
Miromar Lakes Community Development District

Regular Meeting Agenda

October 12, 2017



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Prepared by:

JPWARD AND ASSOCIATES LLC

*2900 Northeast 12th Terrace, Suite 1
Oakland Park, Florida 33334*

E-Mail: JimWard@JPWardAssociates.com

PHONE: (954) 658-4900

MIROMAR LAKES

COMMUNITY DEVELOPMENT DISTRICT

October 3, 2017

Board of Supervisors
Miromar Lakes Community Development District

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the Miromar Lakes Community Development District will be held on **Thursday, October 12, 2017, at 2:00 P.M.** at the **Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.**

1. Call to Order & Roll Call
2. Consideration of Minutes:
 - a) Regular Meeting – July
 - b) Regular Meeting - August 10, 2017
3. Ratification of transfer of the Armor Corps of Engineer's Permit from Miromar Development to the Miromar Lakes Community Development District and consideration of agreement with Miromar Development for the indemnification of the District for a portion of the water management system, and to agree to transfer the remaining portion of the water management system to the District.
4. Consideration of Request to transfer the Peninsula Phase 3 South Florida Water Management Permit from it's construction currently held by Miromar Development to Operations Phase, which will be in the name of the District.
5. Staff Reports
 - a) Attorney
 - b) Engineer
 - c) Asset manager
 - I. August, 2017 Report
 - II. September 2017 Report
 - d) Manager
 - I. Financial Statements for the period ending July 31, 2017.
 - II. Financial Statements for the period ending August 31, 2017
6. Supervisor's Requests and Audience Comments
7. Adjournment

Miromar Lakes Community Development District

The second order of business is consideration of the minutes of the July 31, 2017 and August 10, 2017 regular meeting.

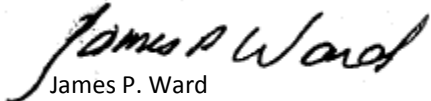
The third order of business is ratification of the transfer of the Army Corps of Engineer's Permit from Miromar Development to the District. Enclosed is a memorandum from the District Engineer outlining the transfer request.

As a part of this permit transfer a portion of the water management system that has not been completed nor transferred to the CDD the developer will indemnify the District for any actions taken by the Army Corps before the transfer is completed, and that the developer will transfer that portion of the water management system to the District upon completion.

The fourth order of business is consideration of request to transfer the South Florida Water Management District permit from construction phase to operations phase. Enclosed is a memorandum from the District Engineer outlining request and recommendation to authorize the transfer.

The balance of the Agenda is standard in nature and I look forward to seeing you at the meeting, and if you have any questions and/or comments, please do not hesitate to contact me directly at (954) 658-4900.

Yours sincerely,
Miromar Lakes
Community Development District


James P. Ward
District Manager
Enclosures

The Fiscal Year 2018 schedule is as follows

October 12, 2017	November 9, 2017
December 14, 2017	January 11, 2018
February 8, 2018	March 8, 2018
April 12, 2018	May 10, 2018
June 14, 2018	July 12, 2018
August 9, 2018	September 13, 2018

**MINUTES OF MEETING OF THE
MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Miromar Lakes Community Development District's Board of Supervisors was held on Thursday, July 13, 2017, at 2:00 p.m. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Board members present and constituting a quorum were:

Dr. David Herring	Chairman
Mr. Doug Ballinger	Vice Chairman
Mr. Alan Refkin	Assistant Secretary
Mr. Burnett Donoho	Assistant Secretary
Mr. Michael Weber	Assistant Secretary

Staff present:

James Ward	District Manager
Greg Urbancic	District Counsel
Paul Cusmano	Calvin Giordano & Associates
Bruce Bernard	Calvin Giordano & Associates
Charlie Krebs	District Engineer

Audience:

Mary LeFevre	Resident
Tim Byal	Miromar Development Corporation

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 2:00 p.m. A roll call determined that all members of the Board were present.

2. Consideration of Minutes

a) June 08, 2017 Regular Meeting

Mr. Ward indicated that the Board had previously received copies of the minutes and asked if there were any additions, corrections or deletions. Dr. Herring stated that Mr. Gold's name was misspelled on Page 5, there was an error in speaker identification on Page

4, Section 8, and the word 'know' had been omitted in that section as well. Mr. Ward made note of these corrections.

Motion was made by Mr. Ballinger and seconded by Dr. Herring to approve the Minutes of the June 08, 2017 Meeting with corrections as described above, and with all in favor, the motion was approved.

3. Continued comments and discussion of the Proposed Budget for Fiscal Year 2018

Mr. Ward asked for further comments regarding the budget. He reminded the Board that the budget would go to public hearing next month and explained that following this meeting, it would be difficult to make further changes.

Dr. Herring asked about an item on Page 1 and if the amount of \$25,000 was anticipated. Mr. Ward responded affirmatively as the Board did not have the full agreement yet with Alico on the use of the lake. He said Alico had reached out and started those discussions within the last 30-60 days. He said the agreement did not include a huge amount of work, and the amount of \$25,000 should be sufficient.

A question was asked if expenditures on bulrushes, possibly amounting to \$30,000, had been included in the budget. Mr. Ward responded it was not specifically included, but funds could be moved around later on to deal with that issue.

Mr. Weber asked about an item listed under the Revenue section concerning on-roll and off-roll special assessments. Mr. Ward responded that the on-roll assessments were all of the platted units within the project, and the balance, \$454,000, was the land that was owned by Miromar Development, and they would pay an off-roll assessment.

Mr. Ward added that the budget total in revenue was \$1,402,629, and at the bottom of Page 2 were the total expenditures, which equaled the same amount. He stated the revenue and expenditures both tied out for fiscal year 2018. He added some came from assessments paid by property owners, some came from Miromar Lakes, and a little came from interest income received each year.

Mr. Weber asked about Page 9, the Debt Service. Mr. Ward responded that the \$1,402,000 was only related to the General Fund itself and not related to bond issues at all. Mr. Ward said that starting on Page 9 were the Series 2012 Bonds, from which was received \$1,035,000 in revenue and that amount would be expended. He said there was the same split out in the 2012 Bonds as was in the General Fund. Mr. Ward then directed the Board to Page 11, which listed the 2015 Bonds, which had \$1,526,000 in both revenue and expenditures. He added that these were the three separate funds or accounting systems that were in place for the District, which included the General Fund and two Debt Service Funds. He said the actual assessment rolls for the District were not available yet, but would

be in the next week or two; and then a complete assessment roll could be completed. He said Pages 13 and 14 contained a summary by community.

Mr. Weber then asked about the line item Other General Government Services. Mr. Ward stated that General Engineering was basically the difference, and it was hard to define what Charlie Krebs' or Greg Urbancic's services would be.

Mr. Donoho commented that a 50 percent increase was excessive. Mr. Ward responded that reducing Mr. Krebs' budget would not be a major issue. He added that over the years he had tried to manage the contingencies so that they were more accurate. He suggested that the amount for Mr. Krebs could be changed from \$20,000 to \$15,000, and it was agreed upon.

Mr. Weber continued with a question about the Aquatic Control item and if there was anticipation that this figure would change. Mr. Ward replied it would not most likely change. It was pointed out that this was a bid item, which would be up for bid again in 2018, and so this was an estimate.

Mr. Weber then asked what water control structures were. The response was that they were drain structures that the District maintained. It was added that they were inspected every three years. He then asked about plant replacements under Landscape Services, and it was said that the increase was due to a fire that burned a good deal of material.

Mr. Refkin commented that most financials had footnotes in them which explained the logic behind items, and he asked if Mr. Ward could create these references. Mr. Ward said he could do that.

Mr. Weber asked about the Capital Outlay. He said based on all the numbers, it appeared that the adopted per unit rate was \$739.98. Mr. Ward said it was \$730.72, and would be less with the proposed change to the General Engineering figure. Mr. Ward said the \$739.98 was the Cap Rate, the highest rate which could not be increased unless individual notices were mailed to all residents.

Mr. Weber then asked about the per unit addition from revenue loss, and Mr. Ward explained that was due to the reduction by the developer in the square footage from 100,000 to 50,000. He said the developer will pay off whatever series of bonds of the par debt associated with that. That had the effect of a reduction of \$55,000 in revenue for the 82 units associated with that 50,000 square feet of commercial buildable square footage that would not be built.

