1/4 (SW 1/4) of said Section 20 and the northwest 1/4 (NW 1/4) of Section 29, Township 44 South, Range 23 East and along the section line between Sections 19 and 30, Township 44 South, Range 23 East a distance of 7,485.65 feet to the shore line of Matlacha Pass and the Point of Beginning of the herein described territorial limits. Bearings used herein are the same as the bearing system used for the applicable Public Records of Lee County, Florida.

Ordinance 99-2002: A parcel of land situated in the NE1/4 of the NE1/4, Section 20, and the NW1/4 of Section 21 all within Township 44 South, Range 23 East, Lee County, Florida, and being more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 20, and 21, Township 44 South, Range 23 East; Thence S 00° 11' 36" W a distance of 33.00 feet along the Section line common to said Sections 20 and 21 to a point on the South right of way line of Pine Island Road and the point of beginning; Thence continuing S 00° 11' 36" W a distance of 7.04 feet to a point on the South right of way line of Pine Island Road; Thence N 87° 44' 40" E a distance of 1466.78 feet to a point on the South right of way line of Pine Island Road; Thence S 00° 12' 53" a distance of 1311.18 feet to a point on the South line of the North one half of the Northwest one quarter (N1/2NW1/4) of said section 21; Thence S 88° 09' 29" W a distance of 1475.72 feet along the last described line to the Southwest corner of the Northwest one quarter of the Northwest one quarter (NW1/4NW1/4), of said section 21; Thence N 89° 28' 53" W a distance of 880.01 feet along the South line of the North one half of the Northeast one quarter (N1/2NE1/4), of said

section 20; Thence N 00° 11' 36" E a distance of 1306.31 feet to an intersection with the South right of way line of Pine Island Road; Thence S 89° 35' 09" E a distance of 880.01 feet along the last described line to the point of beginning, said parcel containing 70.4895 Acres, more or less.

INCLUDING THERETO THE FOLLOWING NON-CONTIGUOUS ANNEXED PARCELS:

N.C.T. 1.: Ordinance No. 1-88; the west 1/2 of the east 1/2 of the northeast 1/4 of the northeast 1/4 (W 1/2 E 1/2 NE 1/4 NE 1/4) of Section 19, Township 44 South, Range 23 East, Lee County, Florida, less the north thirty-three (33) feet for right-of-way of Pine Island Road.

N.C.T. 2.: Ordinance No. 72-88; Lot 18 of tract 2, of a recorded map, being the west 1/2 of the east 1/2 of the east 1/2 of the northeast 1/4 of the northeast 1/4 (W 1/2 E 1/2 E 1/2 NE 1/4 NE 1/4) of Section 19, Township 44 South, Range 23 East, described as follows: Beginning at the point marked by concrete monument marked 18 A 49 at south line of right-of-way of State Highway No. 78 and running southerly 1294.3 feet, thence running easterly 164 feet, thence running northerly 1295 feet to south line of right-of-way of Highway 78, thence westerly along said right-of-way line 165 feet to Point of Beginning. Said parcel contains 5 acres, more or less.

N.C.T. 3.: Ordinance No. 73-88; the east 1/2 of the east 1/2 of the west 1/2 of the northwest 1/4 of the northwest 1/4 (E 1/2 E 1/2 W 1/2 NW 1/4 NW 1/4) of Section 20, Township 44 South, Range 23 East, Lee County, Florida. Less road right-of-way for Pine Island Road (State Road 78) across the north 33.00 feet thereof.

N.C.T. 4.: Ordinance No. 09-04; A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 3 and 4, Township 44 South, Range 24 East, being further bounded and described as follows:

Lot 22, less the south 20.00 feet, Lot 27 and Lot, 33A, Mariana Park Third Addition, as recorded in Plat Book 12, at Page 61, of the Public Records Lee County, Florida.

And

Beginning at the southwest corner of the northwest quarter of said Section 3, also being the southeast corner of the northeast quarter of said Section 4; thence S 89° 58' 48" W Along the south line of said northeast quarter of Section 4, for 1313.24 feet to the easterly right-of-way line of Barrett Road, being the west line of the southeast quarter of said northeast quarter; thence N 04° 33' 11" W, along said right-of-way line and said west line, for 2132.73 feet to the southerly right-of-way line of Pine Island Road (State Road 78); thence N 61° 59' 54" E, along said southerly right of way line, for 593.71 feet to the point of curvature of a curve to the right, having a radius of 1879.27 feet, a central angle of 26° 15' 18", a chord bearing of N 75° 07' 33" E, and a chord length of 853.64 feet; thence along said southerly right of way line and the arc of said curve for an arc length of 861.15 feet to the end of said curve; thence N 01° 45' 25" W, along said right of way line for 31.67 feet to the beginning of a non-tangent curve to the right, having a radius of 2814.79 feet, a central angle of 01° 52' 49", a chord bearing of N 89° 05' 53" E And a chord length of 92.38 feet; thence along said right of way line and the arc of said curve for an arc length of 92.38 feet to the point of tangency of said curve; thence S 89° 57' 42" E Along said right of way line, for 1171.62 feet; thence S 05° 18' 56" E, along the westerly boundary of Mariana Park Third Addition, a subdivision, as recorded in Plat Book 12, Page 61, Lee County Public Records, for 2680.75 feet to the common corner of Lot 33A and Lot 33, said Mariana

Park Third Addition; thence S 03° 21' 52" E, along the westerly boundary of said Lot, 33A for 50.12 feet to the southwest corner of said Lot 33A; thence S 89° 26' 21" E Along the south line of said Lot 33A and an easterly prolongation thereof (said prolongation being the southerly right-of-way line of Evergreen Road); for 351.72 feet to an intersection with a line lying 25.00 feet westerly of (as measured on a perpendicular) the west line of Lot 34, said Mariana Park Third Addition; thence S 03° 22' 16" E, along said parallel line, for 300.24 feet to an intersection with a westerly prolongation of the south line of said Lot 34; thence S 89° 25' 56" E Along said westerly prolongation and the south line of Lots 35 through 38, said Mariana Park Third Addition, for 753.16 feet to the west right-of-way line of Brown Road, being a 50 foot wide county road as described in Deed Book 273 at Page 447, said Public Records; thence S 02° 19' 16" E, along said west right-of-way line for 325.39 feet to an intersection with a line lying 25.00 feet northerly of (as measured on a perpendicular) the north line of Judd Park, as described in Deed Book 302, Page 181, said Public Records; thence N 89° 33' 46" W, along said parallel line, for 370.00 feet to an intersection with a northerly prolongation of the west line of said Judd Park; thence south along said northerly prolongation and said west line, to the centerline of the waters of Hancock Creek; thence westerly, northwesterly and northerly along the said centerline to an intersection with north line of the southwest quarter of said Section 3; thence N 89° 26' 21" W Along said north line for 360 feet, more or less, to the Point of Beginning.