Dr. Herring asked who verified the number of developer units that were lost because the number seemed to change often. He also asked why the developer's rate per unit was \$702.61 as opposed to \$730.72. Mr. Ward responded that when the tax rolls were received, they were combined into two parts: 1. an individual parcel number with the name by it; 2. another parcel number that was for undeveloped property. He said Mr. Byal and Alice determined the number of parcels in the undeveloped property. He stated the number

might change as the property was developed. He said the reason the rate was slightly different was a discount was applied for the developer, and there were no fees because the parcels were not put on the tax roll. Mr. Ward emphasized that the numbers were verified from the tax rolls and from the issuance of the bonds and from the units that were assigned to undeveloped units, and then this was verified with the developer.

Upon conclusion of the budget discussion, Mr. Ward stated he would make the one change of reducing the Engineering figure by \$5,000, and the budget was complete for the Public Hearing.

4. Staff Reports

a) District Attorney

Mr. Urbancic reported that there had not been much support to dissolve the University Overlay District. He said the County was already moving forward on the next fiscal year and had sent out a notice to keep the rate basically the same as last year, \$3.15 per foot.

Mr. Urbancic said the Board has been asked to review some documentation from Ravenna, a multi-family project, which would like the Board to take over their internal lake and shoreline. He added they had just recently ripped their shoreline. He said that would come forward in the future, and an easement would be granted, so the CDD would maintain the lake.

It was asked if the riprap was in the original plan.

Mr. Krebs stated he was the engineer for Ravenna, and when they originally began the development, they were told that when they got to close out, they would want to be able to transfer the lakes over to the CDD because the residents were already paying the lake maintenance fee. He said the HOA had not created the lakes as separate parcels, and so they could not deed the land to the CDD. Therefore, he said the only option was a long term maintenance agreement with an easement. He said that was the closest Ravenna could come to deeding the lakes without entering into a complicated process. Mr. Urbancic stated Ravenna just wanted to do an easement at this point, and he wanted the Board to be aware that this was coming up.

Mr. Krebs clarified that Ravenna had gotten approval from Lee County and South Florida for the riprap.

The question of how the maintenance of Ravenna's lakes would affect the budget was posed, and it was stated the amount would be small. Mr. Krebs stated he would include an estimate of that cost when the other documentation was considered.

It was asked if the CDD was responsible for all the waters within Miromar. Mr. Urbancic responded the exhibit, which was being produced for the budget for the Board, would have a lake exhibit which would contain a list of these areas and whether or not they

were owned by the CDD. It was asked if this document would include all the berms, and the answer was affirmative.

b) District Engineer

Mr. Krebs stated that he had nothing further to add.

c) Asset Manager

Mr. Bernard gave a progress report on the bulrush control project. The bulrushes on the lakes on the golf course were discussed, and the Board was informed as to which golf course lakes were owned and maintained by the CDD. Mr. Bernard said it would cost about \$34,000 a year to cut back the bulrushes, and \$27,000 for total removal and replacement (\$14,000 to remove, and \$13,000 to replant with a different plant). The Board agreed that removal and replacement was the best option.

Mr. Ward stated that he would look through the financials, and a budget amendment would be brought to the Board next month. Mr. Bernard stated he believed he could be ready with his part by next month. A discussion ensued of possible replacement plants for the bulrush areas.

d) District Manager

No report.

5. Supervisor's Requests and Audience Comment

Mr. Ward called for comments from the Board or the audience. An audience member, Mary LeFevre, asked a follow up question from last meeting concerning an issue with a construction vehicle moving dirt into a canal. Mr. Ward stated he had discussed the issue with Mr. Krebs, who then had gone on vacation, so they had not been able to get very far in the investigation. He said they would continue to look into the issue immediately.

6. Adjournment

With no further comments or questions from the Board, Mr. Ward asked for a motion to adjourn.

Motion was made by Mr. Refkin and seconded by Mr. Donoho to adjourn the meeting, and with all in favor the motion was approved.

The meeting was adjourned about 3:00 p.m.

James P. Ward, Secretary

Dr. David Herring, Chairman

**MINUTES OF THE MEETING OF THE
MIROMAR LAKES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Miromar Lakes Community Development District's Board of Supervisors was held on Thursday, August 10, 2017, at 2:00 p.m. at the Beach Clubhouse, 18061 Miromar Lakes Parkway, Miromar Lakes, Florida 33913.

Board members present and constituting a quorum were:

Dr. David Herring	Chairman
Mr. Doug Ballinger	Vice Chairman
Mr. Alan Refkin	Assistant Secretary
Mr. Burnett Donoho	Assistant Secretary
Mr. Michael Weber	Assistant Secretary

Staff present:

James Ward	District Manager
Paul Cusmano	Calvin Giordano & Associates
Bruce Bernard	Calvin Giordano & Associates
Charlie Krebs	District Engineer

Audience:

Gary Gold	Resident
Tim Byal	Miromar Development Corporation

1. Call to Order & Roll Call

Mr. Ward called the meeting to order at 2:05 p.m. A roll call determined all members of the Board were present with the exception of Supervisor Donoho, who arrived during the meeting.

2. Public Hearings

a) Fiscal Year 2018 Budget

Mr. Ward asked for a motion to open the Public Hearing.

<p>Motion was made by Mr. Ballinger and seconded by Mr. Refkin to open the Public Hearing, and with all in favor, the motion was approved.</p>

Mr. Ward asked for comments concerning the Fiscal Year 2018 Budget. Hearing none, he stated he had not received any written comments, and asked for a motion to close the Public Hearing.

Motion was made by Mr. Refkin and seconded by Mr. Ballinger to close the Public Hearing, and with all in favor, the motion was approved.

Mr. Ward asked for Board comment and stated there had been only one change which was a reduction in the engineering fees from \$20,000 to \$15,000.

Dr. Herring asked concerning who did the yearly removal of dead vegetation around the perimeter of the District's water management system. Mr. Bernard responded it was Lake Master's. On Page 5, Dr. Herring asked concerning Contract Reporting, \$2,000. Mr. Bernard responded was this was a separate firm which updated the District's environmental contracts periodically, and the reports were given to Mr. Bernard and Mr. Krebs. Mr. Ward stated unless there was something for the Board to consider, this report was simply filed.

Mr. Ward called for further comments. Hearing none, he asked for a motion to adopt Resolution 2017-7, which adopted the Annual Appropriation and Budget for Fiscal Year 2018.

Motion was made by Dr. Herring and seconded by Mr. Ballinger to adopt Resolution 2017-7, the Annual Appropriation and Budget for Fiscal Year 2018, and with all in favor, the motion was approved.

b) Fiscal Year 2018 Imposing Special Assessments; Adopting an Assessment Roll and Approving the General Fund Special Assessment Methodology

Mr. Ward called for a motion to open the Public Hearing.

Motion was made by Mr. Refkin and seconded by Dr. Herring to open the Public Hearing, and with all in favor, the motion was approved.

At this juncture, Supervisor Donoho joined the meeting in progress.

Mr. Ward asked if there were any questions or comments from the public related to the General Fund Assessment or the imposition of the General Fund Assessment for Fiscal Year 2018. Hearing none, Mr. Ward commented he had not received any written comments or testimony with respect to the levy of the assessment for Fiscal Year 2018. He asked for a motion to close the Public Hearing.

Motion was made by Mr. Refkin and seconded by Dr. Herring to close the Public Hearing, and with all in favor, the motion was approved.

Mr. Ward asked for Board comments or questions. Hearing none, he called for a motion to adopt Resolution 2017-8.

Motion was made by Dr. Herring and seconded by Mr. Ballinger to adopt Resolution 2017-8 as described above, and with all in favor, the motion was approved.

3. Consideration of Resolution 2017-9

Mr. Ward stated Resolution 2017-9 set the date, time and location for regular meetings of the Board of Supervisors of the District for Fiscal Year 2018. He said it was the same day, date and time as it had been, the second Thursday of each month at 2 p.m. at the Beach Clubhouse.

Motion was made by Mr. Ballinger and seconded by Mr. Donoho to adopt Resolution 2017-9 as described above, and with all in favor, the motion was approved.