Bearings are based on the south line of the southwest quarter of Section 4, Township 44 South, Range 24 East, Lee County, Florida, as bearing S 89° 58' 48" W

And:

Ordinance 130-2004 as Amended by Ordinance 41-05 adopted 4/4/05

A tract or parcel of land lying in the southeast one-quarter of Section 5, Township 44 South, Range 24 East, Lee county, Florida; being more particularly described as follows:

Commence at the southeast corner of said Section 5; Thence N 05° 13' 33" W along the east line of Section 5, Township 44 South, Range 24 East for 40.21 feet to the northerly right-of-way line of Pondella Road; Thence along said right of way line, N 89° 24' 47" W for 719.98 feet; Thence N 00° 33' 19" E for 28.71 feet to The Point of Beginning of the hereinafter described tract of land:

Said Point of Beginning being the point of curvature of a non-tangent curve concave southerly having: a radius of 8,064.50 feet, a central angle of 04° 03' 44", a radial bearing and distance of S 04° 38' 56" W, 8,064.50 feet, and a chord bearing and distance of N 87° 22' 56" W, 571.64 feet; Thence along the arc of said curve, and along the northerly right of way line of Pondella Road the following courses and distances; a distance of 571.76 feet to the point of tangency of said curve; Thence N 89° 24' 47" W a distance of 144.71 feet; Thence S 00° 35' 13" W a distance of 14.20 feet; Thence N 89° 24' 47" W a distance of 240.00 feet; Thence N 00° 35' 13" E a distance of 14.20 feet; Thence N 89° 24' 47" W a distance of 480.00 feet; Thence, leaving the aforesaid right of way line, N 00° 35' 13" E a distance of 1,261.20 feet; Thence S 89° 24' 47" E a distance of 716.62 feet; Thence N 00° 35' 13" E a distance of 907.40 feet to the southerly right of way line of Pine Island Road (S.R. 78), said point being the point of curvature of a non-tangent curve concave southerly having a radius of 11,497.00 feet, and a central angle of 00° 16' 26", a radial bearing and distance of S 22° 00' 45" E, 11,497.00 feet, and a chord bearing and distance of N 68° 07' 28" E 54.98 feet; Thence along the arc of said curve a distance of 54.98 feet to the point

of reverse curvature of a curve concave northerly having: a radius of 11,703.00 feet, and a central angle of 01° 39' 57", a radial bearing and distance of N 21° 44' 19" W, 11,703.00 feet, a chord bearing and distance of N 67° 25' 43" E, 340.22 feet; Thence along the arc of said curve a distance of 340.23 feet, Thence leaving said right of way line S 00° 35' 13" W a distance of 1,062.21 feet; Thence S 89° 24' 47" E a distance of 355.76 feet; Thence S 00° 35' 13" W a distance of 1,281.45 feet to the Point of Beginning.

Parcel contains 49.95 Acres more or less.

And:

Ordinance 57-16; Lots 15 through 28, Matlacha Shores First Addition, according to the plat thereof as recorded in Plat Book 10, Page 42 of the Public Records of Lee County.

Together with:

Ordinance 57-16; A Parcel of land being a portion of Undivided Lot A, Unit No. 1, Matlacha Isles recorded in Plat Book 16, Pages 132-133 of the Public Records of Lee County, Florida; being more particularly described as follows:

Begin at the Southwesterlymost corner of Undivided Lot A, as shown on the Plat of Unit No. 1, Matlacha Isles, recorded in Plat Book 16, Pages 132-133 of the Public Records of Lee County, Florida; and also being a point on the Northerly Right-of-Way line of Pine Island Road (State Road 78) (66' Wide); Thence run along the lines of said Undivided Lot "A", the following Eight (8) courses: N 00°00'30" W for a distance of 253.20' to the Northeast corner of Lot 28, as shown on the Plat of Matlacha Shores, 1st Addition, recorded in Plat Book 10, Page 42, of the Public Records of Lee County, Florida; also being a point on a non-tangential circular curve concave Southerly, whose radius point bears S 04°55'38" W a distance of 1239.93 feet therefrom; Thence run Westerly along the arc of said curve to the left, having a radius of 1239.93 feet, through a central angle of 06°55'36", subtended by a chord of 149.81 at a bearing of N 88°32'10" W, for an arc length of 149.90 feet to the end of said curve; Thence run N 00°00'30" W a distance of 74.78' to a point on a tangential curve concave Southeasterly; Thence run Northeasterly along the arc of said curve to the Right, having a radius of 40.00 feet, through a central angle of 81°27'00", subtended by a chord of 52.19 feet at a bearing of N 40°43'00" E, for an arc length of 56.86 feet to the end of said curve; Thence run N 81°26'30" E for a distance of 66.44 feet; Thence run S 76°01'00" E for a distance of 72.21 feet to the beginning of a tangential circular curve concave Southwesterly; Thence run Southeasterly along the arc of said curve to the Right, having a radius of 83.03 feet, through a central angle of 80°11'00", subtended by a chord of 106.94 feet at a bearing of S 35°55'30" E, for an arc length of 116.20 feet (116.19 feet – Plat) to a point of reverse curvature; thence run Southeasterly along the arc of said curve to the left, having a radius of 330.61 feet, through a central angle of 75°59'48", subtended by a chord of 407.07 feet (407.08 feet – Plat) at a bearing of S 33°49'54" E, for an arc length of 438.52 feet to the end of said curve; Thence leaving said lines of Undivided Lot "A", run S 18°10'00" W a distance of 17.00 feet to a point on the Northerly Right-of-Way line of Pine Island Road (State Road 78)

(66' Wide); Thence run along said Right-of-Way line N 71°50'00" W for a distance of 107.70 feet to the beginning of a tangential circular curve concave Southwesterly; Thence run Westerly along the arc of said curve to the left, having a radius of 987.93 feet, through a central angle of 11°59'32", subtended by a chord of 206.40' at a bearing of N 77°49'50" W, for an arc length of 206.78 feet to the end of said curve and to the Point of Beginning.

The above "Together With" Parcel contains 1.41 acres, more or less.

NOTE: N.C.T.: Non-contiguous tract within City limits.

EXCEPTING THEREFROM THOSE PARCELS OF LAND ELIMINATED FROM THE INTERIOR TERRITORIAL PORTION OF THE CITY OF CAPE CORAL BY VARIOUS COURT ORDERS, AS FOLLOWS:

A. A parcel of land located in Section 17, Township 44 South, Range 23 East, described as: the east half of the east half of the east half of the southeast quarter of the southeast quarter (E 1/2 E 1/2 E 1/2 SE 1/4 SE 1/4) of Lot 1, T.M. Stevens unrecorded tracts according to a plat on file with the Tax Assessor of Lee County, Florida, in Section 17, Township 44 South, Range 23 East, as described in Parcel 110, Lee County Case No. 71-1137. (Assumed to be E 1/2 E 1/2 E 1/2 SE 1/4 SE 1/4 Section 17).

B. Two contiguous parcels of land located in Section 17, Township 44 South, Range 23 East, described as: the east half of the west half of the west half of the southeast quarter of the southwest quarter (E 1/2 W 1/2 W 1/2 SE 1/4 SW 1/4), and the west half of the west half of the west half of the southeast quarter of the southwest quarter (W 1/2 W 1/2 W 1/2 SE 1/4 SW 1/4) of said Section 17, Township 44 South, Range 23 East, as parcels of Greater Pine Island Water Company.

C. A parcel of land located in Section 16, Township 44 South, Range 23 East, described as: the west half of the east half of the west half of the southeast quarter of the southwest quarter (W 1/2 E 1/2 W 1/2 SE 1/4 SW 1/4) of said Section 16, as described in Parcel 51, Lee County Case No. 71-1137.

D. A parcel of land located in Section 15, Township 44 South, Range 23 East, described as: Beginning at intersection of centerline of Pine Island Road and East line of Section 15, Township 44 South, Range 23 East; thence north 583 365/1000 (assumed to be 583.365) feet; west 330 feet; south to centerline of road; thence northeasterly to the Point of Beginning, as described in parcel 119, Lee County Case No. 71-1137.

E. Five contiguous parcels of land located in Section 10, Township 44 South, Range 23 East, described as:

1. Begin 1514.07 feet North and 143 feet West of the Southeast corner of Section 10, Township 44 South, Range 23 East; thence south 168.23 feet; thence West 100 feet; thence North 168.23 feet; thence East 100 feet to the Point of Beginning as described in Parcel 113, Lee County Case No. 71-1137.

2. From the Southeast corner of Section 10, Township 44 South, Range 23 East, run North 1514.07 feet to the Centerline Proposed Subdivision road; thence west along centerline 543 feet

to Point of Beginning; thence South 168.25 feet; thence west 100 feet; thence north 168.23 feet; thence east 100 feet to the Point of Beginning; less 25 foot easement on north for road right-of-way and 20 feet on south for drainage easement as described in Parcel 114, Lee County Case No. 71-1137.

3. Begin 1514.07 foot north and 243 feet west of southeast corner of Section 10, Township 44 South, Range 23 East; thence south 168.23 feet; thence west 100 feet; thence north 168.23 feet; thence east 100 feet to the Point of Beginning as described in Parcel 115, Lee County Case No. 71-1137.

4. Begin 1514.07 feet north and 343 feet west of the southeast corner of Section 10, Township 44 South, Range 23 East; thence south 168.23 feet; thence west 100 feet; thence north 168.23 feet; thence east 100 feet to the Point of Beginning as described in Parcel 116, Lee County Case No. 71-1137.

5. Begin 1514.07 feet north and 443 feet west of southeast corner of Section 10, Township 44 South, Range 23 East; thence south 168.23 feet; thence west 100 feet; thence north 168.23 feet; thence east 100 feet to the Point of Beginning as described in Parcel 117, Lee County Case No. 71-1137.

NOTE: Above five parcels known as Whispering Pines.

F. Two contiguous parcels of land located in Section 19, Township 43 South, Range 23 East, described as:

1. The east half of the southeast quarter of the northwest quarter of the southwest quarter; and the west half of the southwest quarter of the northeast quarter of the southwest quarter of Section 19, Township 43 South, Range 23 East as described in Parcel "C", Lee County Case No. 71-251. 2. The east half of the southwest quarter of the northeast quarter of the southwest quarter; and the west half of the southeast quarter of the northeast quarter of the southwest quarter of Section 19, Township 43 South, Range 23 East as described in Parcel "D", Lee County Case No. 71-251.

G. Two contiguous parcels of land located in Section 8, Township 44 South, Range 24 East, described as:

1. A parcel of land in Lee County, in Section 8, Township 44 South, Range 24 East, more particularly described as follows: Begin 40 feet South of the North/East corner of Section 8; thence West 1380 feet along the south right of way line of Pondella Road to the point of beginning; thence continue West 240 feet; thence South 1333.4 feet; thence East 240 feet; thence North to the point of beginning as described in parcel 10, Lee County Case No. 71-1137, Less and excepting from exclusion: The south 370.52 feet of said Parcel 10, voluntarily annexed into the incorporated City of Cape Coral Territorial Limits by Ordinance 20-96, on April 22, 1996. 2. A parcel of land in Lee County, in Section 8, Township 44 South, Range 24 East, more particularly described as follows: Commence 40 feet South of the North/East corner of Section 8; thence run Westerly along the South line of Pondella Road for 1620 feet to the point of beginning; thence continue Westerly along said right-of-way line 180 feet; thence South 1333.4 feet; thence East 180 feet; thence run North to the Point of Beginning as described in parcel 11, Lee County Case No. 71-1137, Less and excepting from exclusion: The south 370.52 feet of said

Parcel 11, voluntarily annexed into the incorporated City of Cape Coral Territorial Limits by Ordinance 20-96, on April 22, 1996.

H. A parcel of land located in Section 8, Township 44 South, Range 24 East, described as the east 1080 feet of the north 1/4 (N 1/4) of Section 8, Township 44 South, Range 24 East.