4. Consideration of Resolution 2017-10 Amending the General Fund Budget for Fiscal Year 2017

Mr. Ward stated Resolution 2017-10 amended the General Fund Budget for Fiscal Year 2017. He said the exhibit to the resolution highlighted the Board's discussion at the last meeting with respect to bulrush removal and plant replacement. He said the line item of \$36,000 was moving into Aquatic Weed Control from the Erosion and Restoration Program. He said this codified what was discussed at the last meeting by Mr. Bernard.

Hearing no questions, Mr. Ward called for a motion.

Motion was made by Dr. Herring and seconded by Mr. Ballinger to adopt Resolution 2017-10 as described above, and with all in favor, the motion was approved.

5. Staff Reports

a) District Attorney

Mr. Ward advised that Mr. Urbancic could not be with us today, due to an emergency and that Mr. Urbancic said there was no report as there had been no movement on the University Overlay District pending ordinance.

b) District Engineer

Mr. Krebs stated the report on Navona needed to be corrected in the fifth paragraph, second sentence, which should read, "It's my opinion that the CDD should not be responsible to repair this." He reviewed the information in the report. Mr. Krebs stated Mr. Ward had forwarded some correspondence from Mr. Gold about erosion in Navona. He said he sent an engineer from his office to take pictures of the conditions. He showed these photographs to the Board and said the erosion seemed to be caused by a drainage pipe which came down from the homes and was located underneath the docks and did not extend out into the lake. The water rushing out had been undermining the area. He concluded this area did not look like other areas, and it should not be a CDD responsibility, but the homebuilder's.

Mr. Refkin asked Mr. Krebs to explain where the CDD responsibility started physically according to the photograph.

Mr. Krebs responded the CDD responsibility included the 20-foot easement, but the dock was not included.

Discussion ensued among the Board, and it was stated instructions were given to home builders about how and where to put the pipes, which obviously had been ignored in this situation. The comment was made that docks were built on CDD property without CDD involvement in regulating them.

Mr. Krebs said for the most part the docks were installed before the lakes were turned over to the CDD.

Mr. Refkin asked if there was a procedure where dock builders were required to come to the CDD. He asked Mr. Byal if there was a procedure where Miromar would come to the Board to ask permission to put in the footing.

Mr. Byal's response was negative, and he added he didn't think the CDD had regulatory authority over the docks. He said the CDD had an easement right in order to maintain the lake.

Mr. Refkin's response was the Board did not want to get into the dock business, but what he was saying was the Board had responsibility for the floor.

Mr. Byal stated residents were required to get dock approval from the permitting agency of the County.

Mr. Ballinger commented it seemed in recent years builders had gone to furnishing the permit but not the actual dock, so the process was disjointed.

Mr. Byal stated usually it was the owners who hired a dock builder. He said the ARB approval Board gave approval and stated the dock was in compliance with the parameters of construction in Miromar. He also added there was no fee for this approval.

Mr. Ballinger clarified by asking if he wanted to build a dock, would he have to give the builder \$40,000. Mr. Byal responded it was not charged in any neighborhood other than Verona Lago, that was a correct statement.

The discussion continued, and it was asked if any of the docks were constructed with pilings which entered the ground in land which the CDD owned. The response was every one of them did. It was asked how then the CDD could not be involved in the process of dock approval.

Mr. Byal responded the CDD did not have ownership; they had easement rights.

Mr. Ward stated his experience had been CDDs did not get involved in building or permitting activities as that responsibility was provided by the local government. He noted that the County had the authority to enforce the standards. The County should be the one who enforces the building code for a dock installation, and hold the builder accountable for that construction. I don't know what that standard is for a dock installation maybe Charlie can speak to that issue.

Mr. Krebs stated that whenever someone pulled a dock to shore permit, the contractor who was pulling it, had to give the County the design documents. He said all that information must be provided to the agencies, including SFWMD, who grant approval and then it must be certified to close out the permit.

Mr. Refkin said this was symptomatic of other issues the Board has had including air conditioning units being placed in the easement. He said this was an example of how in these processes the CDD was not informed or involved.

Mr. Bernard stated that the CDD should be involved at the end, maybe with a call, so the property could be checked to be sure all criteria were met. It was said the homeowner would not necessarily see potential problems, but a builder should. A comment was made that most likely this drain pipe issue was not intentional, and what was done at the time seemed the best solution. It was also pointed out the water level of the lake probably was contributing to the issue.

Mr. Bernard was asked how far out it was recommended to have the drainage pipes. The response was the recommendation was 4-5 feet out, but it was also to a certain depth and according the type of pipe.

A point of clarification, was the CDD responsible up to the control level and 20 feet. Mr. Krebs responded there was a 20 foot lake maintenance easement which started at control and went to the houses. He said in the past year it was determined the CDD would try to maintain the side slope and address any erosion which happened in that 20 feet. He said similar to the past, if there was a point upward, which was the homeowner's responsibility, that was causing the erosion, this would need to be addressed first. He added normal wear and tear over time was also something the CDD addressed. A comment was made the CDD would maintain, but not if the erosion was a result of something being done improperly. Mr. Krebs responded yes.

Mr. Refkin questioned if there really had been faulty construction as it was to code and had been inspected. He said he would call it a design issue but not faulty construction. The comment was made that preventative maintenance was being done for these drains.

Mr. Krebs showed a drainage exhibit which mapped all the lakes owned and maintained by the CDD, and a landscape buffer exhibit which showed all the areas the CDD owned or maintained as far as the perimeter landscaping. He said in Ravenna the internal lake was always intended to be turned over to the CDD, but it had not been but a solution was being worked on. He said there was also a lake in Bellini which may also come to the CDD.

The Board discussed this issue and the question was asked if the waterway in front of Volterra transitioned over or not. The answer was no. Mr. Krebs said this property was similar to Bellini.

Mr. Krebs stated this property was in the process of being put together in a package to be brought before the Board to be turned over to the CDD. Similar to Bellini and Ravenna, the shorelines would be inspected to make sure they were correct, which was a requirement the Board put in place some time ago. If correction was necessary, this must be done before the CDD received them.

c) Asset Manager

Mr. Bernard reported a savings of \$75,000 in the restoration due to the savings in the fill. He said there was also a savings on a project in Verona Lago of \$2,000. He said the retention wall in Bellamare was permitted. He said he would be meeting with the landscape contractors to express his displeasure with the weeds in the medians on Ben Hill Griffin Parkway, and he said if the problem was not resolved, he told them he would hold five months retainage. He said Brightview told him they had been trying by putting herbicide down but the rain was washing it out. He said he told them if it could not be done by the end of the month, then he would put them on notice. It was mentioned the landscape company's trucks leave ruts on the grass

when they park. Mr. Bernard said he has talked to them about that, but he would again.

d) District Manager

Mr. Ward stated the contract with Brightview Landscaping Company began on December 1st, which was structured as seven 1 year unrenowable contract terms. He said he included in the agenda package a renewal which did two things: Kept the price for the second year, and changed the contract date to start from January 1 to October 1. It doesn't change the termination agreement, so Brightview could be terminated if Mr. Bernard decided to do so.

Mr. Ward asked for a motion to adopt the amendment to the Brightview contract.

Motion was made by Mr. Refkin and seconded by Mr. Ballinger to adopt the Brightview Contract Amendment, and with all in favor, the motion was approved.

6. Supervisor's Requests and Audience Comment

Mr. Ward called for comments from the Board or the audience.

7. Adjournment

With no comments or questions from the Board, Mr. Ward asked for a motion to adjourn.

Motion was made by Mr. Refkin and seconded by Mr. Ballinger to adjourn the meeting, and with all in favor the motion was approved.

The meeting was adjourned about 3:00 p.m.

James P. Ward, Secretary

Dr. David Herring, Chairman



MEMORANDUM

To: Miromar Lakes CDD Board
From: Charles L. Krebs, P.E. – CDD Engineer
Date: September 6, 2017
Subject: ACOE Permit 199507483 (IP-MN) Transfer

HM Project No. 2003022

Please accept this report as a request for the District to approve the transfer of the July 10, 2000 approval of the Army Corps of Engineer's Permit 199507483 (IP-MN). The ACOE permit was approved on July 10, 2000 and issued to Miromar Lakes LLC. The ACOE permit approved the dredging and filling of existing wetlands and existing surface waters required to construct the Miromar Lakes Community. In general terms the permit approved the following activities:

- Dredging and filling of certain wetlands;
- Mitigate approved wetland Impacts (Refer to Wetland Mitigation Plans);
- Continue monitoring and maintenance of wetlands and protected species per the approved mitigation area and monitoring plans.

The permit includes these general and specific conditions of special note which I feel are prevalent to the CDD:

General Conditions

- 1) You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 4) If you sell the property associated with this permit you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

Special Conditions

- 7) The permittee shall provide the location for the Priority 1 panther habitat purchase within 180 days from the issuance of the Corps permit. The Priority 1 lands proposed for purchase shall be approved by the Corps and the FWS prior to the transfer of any funds to purchase the property.

- 10) The permittee shall place the purchased Priority 1 habitat lands in a conservation easement (CE) approved by the Corps, the FWS and the SFWMD. The CE language shall be submitted with the information required in special condition 7 above.

On January 29, 2004, Miromar Lakes CDD took ownership of mitigation areas M-1, M-2, M-3 and M-4 and the existing borrow pit (South Lake) from Miromar Lakes LLC. See attached deeds. The mitigation areas are a requirement of both the SFWMD and ACOE permits.

The July 10, 2000 approved ACOE permit allows for the continued excavation and placing of fill within the existing borrow pit. The permit also approves the impacts to onsite wetlands required to develop the Miromar Lakes Communities. Mitigation areas M-1, M-2, M-3 and M-4 are conservation areas set aside and improved by the CDD to satisfy the ACOE and SFWMD requirements. In addition, almost 200 acres of land was purchased by the CDD in Hendry County to address the requirement for Panther habitat in both permits.

On April 5, 2007 Miromar Lakes Corp. received approval of a second ACOE permit (SAJ-1995-7483 (IP-MN) Addition) connected to the proposed development of the 480± acres located south of FGCU. While the two permits share similar permit numbers, the description of the proposed improvements and required mitigation for the 2007 approval is connected to the development and impacts located outside of the original ACOE permit.

As part of CDD's efforts to address the non-compliance letter from SFWMD, we submitted to SFWMD an application to permit the rip rap installed by the residents along the shore line of Verona Lago and other communities along the southeast corner of the South Lake without approval from SFWMD.

A copy of the application was forwarded to ACOE by SFWMD. The ACOE issued a letter to Miromar Lakes Development Corporation on June 30, 2017 requesting additional information on the SFWMD application. The CDD's application to SFWMD to resolve the resident installed rip rap had created an unintended conflict between the CDD's attempt to clean up non-compliance issues with SFWMD and Miromar Lake LLC's approval request for University Village.

Miromar Lakes LLC contacted me around the beginning of August regarding the transfer of the ACOE permit about their communications with ACOE regarding our SFWMD application. At that time it was expressed that ACOE was looking for information on the entity that is responsible for operation and maintenance of the ACOE jurisdictional improvements, namely the wetland mitigation areas and the old mine lakes. Miromar Lakes was going to be putting together a package to provide to the ACOE that would indicate that the wetland mitigation areas as well as most of the recreational lake area covered by the ACOE permit was owned and maintained by the CDD. Through my discussions with the Developer it was expressed that the ACOE had concerns as about the maintenance of the mine lake and the mitigation areas and they may inspect the property to insure the community was in compliance with the permit. I emailed the information to Mr. Ward and discussed the situation with Mr. Ward and Mr. Urbancic. At that time the ACOE had not moved this into a non-compliance status.

August 22, 2017 the ACOE issued a second letter that required an acknowledge receipt of the letter within 15 days. The second letter outlined the two non-compliance issues.

General Condition 2: You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which

may require restoration of the area. On June 21, 2017, the Corps received an application from Miromar Lakes CDD requesting after-the-fact authorization for the placement of approximately 10,000 linear feet of riprap and proposing to place additional riprap in waters regulated by the Corps of Engineers under Section 404 of the Clean Water Act. The unauthorized riprap and location of proposed new riprap is located within the previously-authorized project site and appears to benefit the development regulated under the original 2000 permit for which Miromar Lakes LLC is the Permittee.

The rip rap indicated in the comment above was also addressed by SFWMD in their non-compliance letter dated September 18, 2015. The Miromar Lakes CDD Board agreed to bring the shoreline into compliance. An application was filed with SFWMD to permit the resident installed rip rap. The Board also started a capital improvement program aimed at restoring the shoreline to the original permit condition, repairing any damage rip-rap located along the shoreline and installing drainage pipes and inlets to help control future erosion.

General Condition 4: If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

Review of the Lee County Property Appraiser's website determined there are several entities, including Miromar Lakes, LLC and Miromar Lakes CDD, that now own the parcels located within the authorized project site. The Permittee(s) must possess the requisite property interest to comply with all terms and conditions of the DA permit. To date, the Corps has not received a request to either transfer the permit or to add any other entity(ies) as Co-Permittee(s). Therefore, you are not in compliance with this condition of the permit.

As stated previously on January 29, 2004, the Miromar Lakes CDD took ownership of the existing borrow pit (South Lake) and the wetland mitigation areas M-1, M-2, M-3 and M-4. At that time a transfer of the ACOE permit from the Permittee to the CDD should have taken place. For reasons unknown at this time this action was not done.

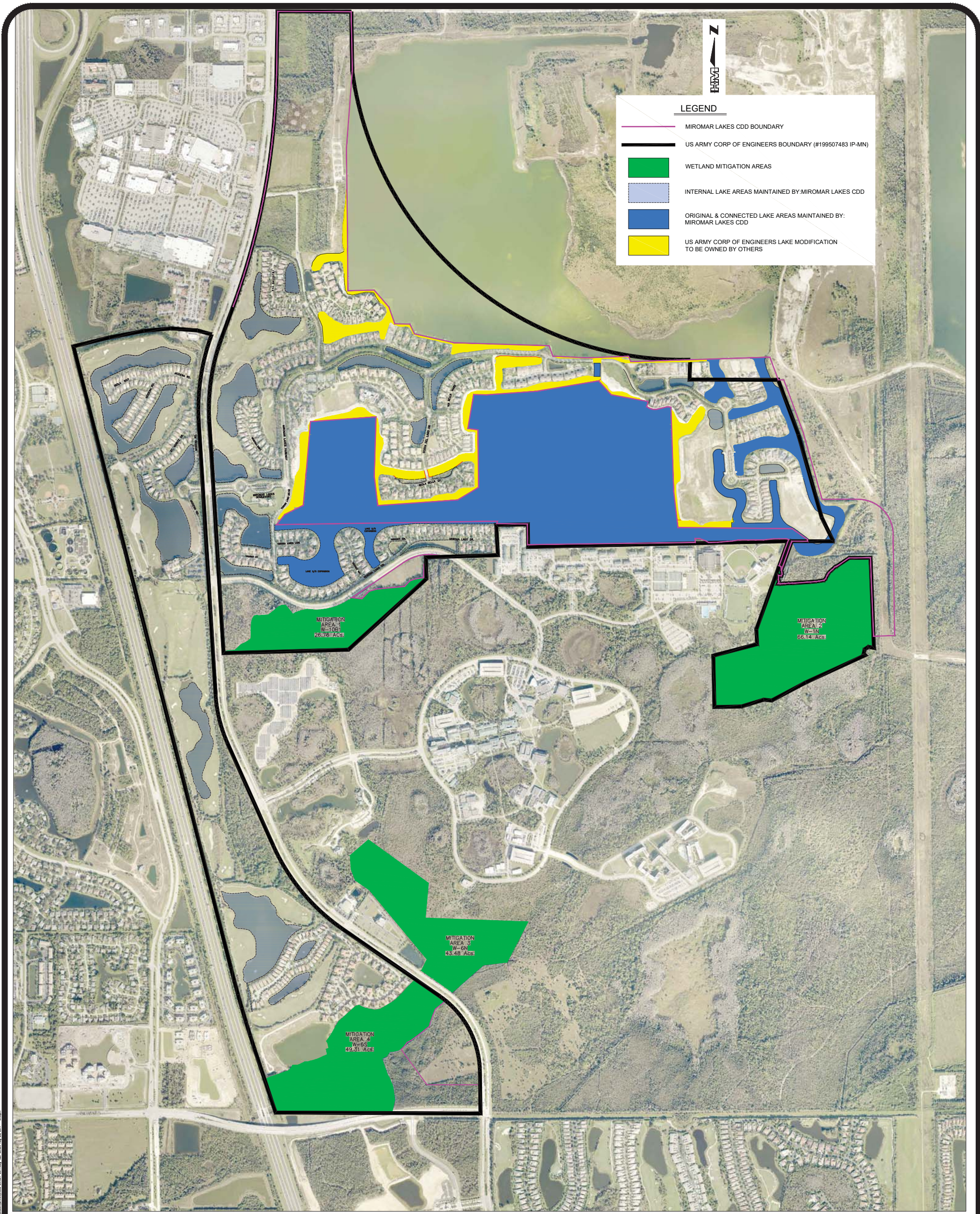
The final page of the ACOE letter states the following; *On an administrative level, the permit may be suspended, revoked, or modified and administrative penalties may be assessed in accordance with the Corps' regulations. The administrative penalty process requires the Corps give actual notice to the appropriate state agency and give public notice and provide an opportunity for public comment. The U.S. Army Corps of Engineers (Corps) may levy a Class I Administrative penalty in an amount not exceeding \$32,500.*