NOTE: The above described east 1080 feet of the North 1/4 (N 1/4) of Section 8, Township 44 South, Range 24 East includes within its limits the following individually and otherwise or elsewhere described excluded parcels:

1. Beginning 40 feet South and 690 feet West of the Northeast corner of Section 8, Township 44 South, Range 24 East; thence run west for 390 feet; thence South for 1317.5 feet; thence East for 390 feet; thence North for 1306.8 feet to the point of beginning as described in parcel "E", Lee County Case No. 71-251. 2. Forty-two lots located within Pondella Heights according to a plat recorded in Official Records Book 11, Page 52 and Official Records Book 12, Page 25, Public Records of Lee County, Florida, as described in Parcels No. 3, 13, 14, 23, 24, 25, 26, 27, 28, 29, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 54, 55, 56, 57, 61, 62, 67, 68, 70, 72, 74, 75, 76, 77, 78, 87, 90, 91, 92, 99, and 128, Lee County Case No. 71-1137.

Less and excepting from exclusion:

Ordinance 119-03: A tract or parcel of land situated in the State of Florida, County of Lee, lying in Section 8, Township 44 South, Range 24 East, being a part of the parcels as described in Official Records Book 1993, Page 142, and Official Records Book 1120, Page 1059, Lee County Public Records and being further bounded and described as follows:

Commencing at the northeast corner of said Section 8; thence S 00° 36' 42" E, along the east line of said section for 40.00 feet to the south right-of-way line of Pondella Road; thence continue S 00° 36' 42" E, along said east line and along the west line of Cape Coral, Unit 17, Plat Book 14, Page 38, said public records, for 935.00 feet to the southeast corner of the parcel as described in Official Records Book 2651, Page 123, and to the Point of Beginning; thence continue S 00° 36' 42" E, along said east line of Section 8 and said west line of Cape Coral, Unit 17 for 351.69 feet; thence S 88° 10' 13" W, along the south line of said parcel as described in Official Records Book 1993, Page 142, and the north line of said Cape Coral, Unit 17, for 690.16 feet, to the southwest corner of said parcel; thence continue S 88° 10' 13" W, along said north line and the south line of said parcel as described in Official Records Book 1120, Page 1059 for 43.55 feet; thence N 23° 47' 04" E, for 524.55 feet to the southwesterly corner of Lot 18, Block 1, Pondella Heights Unit 2, Plat Book 12, Page 25, said public records; thence S 62° 14' 14" E, along the southerly line of said Block 1, Pondella Heights Unit 2, for 280.18 feet; thence S 80° 29' 28" E, along said southerly line for 6.45 feet; thence S 00° 36' 42" E, along the west line of Lot 14, Block 2, Pondella Heights Unit 1, Plat Book 11, Page 52, said public records for 45.52 feet; thence N 89° 31' 21" E, along the south line of said Lot 14 for 132.00 feet; thence N 00° 36' 42" W, along the east line of said Lot 14 for 37.05 feet; thence N 60° 27' 16" E, along the southerly line of Lot 13, said Block 1, Pondella Heights Unit 2 for 68.45 feet; thence N 89° 48' 31" E, along the south line of said parcel as described in Official Records Book 2651, Page 123 for 72.01 feet to the Point of Beginning. Parcel contains 236, 408 square feet or 5.43 acres, more or less.

Exclusions Continued:

M. Certain described parcels of land all located in Section 5, Township 44 South, Range 24 East, and within the boundary of Del Pine Manor, according to an unrecorded plat on file with the Tax Assessor of Lee County, Florida, described as:

1. Lot 1, Block A, as described in Parcel 108, Lee County Case No. 71-1137.
2. Lots 4 and 5, Block A, as described in Parcel 12, Lee County Case No. 71-1137.
3. Lots 10 and 11, Block A, as described in Parcel 21, Lee County Case No. 71-1137.
4. Lot 14, Block A, as described in Parcel 1, Lee County Case No. 71-1137.
5. Lot 1, Block B, as described in Parcel 60, Lee County Case No. 71-1137.
6. Lot 5, Block B, as described in Parcel 8, Lee County Case No. 71-1137.
7. Lots 8 and 9, Block B, as described in Parcel 50, Lee County Case No. 71-1137.
8. Lot 10 and the south 12.5 feet of Lot 11, Block B, as described in Parcel 64, Lee County Case No. 71-1137.
9. Lot 20, Block B, as described in Parcel 86, Lee County Case No. 71-1137.
10. Lot 22, Block B, as described in Parcel 59, Lee County Case No. 71-1137.
11. Lot 23, Block B, as described in Parcel 58, Lee County Case No. 71-1137.
12. Lots 24 and 25, Block B, as described in Parcel 39, Lee County Case No. 71-1137.
13. Lots 28 and 29, Block B, according to Lee County Property Appraiser records. (Ordinance 72-07, Ordinance 75-06, Ordinance 76-06)

And Less and Excepting from the above previous “exclusions” (parcels to be included within the City Limits):

Ordinance 23-14 (adopted 09/08/2014)

Parcels of land being Lots 5, 8, and 9, Block B, and Lot 4 and a portion of Lot 1, Block A, all of an Unrecorded Subdivision known as Del Pine Manor, all as more particularly described herein;

Lot 5, Block B, Del Pine Manor unrecorded (unrecorded Book 1, Page 78) being more particularly described as follows:

Commencing at the Southwest corner of Tract "A", Block 8067 of East Cape Commerce Center as recorded in Instrument #2007000375280 of the Public Records of Lee County, Florida, said point also being on the Northerly Right of Way line of Pondella Road as shown on that Right of Way Map prepared by Ink Engineering dated 02/20/91 (County Project #4656); Thence along said Northerly line running N 89°24'47" W for 210.00 feet to an intersection with the Westerly line of Hibiscus Drive (60' wide Right-of-Way); Thence run along said line N 00°35'13" E for 332.00 feet to the Point of Beginning. From said Point of Beginning, run N 89°24'47" W for 150.00 feet; Thence run N 00°35'13" E for 75.00 feet; Thence run S 89°24'47" E for 150.00 feet

to an intersection with the Westerly line of Hibiscus Drive (60' wide Right-of-Way); thence along said Westerly line S 00°35'13" W for 75.00 feet to the Point of Beginning.