It is my opinion that the ACOE will look at the non-compliance issues in the same manner as SFWMD. Their first attempts to address any non-compliance issues will be to the permittee. If the permittee can demonstrate that the non-compliance issues are on land that is not owned and operated by the permittee they will then look at the landowner to make any necessary corrections and file any required permits.

As the CDD owns the underlying land, has submitted an application to SFWMD to address the riprap and is engaged in a capital improvement project to maintain and in some place improve the shoreline of all the lakes within the boundary of the CDD I believe there will be no question that the CDD is the responsible entity with regards to the non-compliance issues. In order to avoid possible fines of \$32,500.00 and other possible penalties, I recommend the board ratify the District Manager's authorization to transfer the ACOE permit from the Developer to the CDD to avoid any potential fines and penalties that may be levied, and to bring the permit into compliance.

If you have any questions, please feel free to contact me.

ACOE Permit Exhibit



6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of
Authorization No.1772

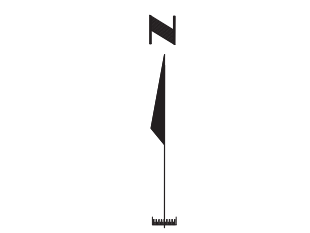
MIROMAR LAKES - CDD ACOE EXHIBIT

© 2007 H&M HOLE MONTES ENGINEERS-PLANNERS-SURVEYORS. All rights reserved. 10/2007

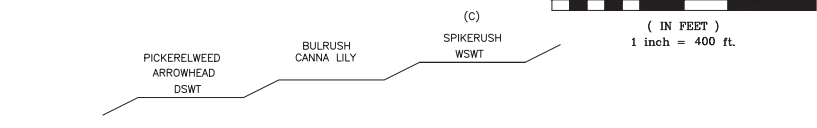
Rip Rap Location Exhibit



RECOMMENDED PLANTING ELEVATIONS	
3' FLUCTUATION	
(A)	2.25' - 1.5' BELOW WSWT
(B)	.75' BELOW WSWT - WSWT
(C)	1' BELOW - .5' ABOVE WSWT

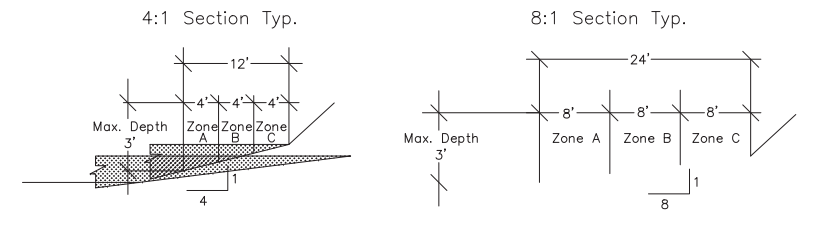


LITTORAL SHELF PLANTING AREA SHALL BE INITIALLY PLANTED WITH AT LEAST THREE DIFFERENT SPECIES. NO SPECIES SHALL CONSTITUTE MORE THAN 50 PERCENT OF COVERAGE AND AT LEAST ONE SPECIES SHALL BE HERBACEOUS.

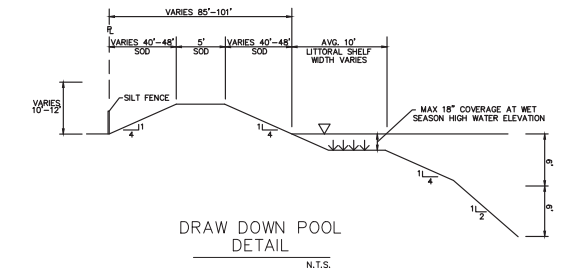


PLANTING ELEVATIONS FOR LITTORAL VEGETATION

DSWT = DRY SEASON WATER TABLE
WSWT = WET SEASON WATER TABLE



TYPICAL LAKE SECTION TYPICAL DRAW DOWN POOL SECTION



DRAW DOWN POOL DETAIL
N.T.S.

EXIST / PROPOSED LAKE 5 & 6 SHORELINE:

TOTAL SHORELINE	74,574 L.F.
• MIROMAR LAKES CDD	57,442 L.F.
• CENTER PLACE	14,600 L.F.
• F.G.C.U.	2,532 L.F.
EXISTING RIP-RAP	
• MIROMAR LAKES CDD	21,389 L.F.
• APPROVED / MAINTAINED	10,677 L.F.
• MAINTAINED	10,712 L.F.
• CENTER PLACE	0 L.F.
• F.G.C.U.	1,280 L.F.
ALLOWABLE RIP-RAP AT 20%	
• 20% X 57,442 L.F. =	11,488 L.F. ALLOWED
	10,677 L.F. APPROVED / MAINTAINED
	10,712 L.F. EXISTING / MAINTAINED

L:\Development\Projects\COMPLIANCE\Miromar Rip_Rap\01-2016\01_EC - Existing Conditions-CDD.dwg Title: Lycopart Aug 18, 2017 - 4:59pm

5		
4		
3		
2		
1	EXISTING / OWNED / MAINTAINED SHORELINE	8/18/2017
LETTER	REVISIONS	DATE

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT
MIROMAR LAKES BEACH AND GOLF CLUB
LEE COUNTY, FLORIDA

DESIGNED BY: CLK DATE: 06/12/06
DRAWN BY: CLK DATE: 06/12/06
CHECKED BY: CLK DATE: 06/12/06
VERTICAL SCALE: N/A HORIZONTAL SCALE: 1" = 400'



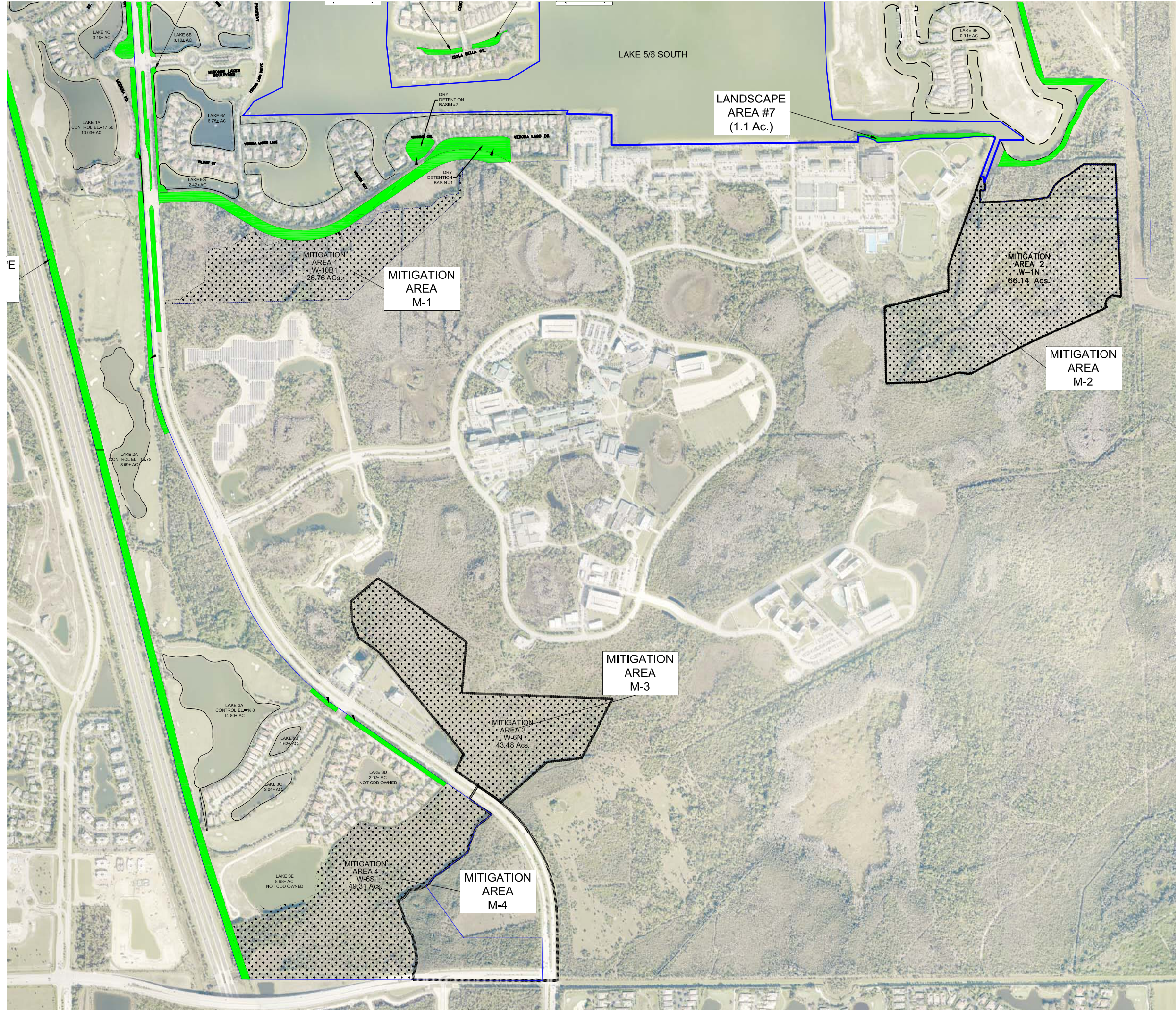
6200 Whiskey Creek Drive
Fort Myers, FL. 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772

EXISTING CONDITIONS

THESE DRAWINGS ARE NOT APPROVED UNLESS SIGNED AND SEALED BELOW:
CHARLES L. KREBS
FLORIDA PROFESSIONAL ENGINEER
REGISTRATION #56835
DATE

REFERENCE NO.	DRAWING NO.
14031EXC	1111
PROJECT NO.	SHEET NO.
2014.031	1 OF 1

Mitigation Area Location Sketch



LANDSCAPE
AREA #7
(1.1 Ac.)

MITIGATION
AREA
M-1

MITIGATION
AREA
M-2

MITIGATION
AREA
M-3

MITIGATION
AREA
M-4

E

Deeds

This Instrument Prepared by:
Richard D. Yovanovich, Esq.
Goodlette, Coleman & Johnson, P.A.
4001 Tamiami Trail North, Suite 300
Naples, Florida 34103

2572.001

INSTR # 6146014
OR BK 04198 Pgs 2129 - 2143; (15pgs)
RECORDED 02/13/2004 07:54:17 AM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 69.00
DEED DOC 0.70
DEPUTY CLERK K Cartwright

CORRECTIVE WARRANTY DEED

This Warranty Deed made the 29TH day of January, A. D., 2004 by **MIROMAR LAKES, L.L.C.**, a Florida limited liability company, hereinafter called the grantor.

To **MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT**, an independent special district established pursuant to Chapter 190, Florida Statutes, whose post office address is c/o Goodlette, Coleman & Johnson, P.A., 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103, hereinafter called the grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee all that certain land situated in Lee County, State of Florida, as described below:

1. Certain real property sometimes referred to as the South Lake being all the property within the control elevation line of the lake described on Exhibit "A", incorporated herein by this reference; and
2. Certain real property sometimes referred to as lakes 1A, 1B, and 1C, being all the property within the control elevation line of the lake described on EXHIBITS "B", "C", and "D" respectively, incorporated herein by this reference; and
3. Certain real property sometimes referred to as the North Access Road, being all the property described on EXHIBIT "E", incorporated herein by this reference; and
4. Certain real property sometimes referred to as Mitigation Area #1, Mitigation Area #2, the 43 Acre Mitigation Area, and the 66 Acre Mitigation Area, being all the property described on EXHIBITS "F", "G", "H", and "I" respectively, incorporated herein by this reference.

THE PURPOSE OF THIS DEED IS TO CLARIFY THE PROPERTY INTERESTS CONVEYED IN THE WARRANTY DEED RECORDED IN O.R. BOOK 3550 PAGES 1204 TO 1218 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA.

THE CONVEYANCE SET FORTH IN PARAGRAPHS 1 AND 2 OF THIS DEED IS FOR THE PURPOSE OF CONVEYING THE LAKE BOTTOM AND THE RIGHT TO USE THE LAKE WATER FOR MANAGEMENT OF THE WATER MANAGEMENT

SYSTEM FOR MIROMAR LAKES. THE GRANTOR RETAINS OWNERSHIP OF ALL OTHER WATER RIGHTS AND HAS THE RIGHT TO ACCESS THE WATER AND RETAINS THE EXCLUSIVE RIGHT TO UTILIZE THE WATER ON THE LANDS CONVEYED TO THE GRANTEE. THESE RIGHTS, INCLUDE, BUT ARE NOT LIMITED, TO THE RESERVATION OF ALL RECREATIONAL RIGHTS APPERTENANT TO THE LAKE, THE RIGHT TO CONSTRUCT BOAT DOCKS, BOATING, SWIMMING, FISHING, WATER SKING, AND OTHER RECREATIONAL ACTIVITIES, AND THE RIGHT TO WITHDRAW WATER FOR IRRIGATION.

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR NOR IS IT CONTIGUOUS TO THE HOMESTED OF GRANTOR WHO RESIDES IN LANDS OTHER THAN THE LANDS DESCRIBED HEREIN.

Subject to covenants, restrictions, reservations and easements of record, and the limitations, easements, and reservations set forth in Exhibit "J", incorporated herein by this reference.

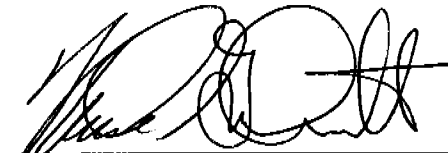
Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.


In Witness Whereof, the said grantor has hereunto signed and sealed these presents the day and year first above written.

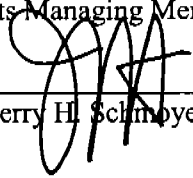
Signed, sealed and delivered in the presence of:

Miromar Lakes, L. L. C., a Florida limited liability company


Witness Signature Mark Geschwendt

By: Miromar Development Corporation, a Florida corporation Its Managing Member

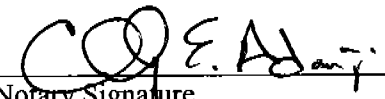

Witness Signature Richard D. Yovanovitch

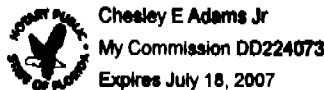
By: 
Jerry H. Schmoyer, Vice President

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 29th day of January, 2004, by Jerry H. Schmoyer, Vice president of Miromar Development Corporation, a Florida corporation, as Managing Member of Miromar Lakes, L. L. C., a Florida limited liability company, who is ___ personally known to me or X has produced ___ as identification.