Bearings based upon the Northerly Right-of-Way line of Pondella Road as being N 89°24'47" E.

Lot 8, Block B, Del Pine Manor unrecorded (unrecorded Book 1, Page 78) being more particularly described as follows:

Commencing at the Southwest corner of Tract "A", Block 8067 of East Cape Commerce Center as recorded in Instrument #2007000375280 of the Public Records of Lee County, Florida, said point also being on the Northerly Right of Way line of Pondella Road as shown on that Right of Way Map prepared by Ink Engineering dated 02/20/91 (County Project # 4656); Thence along said Northerly line running N 89°24'47" W for 210.00 feet to an intersection with the Westerly line of Hibiscus Drive (60' wide right-of-way); Thence run along said line N 00°35'13" E for 557.00 feet to the Point of Beginning. From said Point of Beginning, run N 89°24'47" W for 150.00 feet; Thence run N 00°35'13" E for 75.00 feet; Thence run S 89°24'47" E for 150.00 feet to an intersection with the Westerly line of Hibiscus Drive (60' wide Right-of-Way); Thence along said Westerly line S 00°35'13" W for 75.00 feet to the Point of Beginning.

Bearings based upon the Northerly Right-of-Way line of Pondella Road as being N 89°24'47" E.

Lot 9, Block B, Del Pine Manor unrecorded (unrecorded Book 1, Page 78) being more particularly described as follows:

Commencing at the Southwest Corner of Tract "A", Block 8067 of East Cape Commerce Center as recorded in Instrument #2007000375280 of the Public Records of Lee County, Florida, said point also being on the Northerly Right of Way line of Pondella Road as shown on that Right of Way Map prepared by Ink Engineering dated 02/20/91 (County Project #4656); Thence along said Northerly line running N 89°24'47" W for 210.00 feet to an intersection with the Westerly line of Hibiscus Drive (60' wide Right-of-Way); Thence run along said line N 00°35'13" E for 632.00 feet to the Point of Beginning.

From said Point of Beginning, run N 89°24'47" W for 150.00 feet; Thence run N 00°35'13" E for 75.00 feet; thence run S 89°24'47" E for 150.00 feet to an intersection with the Westerly line of Hibiscus Drive (60' wide Right-of-Way); thence along said Westerly line S 00°35'13" W for 75.00 feet to the Point of Beginning.

Bearings based upon the Northerly Right-of-Way line of Pondella Road as being N 89°24'47" E.

Lot 4, Block A, Del Pine Manor unrecorded (unrecorded Book 1, Page 78) being more particularly described as follows:

Commencing at the Southwest corner of Tract "A", Block 8067 of East Cape Commerce Center as recorded in Instrument #2007000375280 of the Public Records of Lee County, Florida, said

point also being on the Northerly Right of Way line of Pondella Road as shown on that Right of Way map prepared by Ink Engineering dated 02/20/91 (County Project #4656); Thence along the Westerly line of said Tract "A" and the Easterly line of Del Pine Manor unrecorded running N 00°35'13" E for 257.00 feet to the Point of Beginning. From said Point of Beginning, run N 89°24'47" W for 150.00 feet to the Easterly Right of Way line of Hibiscus Drive; Thence run along said line N 00°35'13" E for 75.00 feet; Thence run S 89°24'47" E for 150.00 feet to an intersection with the Westerly line of said Tract A, Block 8067; Thence along said Westerly line S 00°35'13" W for 75.00 feet to the Point of Beginning.

Bearings based upon the Northerly Right-of-Way line of Pondella Road as being N 89°24'47" E.

A portion of Lot 1, Block A, Del Pine Manor unrecorded (unrecorded Book 1, Page 78) being more particularly described as follows:

Beginning at the Southwest corner of Tract "A", Block 8067 of East Cape Commerce Center as recorded in Instrument #2007000375280 of the Public Records of Lee County, Florida, said point also being on the Northerly Right of Way line of Pondella Road as shown on that Right of Way Map prepared by Ink Engineering dated 02/20/91 (County Project #4656); Thence along said Northerly Right of Way line running N 89°24'47" W for 150.00 feet; Thence leaving said line run N 00°35'13" E for 87.00 feet; thence run S 89°24'47" E for 150.00 feet to an intersection with the Westerly line of said Tract A, Block 8067; Thence along said Westerly line S 00°35'13" W for 87.00 feet to the Point of Beginning.

Bearings based upon the Northerly Right-of-Way line of Pondella Road as being N 89°24'47" E.

Exclusions Continued:

N. All of Section 29, Township 44 South, Range 23 East, as described in Exhibits "A" and "B", Lee County Case No. 71-1336 except that the east half (E 1/2) of said Section 29 was annexed by Ordinances 17-84 and 17-85 and the southwest quarter (SW ¼) of said Section 29 was annexed by Ordinance 16-85.

O. All of Section 30, Township 44 South, Range 23 East, as described in Exhibits "A" and "B", Lee County Case No. 71-1336.

The above territorial limits shall also include any and all lands which may be annexed thereto.

§ 2.02. Altered.

Section 1. The territorial limits of the City of Cape Coral, Lee County, as they appear in article 2 of Chapter 70-623, Laws of Florida, are hereby altered as follows:

Eliminate the east 1080 feet of N1/4 of Section 8, Township 44 South, Range 24 East, less the area described in Ordinance 119-03. Add the balance of Unit 17, Plat Book 14, pages 23 through 38, Cape Coral, lying in Section 9, Township 44 South, Range 24 East. Add the balance of Unit 86, Plat Book 24, pages 144 through 161, Cape Coral, lying in Section 22, Township 43 South, Range 24 East. Add the balance of Unit 40, Plat Book 17, pages 81 through 97, Cape Coral, lying in section 23, Township 43 South, Range 23 East. Add the W1/2 of Section 17, Township 44 South, Range 23 East, less parcels of greater Pine Island Water Company (E1/2 of W1/2 of W1/2 of SE1/2 of SW1/4, and W1/2 of W1/2 of W1/2 of SE1/4 of SW1/4). Add Unit 58, Plat Book 23, pages 128 through 146, Cape Coral, lying in Section 18, Township 44 South, Range 23 East. Add Section 13, Township 44 South, Range 22 East, less Matlacha Shores, Plat Book 10, Page 29, and less 1st Addition to Matlacha Shores, Plat Book 10, Page 42, and less two parcels to Richard W. Greene as recorded in Official Record Book 512, page 809, and less the westerly portion of Undivided Lot A, Unit No. 1, Matlacha Isles, Plat Book 16, Page 132. (Sp. Acts, Ch. 72-499, § 1; Amend. of 11-2-93, § 2.02)

Note--Special Act Chapter 72-499, which became law on March 9, 1972, amended the City's charter as set forth in the above section, which has arbitrarily been numbered as 2.02 by the editor.