NOTARY SEAL


Notary Signature



Printed Notary Signature
My Commission Expires: _____

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS , 13 AND 14,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 13, AND 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S 01° 01' 21" W FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING TWENTY TWO (22) COURSES:

1)	S.01°00'21"E.	847.76'
2)	S.04°19'45"W.	1091.78'
3)	S.00°39'26"E.	1432.24'
4)	S.00°16'17"E.	606.52'
5)	N.88°47'46"E.	376.79'
6)	S.40°48'12"E.	322.81'
7)	S.19°01'17"E.	249.77'
8)	S.88°53'28"E.	216.94'
9)	S.24°26'51"E.	150.17'
10)	S.77°09'26"E.	573.01'
11)	S.88°10'13"E.	1363.08'
12)	S.19°42'28"E.	157.73'
13)	S.87°09'14"E.	469.81'
14)	N.88°02'24"E.	612.22'
15)	S.21°30'12"E.	81.17'
16)	N.88°10'32"E.	846.89'
17)	S.01°46'59"W.	282.53'
18)	S.89°48'06"E.	1264.46'
19)	S.20°09'57"E.	832.50'
20)	S.15°43'44"E.	1222.03'
21)	S.25°52'55"E.	187.61'
22)	N.89°21'30"W.	283.67'

SHEET 1 OF 3

EXHIBIT "A"

TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°21'30"W. FOR 1846.96 FEET; THENCE THE FOLLOWING TWENTY ONE (21) COURSES;

- 1) N.06°34'37"W. 526.71'
- 2) N.01°50'22"W. 1210.85'
- 3) N.79°32'52"W. 867.77'
- 4) N.41°43'09"W. 264.16'
- 5) S.80°32'44"W.908.56'
- 6) S.85°56'39"W.711.03'
- 7) N.88°44'59"W. 176.88'
- 8) S.09°48'24"W.488.79'
- 9) S.81°56'19"E. 145.26'
- 10) S.00°34'39"E. 820.49'
- 11) S.59°07'28"W.349.34'
- 12) S.86°00'53"W.1140.64'
- 13) N.06°38'29"W. 427.54'
- 14) N.01°46'33"E. 839.75'
- 15) S.85°52'30"W.934.90'
- 16) S.04°59'30"W.714.95'
- 17) S.05°05'22"W.483.90'
- 18) S.63°55'14"W.291.35'
- 19) S.84°13'33"W.187.42'
- 20) S.28°12'39"E. 143.38'
- 21) N.89°07'51"E. 3150.88'

THENCE S.19°52'03"W. TO THE NORTH LINE OF FLORIDA GULF COAST UNIVERSITY FOR 56.89 FEET; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) N.89°01'42"E. 450.42'
- 2) S.00°58'18"E. 320.16'
- 3) N.88°44'00"E. 3706.01'

THENCE S.89°46'48"E. FOR 277.99 FEET; THENCE N.00°43'41"W. FOR 176.03 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

PARCELS CONTAINS 189.08 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

FILE: ACAD\1155\SURVEY\DESC-3.DWG

FILE: WPD\1155\1155-087-DESC-AREA-J.WPD

SHEET 3 OF 3

EXHIBIT "A"

Exhibits "B" – "D"
Miromar Lakes, LLC Deed to Miromar Lakes Community Development District
December 20, 2000

Intentionally Omitted and No Conveyance Made of these Parcels

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF
AN EASEMENT
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(NORTH ENTRANCE EASEMENT)

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150 FEET WIDE) AND THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2497, PAGES 1564 AND 1565, LEE COUNTY PUBLIC RECORDS; THENCE N. 03° 31' 24" W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 934.47 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND THE POINT OF BEGINNING. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR 78.54 FEET; THENCE N. 86° 28' 35" E. FOR 239.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 35° 46' 31" FOR 405.86 FEET; THENCE S. 57° 44' 54" E. FOR 288.84 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 850.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66° 28' 11" FOR 986.10 FEET; THENCE N. 55° 46' 55" E. FOR 948.40 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52° 54' 58" FOR 581.84 FEET TO SAID NORTHERLY PARCEL LINE; THENCE N. 88° 17' 12" E., NON-TANGENTIALLY, ALONG SAID NORTHERLY LINE FOR 209.56 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 730.00 FEET AND TO WHICH INTERSECTION A RADIAL LINE BEARS N. 34° 18' 19" E.; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68° 31' 23" FOR 873.05 FEET; THENCE S. 55° 46' 55" W. FOR 948.40 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66° 28' 11" FOR 870.09 FEET; THENCE N. 57° 44' 54" W. FOR 288.84 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35° 46' 31" FOR 468.30 FEET; THENCE S. 86° 28' 35" W. FOR 239.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR 78.54 FEET TO A POINT OF CUSP AND SAID EASTERLY RIGHT-OF-WAY LINE; THENCE S. 03° 31' 24" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 200.00 FEET TO THE POINT OF BEGINNING;

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

SUBJECT TO FACTS THAT MAY BE REVEALED BY AN ACCURATE BOUNDARY SURVEY.

THIS DESCRIPTION IS NEITHER FULL NOR COMPLETE WITH THE SKETCH ON SHEET 2.

EASEMENT CONTAINS 8.4 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST AS BEARING S. 89° 42' 24" E.

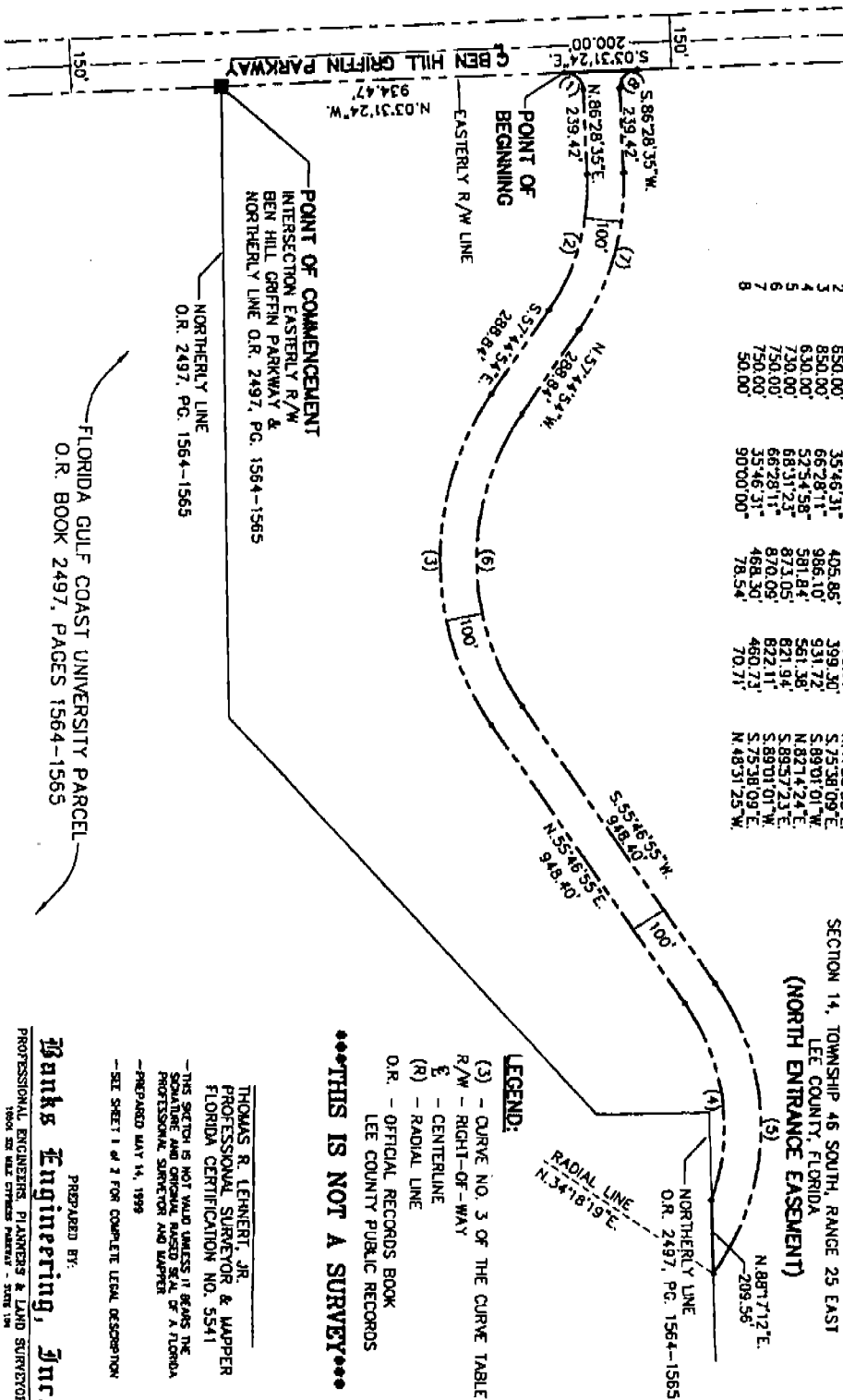
DESCRIPTION PREPARED DECEMBER 2, 1998.