ADDENDUM

THE FOLLOWING IS THE EXCERPTED PORTION FOR ARCHIVAL PURPOSES OF THE LEGAL DESCRIPTION FOR THE BULKHEAD LINE FROM THE CHARTER PRIOR TO LEGISLATIVE ACTION EXTENDING THE CAPE CORAL JURISDICTION 300 FEET EASTERLY AND PARALLEL WITH THE EXCERPTED LEGAL DESCRIPTION ALONG THE SOUTHEASTERLY CITY LIMITS WITHIN THE CALOOSAATCHEE RIVER.

THE BULKHEAD LINE WAS APPROVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA ON MARCH 20, 1973, DEED NO. 25376 (2494-36), AND ALSO RECORDED IN OFFICIAL RECORDS BOOK 965 AT PAGES 495 THROUGH 510 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA:

(See CHARTER LEGAL DESCRIPTION, PAGE 2)....."to a point near the southwest corner of "Cape Coral Unit 67" as recorded in Plat Book 25 at pages 57 through 65 of the Lee County Public Records, said point also being located in Section 22, Township 45 South, Range 23 East; thence continue along the shoreline of the Caloosahatchee River the following courses and distances: S 72° 27' 53" E 1017.43 feet, N 82° 35' 46" E 776.90 feet, S 80° 14' 01" E 588.85 feet, S 00° 47' 47" W 1438.53 feet, S 48° 37' 26" E 906.70 feet, N 77° 40' 26" E 891.02 feet, N 63° 07' 57" E 886.09 feet, N 84° 05' 26" E 2917.11 feet, S 84° 04' 41" E 774.56 feet, N 55° 34' 00" E 655.08 feet, N 19° 00' 56" E 921. 25 feet to a point at the southwesterly corner of Block 205 as shown on "Cape Coral Unit No. 3 Part One" as recorded in Plat Book 16 as pages 137 through 139 of the Public Records of Lee County, Florida; thence run along the shoreline of the Caloosahatchee River and said Unit No. 3 S 62° 23' 36" E 237.11 feet, N 32° 41' 49" E 1370.74 feet, NORTH 798.65 feet to a point known as BHL-33S, said point being at the southerly end of a Bulkhead Line approved by the Trustees of the Internal Improvement Trust Fund of the State of Florida on March 20, 1973; thence continue along said Bulkhead Line and the shore of the Caloosahatchee River the following courses and distances: N 00° 01' 23" W 666.63 feet, N 89° 58' 37" E 411.27 feet, N 72° 46' 35" E 208.61 feet to a point of curve; thence run along the arc of

a curve to the left having a radius of 150.00 feet and a chord bearing and distance N 52° 53' 26" E 93.90 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 400.00 feet and a chord bearing and distance N 46° 53' 26" E 151.37 feet to a point of compound curvature; thence run along the arc of a curve to the right having a radius of 1400.00 feet and a chord bearing and distance N 66° 28' 25" E 422.34 feet to a point of reverse curvature; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance N 69° 59' 07" E 27.00 feet; thence run N 64° 49' 18" E 191.46 feet, N 64° 45' 22" E 365.23 feet, N 69° 19' 36" E 46.37 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 500.00 feet and a chord bearing and distance N 84° 22' 38" E 259.67 feet; thence run S 80° 34' 20" E 154.60 feet, S 87° 48' 23" E 102.21 feet, N 83° 45' 37" E 506.06 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 125.00 feet and a chord bearing and distance N 42° 25' 41" E 165.11 feet; thence run N 01° 05' 44" E 26.01 feet to BHL-28S; thence run N 89° 14' 41" E 215.00 feet, S 05° 05' 15" E 39.21 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance S 42° 17' 23" E 181.39 feet; thence run S 79° 29' 31" E 129.14 feet, N 83° 24' 09" E 132.62 feet, N 89° 52' 32" E 383.29 feet, S 77° 00' 53" E 499.47 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 600.00 feet and a chord bearing and distance S 71° 43' 37" E 110.59 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 1200.00 feet and a chord bearing and distance S 74° 04' 06" E 318.62 feet to a point of reverse curve and BHL25S; thence run along the arc of a curve to the right having a radius of 600.00 feet and a chord bearing and distance S 72° 53' 41" E 183.64 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 350.00 feet and a chord bearing and distance S 76° 31' 13" E 150.65 feet; thence run S 88° 56' 54" E 101.86 feet, S 82° 42' 37" E 221.76 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance N 64° 22' 17" E 163.03 feet; thence run N 31° 27' 11" E 57.72 feet, S 77° 24' 00" E 209.06 feet, S 01° 21' 52" E 72.93 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance S 35° 26' 27" E 168.09 feet; thence run S 69° 31' 03" E 424.37 feet, S 00° 22' 02" W 14.92 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 250.00 feet and a chord bearing and distance S 67° 54' 42" E 185.05 feet thence run S 46° 11' 25" E 63.99 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance S 63° 01' 50" E 86.91 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 400.00 feet and a chord bearing and distance S 72° 10' 42" E 107.08 feet; thence run S 64° 29' 10" E 134.00 feet, S 67° 34' 05" E 168.90 feet, S 65° 28' 10" E 245.09 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance S 78° 45' 40" E 69.32 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 150.00 feet and a chord bearing and distance S 78° 50' 11" E 68.94 feet; thence run S 65° 33' 01" E 221.24 feet; S 29° 29' 18" W 27.41 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 200.00 feet and a chord bearing and distance S 68° 33' 17" E 55.97 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 150.00 feet and a chord bearing and distance S 60° 18' 48" E 84.12 feet; thence run S 44° 01' 44" E 272.49 feet, S 58° 17' 25" E 391.83 feet, N 00° 46' 12" W 102.72 feet, S 62° 43' 39" E 757.72 feet, S 79° 29' 44" E 131.49 feet to BHL19S at Redfish Point and a point of curve; thence run along the arc of a curve to the left having a radius of 85.00 feet and a chord bearing and distance N 59° 28' 09" E 120.21

feet to a point of compound curve; thence run along the arc of a curve to the left having a radius of 800.00 feet a chord bearing and distance N 08° 22' 56" E 169.66 feet; thence run N 02° 19' 18" E 537.56 feet, N 06° 07' 52" W 279.79 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 700.00 feet and a chord bearing and distance N 00° 32' 19" E 162.60 feet; thence run N 07° 12' 30" E 203.96 feet, N 09° 57' 57" E 202.01 feet, N 08° 41' 09" E 433.30 feet, N 14° 50' 50" W 358.27 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 500.00 feet and a chord bearing and distance N 08° 56' 39" E 403.41 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 1100.00 feet and a chord bearing and distance N 24° 31' 29" E 314.19 feet to a point of compound curve; thence run along the arc of a curve to the left having a radius of 50.00 feet and a chord bearing and distance N 36° 48' 58" W 80.00 feet; thence run N 89° 56' 46" W 83.33 feet, N 14° 59' 11" E 212.51 feet, N 88° 32' 38" E 36.78 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 65.00 feet and a chord bearing and distance N 57° 03' 34" E 67.89 feet; thence run N 25° 34' 31" E 91.24 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 1200.00 feet and a chord bearing and distance N 20° 48' 39" E 199.34 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 1,000.00 feet and a chord bearing and distance N 24° 31' 28" E 294.85 feet; thence run N 33° 00' 08" E 221.27 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 150.00 feet and a chord bearing and distance N 43° 22' 09" E 53.98 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 150.00 feet and a chord bearing and distance N 35° 58' 40" E 91.50 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 150.00 feet and a chord bearing and distance N 26° 25' 09" E 42.79 feet, thence run N 34° 37' 07" E 104.73 feet to BHL-12S; thence run N 23° 53' 05" E 81.52 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 100.00 feet and a chord bearing and distance N 36° 22' 13" E 43.24 feet to a point to reverse curve; thence run along the arc of a curve to the left having a radius of 350.00 feet and a chord bearing and distance N 26° 56' 53" E 261.18 feet to a point of reverse curve; thence run along the arc of a curve to the right having a radius of 500.00 feet and a chord bearing and distance N 10° 49' 03" E 100.63 feet; thence run N 16° 35' 40" E 320.02 feet, N 09° 47' 33" E 135.89 feet, N 15° 01' 53" E 232.36 feet to a point of curve; thence run along the arc of a curve to the right having a radius of 500.00 feet and a chord bearing and distance N 20° 21' 39" E 92.89 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 400.00 feet and a chord bearing and distance N 08° 51' 03" E 231.76 feet; thence continue N 07° 59' 20" W 19.53 feet, N 64° 55' 39" W 65.65 feet, N 24° 20'

31" E 101.55 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 100.00 feet and a chord bearing and distance N 86° 47' 32" E 89.55 feet to a point of compound curve; thence run along the arc of a curve to the left having a radius of 550.00 feet and a chord bearing and distance N 44° 56' 28" E 289.34 feet to a point of reverse curve; thence run along the arc of a curve to the left having a radius of 100.00 feet and a chord bearing and distance N 14° 13' 22" W 138.71 feet; thence continue N 31° 51' 51" E 126.00 feet, S 82° 40' 40" E 89.98 feet, N 64° 42' 53" E 181.01 feet, N 63° 53' 07" E 291.00 feet, N 73° 06' 26" E 272.33 feet, N 83° 21' 49" E 358.17 feet, N 87° 59' 08" E 363.36 feet, N 79° 44' 08" E 259.43 feet and N 57° 40' 52" E 126.14 feet to BHL-5S at Harney Point; thence continue along said Bulkhead Line and the Caloosahatchee River N 76° 50' 44" E 108.94 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 60.00 feet and chord bearing and distance N 29° 15' 46" E 88.59 feet; thence run N 18° 19' 13" W 225.13 feet to a point of curve; thence run

along the arc of a curve to the left having a radius of 50.00 feet and a chord bearing and distance N 64° 16' 28" W 71.88 feet; thence run N 07° 04' 47" W 129.38 feet, N 63° 50' 31" E 14.72 feet, N 00° 56' 15" E 285.98 feet, N 11° 49' 37" E 135.75 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 50.00 feet and a chord bearing and distance N 30° 37' 07" W 67.49 feet; thence run N 00° 00' 47" W 93.63 feet to BHL-1S at the south side of the Cape Coral Bridge Causeway; thence continue along the south line of the Cape Coral Bridge Causeway and the last line of the aforesaid approved Bulkhead Line S 89° 41' 19" E 142.41 feet; thence run northerly on a line crossing said Cape Coral Bridge Causeway N 11° 22' 42" E 440.05 feet to BHL-1N; thence continue northerly along the west shore of the Caloosahatchee River and along the Bulkhead Line as approved by the Trustees of the Internal Improvement Trust Fund of the State of Florida March 20, 1973, the following courses and distances: N 30° 18' 34" E 274.81 feet to a point of curve; thence run along the arc of a curve to the left having a radius of 26.91 feet and a chord bearing and distance N 55° 30' 13" E 33.43 feet; thence run N 17° 06' 19" E 151.58 feet, N 26° 10' 55" E 72.21 feet, N 37° 38' 10" E 84.62 feet, N 37° 31' 17" E 197.40 feet, N 36° 42' 36" E 240.50 feet, N 34° 00' 53" E 158.05 feet, N 33° 02' 00" E 82.30 feet, N 32° 44' 11" E 78.20 feet, N 33° 04' 49" E 78.95 feet, N 39° 08' 48" E 80.46 feet, N 34° 32' 13" E 84.47 feet, N 34° 47' 14" E 78.61 feet, N 34° 48' 05" E 324.82 feet, N 36° 36' 37" E 89.46 feet, N 34° 59' 47" E 95.39 feet to BHL-6N; thence continue along said Bulkhead Line along the westerly shore of the Caloosahatchee River the following courses and distances: N 34° 45' 37" E 503.25 feet, N 31° 34' 57" E 184.41 feet, N 25° 20' 04" E 134.35 feet, N 22° 38' 00" E 222.00 feet, N 17° 20' 10" E 289.94 feet, N 21° 22' 38" E 266.14 feet, N 07° 02' 08" E 209.94 feet, N 44° 24' 26" W 8.32 feet, N 13° 11' 48" W 208.13 feet, N 06° 13' 16" W 211.29 feet, N 05° 03' 42" W 277.63 feet, N 11° 35' 39" W 240.58 feet, N 17° 53' 57" W 204.16 feet, N 16° 12' 07" W 208.00 feet, N 12° 28' 09" W 136.53 feet to BHL-11N south of Plato Canal; thence continue N 05° 53' 59" W 257.98 feet, N 00° 24' 09" E 62.59 feet, N 09° 06' 23" E 70.39 feet, N 19° 56' 05" E 74.52 feet, N 28° 53' 04" E 78.11 feet, N 35° 53' 15" E 78.41 feet, N 36° 21' 05" E 79.67 feet, N 36° 01' 14" E 79.79 feet, N 35° 59' 12" E 240.68 feet, N 35° 57' 53" E 160.44 feet, N 40° 20' 33" E 78.95 feet, N 40° 58' 41" E 80.56 feet, N 40° 25' 24" E 321.82 feet, N 30° 04' 49" E 391.48 feet, N 35° 09' 47" E 69.87 feet, N 23° 19' 03" E 171.24 feet, N 19° 36' 46" E 124.13 feet, N 17° 47' 37" E 121.69 feet, N 04° 12' 03" W 80.54 feet, N 10° 52' 24" E 159.29 feet, N 11° 37' 07" E 80.00 feet, N 17° 48' 16" E 80.69 feet, N 17° 33' 57" E 82.28 feet, N 23° 08' 00" E 84.64 feet, N 30° 56' 29" E 96.09 feet, N 30° 43' 04" E 84.22 feet to BHL-16A-N located south of Palaco Grande Canal; thence continue along said Bulkhead Line N 18° 40' 49" E 284.29 feet, N 02° 53' 59" E 40.19 feet, N 07° 21' 26" W 10.28 feet, N 04° 13' 57" E 89.23 feet, N 02° 48' 27" E 198.11 feet, N 01° 52' 53" E 81.03 feet, N 05° 44' 06" W 81.43 feet, N 08° 34' 40" W 80.63 feet, N 12° 18' 22" W 122.04 feet, N 09° 33' 06" W 84.50 feet, N 03° 12' 26" W 45.08 feet, N 09° 45' 44" W 356.93 feet, N 15° 29' 32" W 83.92 feet, N 10° 54' 06" W 81.49 feet, N 29° 55' 44" W 90.61 feet, N 40° 46' 46" W 100.09 feet, N 26° 08' 42" W 184.06 feet, N 09° 46' 54" W 80.04 feet, N 12° 21' 24" W 84.05 feet, N 15° 05' 33" W 164.98 feet; N 11° 06' 16" W 40.10 feet, N 09° 36' 01" W 162.89 feet, N 11° 37' 46" W 71.85 feet, N 04° 18' 46" W 90.07 feet and N 11° 54' 46" W 52.85 feet to BHL-20N located south of Moody Canal; thence run N 13° 56' 57" E 266.46 feet, N 20° 52' 10" E 399.84 feet, N 23° 32' 00" E 164.69 feet, N 30° 57' 09" E 84.82 feet, N 41° 20' 40" E 190.97 feet, N 18° 23' 20" E 39.12 feet, N 25° 13' 11" E 205.61 feet, N 40° 45' 04" E 104.11 feet, N 30° 56' 38" E 170.47 feet, N 13° 11' 57" E 365.72 feet, N 23° 05' 46" E 115.40 feet, N 06° 08' 34" E 110.69 feet, N 11° 23' 24" E 50.16 feet, N 07° 47' 34" E 330.95 feet, N 11° 58' 48" E 229.26 feet to BHL-24N lying south of Lido Canal; thence continue N 10° 11' 04" E 377.41 feet, N 64° 24'

24" E 41.10 feet, N 56° 55' 42" E 45.23 feet, N 61° 23' 54" E 240.33 feet, N 74° 58' 34" E 85.13 feet, N 59° 10' 04" E 78.94 feet, N 73° 09' 58" E 79.84 feet, N 68° 29' 17" E 143.87 feet, N 84° 32' 22" E 105.22 feet, N 86° 53' 59" E 72.08 feet, N 88° 30' 47" E 76.21 feet, S 84° 24' 51" E 84.33 feet, S 71° 23' 46" E 91.67 feet, S 68° 43' 16" E 98.80 feet, S 80° 55' 14" E 50.85 feet, N 72° 50' 48" E 48.59 feet, N 72° 38' 14" E 97.19 feet, N 61° 39' 57" E 93.92 feet, N 69° 35' 38" E 258.50 feet, N 66° 33' 24" E 79.32 feet, N 64° 50' 28" E 268.06 feet, N 68° 45' 24" E 222.35 feet and N 59° 02' 09" E 38.98 feet to BHL-29N located west of Mackenzie Canal; thence continue N 74° 14' 34" E 340.81 feet, N 61° 45' 34" E 115.59 feet, N 57° 40' 02" E 263.86 feet, N 59° 42' 44" E 241.55 feet, N 56° 15' 21" E 90.03 feet, N 56° 12' 54" E 274.77 feet, N 38° 14' 34" E 245.77 feet, N 37° 05' 14" E 163.87 feet, N 36° 41' 06" E 82.05 feet, N 35° 33' 28" E 104.14 feet, N 36° 39' 08" E 194.80 feet, N 28° 54' 07" E 293.15 feet, N 18° 07' 34" E 368.36 feet, N 26° 30' 54" E 21.42 feet, N 38° 46' 41" E 228.47 feet to BHL-34N north of Everest Canal; thence continue along said Bulkhead Line N 52° 55' 54" E 113.07 feet and N 34° 13' 18" E 121.85 feet thence southeasterly a distance of 300.00 feet; thence northeasterly along a line extending 300.00 feet water ward from the existing shoreline to a point on the section line lying between Sections 28 and 33, Township 44 South, Range 24 East and the north end of said Bulkhead Line; thence run along said section line N 88° 35' 04" E 19.76 feet to the westerly limits of the City of Fort Myers";.....(See CHARTER LEGAL DESCRIPTION, PAGE 2 for continuation of Charter Legal Description)