File: 1261.01

SHEET 1 OF 2

Lee County: 10501-104 Six Mile Cypress Parkway, Fort Myers, Florida 33912 · (941)939-5490 · Fax (941)939-2523
Collier County: 2150-701 Goodlette Road, Naples, Florida 34102 · (941)403-8866 · Fax (941)403-8868

EXHIBIT "E"



CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	50.00'	90°00'00"	78.54'	70.71'	N. 41°28'35"E
2	50.00'	35°45'31"	405.86'	399.30'	S. 75°38'09"E
3	850.00'	66°23'11"	986.10'	931.72'	S. 89°01'01"W
4	630.00'	52°34'58"	591.84'	561.38'	N. 82°14'24"E
5	730.00'	88°31'23"	873.05'	821.94'	S. 89°51'23"E
6	730.00'	35°46'31"	468.30'	460.73'	S. 89°01'01"W
7	50.00'	90°00'00"	78.54'	70.71'	S. 75°38'09"E
8	50.00'	90°00'00"	78.54'	70.71'	N. 48°31'25"W

SKETCH TO ACCOMPANY DESCRIPTION
OF
AN EASEMENT
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 29 EAST
LEE COUNTY, FLORIDA
(NORTH ENTRANCE EASEMENT)

FLORIDA GULF COAST UNIVERSITY PARCEL
O.R. BOOK 2497, PAGES 1564-1565
SHEET 2 OF 2

LEGEND:
(3) - CURVE NO. 3 OF THE CURVE TABLE
R/W - RIGHT-OF-WAY
C - CENTERLINE
(R) - RADIAL LINE
O.R. - OFFICIAL RECORDS BOOK
LEE COUNTY PUBLIC RECORDS

*****THIS IS NOT A SURVEY*****

THOMAS R. TENHENT, JR.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5541
-THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND ORIGINAL PAPERED SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER
-PREPARED MAY 14, 1999
-SEE SHEET 1 of 2 FOR COMPLETE LEGAL DESCRIPTION

Prepared by:
Bank's Engineering, Inc.
PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS
1000 2nd Street, Panama City, FL 32401
904/727-4444
FLORIDA SURVEYING BOARDS CERTIFICATION NO. 6699

DESCRIPTION OF
A PARCEL OF LAND OR BK 03550 PG 1212
LYING IN
SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(MITIGATION AREA #1)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,
LYING IN SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA,
AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTHEAST CORNER OF SAID SECTION 23; THENCE N.89°44'39"W.
ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1913.26 FEET TO THE POINT OF
BEGINNING; THENCE N.12°28'18"E. FOR 201.20 FEET; THENCE N.09°29'27"W. FOR 225.43
FEET; THENCE N.25°48'00"W. FOR 164.79 FEET; THENCE N.18°55'30"W. FOR 201.73 FEET;
THENCE N.49°30'36"W. FOR 22.97 FEET; THENCE N.62°50'46"E. FOR 79.67 FEET; THENCE
N.36°36'06"E. FOR 89.95 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT,
HAVING A RADIUS OF 236.37 FEET AND TO WHICH POINT A RADIAL LINE BEARS
S.06°25'39"W.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
ANGLE OF 72°07'41" FOR A DISTANCE OF 297.56 FEET; THENCE N.67°53'35"E. FOR 39.60
FEET; THENCE N.52°44'00"E. FOR 341.95 FEET TO THE BEGINNING OF A CURVE TO THE
LEFT, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 38°59'25" FOR A DISTANCE OF 34.03 FEET TO A POINT
OF TANGENCY; THENCE N.13°44'35"E. FOR 118.05 FEET; THENCE N.22°51'31"E. FOR 117.46
FEET; THENCE N.50°32'52"E. FOR 181.72 FEET TO AN INTERSECTION WITH THE
SOUTHWESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' FEET WIDE)
AND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.00 FEET AND TO WHICH POINT A
RADIAL LINE BEARS N.38°50'33"E.; THENCE NORTHWESTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 4°11'49" FOR A DISTANCE OF 97.06 FEET; THENCE
N.55°21'16"W. FOR 432.07 FEET; THENCE S.44°23'50"W. FOR 422.94 FEET; THENCE
S.59°14'58"W. FOR 228.91 FEET; THENCE S.81°08'07"W. FOR 83.05 FEET; THENCE
N.77°32'48"W. FOR 161.08 FEET; THENCE N.60°27'20"W. FOR 72.83 FEET; THENCE
S.62°57'12"W. FOR 87.08 FEET; THENCE S.47°23'54"W. FOR 290.46 FEET; THENCE
S.32°08'01"W. FOR 334.14 FEET; THENCE S.30°59'37"E. FOR 40.37 FEET; THENCE S.12°24'13"E.
FOR 71.61 FEET; THENCE S.67°12'48"W. FOR 39.26 FEET; THENCE S.10°57'19"E. FOR 77.48
FEET; THENCE S.65°49'14"W. FOR 170.28 FEET; THENCE S.75°28'27"W. FOR 130.81 FEET;
THENCE S.86°30'02"W. FOR 43.01 FEET; THENCE S.63°57'45"W. FOR 95.93 FEET; THENCE
S.83°47'20"W. FOR 63.23 FEET; THENCE N.77°49'23"W. FOR 17.68 FEET; THENCE S.32°33'23"W.
FOR 75.19 FEET; THENCE S.70°53'15"W. FOR 268.48 FEET; THENCE S.66°31'13"W. FOR 118.88
FEET; THENCE S.18°17'51"E. FOR 503.66 FEET; THENCE S.89°44'39"E. FOR 1660.08 FEET TO
THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY WITHIN 75 FEET OF THE
SECTION LINE FOR SECTION 23
PARCEL CONTAINS 52.62 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF
RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23 AS BEARING N.89°44'39"W

DESCRIPTION PREPARED OCTOBER 29th, 1999.

S:\OBS\11XX\1155\SURVEY\1155_desc_mit.log

DESCRIPTION OF
A PARCEL OF LAND
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(MITIGATION AREA #2)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE N.89°44'39"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 3573.34 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE N.18°17'51"W. ALONG SAID RIGHT-OF-WAY FOR 955.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 17026.80 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 04°04'42" FOR 1211.97 FEET; THENCE N.14°13'09"W. ALONG SAID RIGHT-OF-WAY FOR 4589.34 FEET; THENCE N.88°27'56"E. FOR 1025.77 FEET TO THE POINT OF BEGINNING; THENCE N.88°27'56"E. FOR 1780.04 FEET; THENCE N.47°45'12"E. FOR 1504.06 FEET ; THENCE N.01°42'48"W. FOR 269.12 FEET ; THENCE S.21°39'10"W. FOR 68.66 FEET; THENCE S.03°10'42"W. FOR 189.44 FEET; THENCE S.81°41'22"W. FOR 108.46 FEET; THENCE S.71°22'04"W. FOR 86.96 FEET; THENCE S.44°47'24"W. FOR 115.33 FEET; THENCE S.84°41'53"W. FOR 384.96 FEET; THENCE S.75°08'07"W. FOR 122.17 FEET; THENCE S.44°11'25"W. FOR 149.80 FEET; THENCE N.83°50'32"W. FOR 141.74 FEET THENCE; S.55°46'55"W. FOR 48.56 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 850.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°32'21" FOR A DISTANCE OF 660.75 FEET; THENCE S.70°32'55"W. FOR 188.24 FEET; THENCE N.40°09'41"W. FOR 165.57 FEET; THENCE S.85°09'35"W. FOR 62.26 FEET; THENCE S.53°18'11"W. FOR 221.46 FEET; THENCE S.85°08'17"W. FOR 193.00 FEET; THENCE S.44°21'15"W. FOR 65.32 FEET; THENCE S.03°34'13"W. FOR 280.42 FEET; THENCE S.58°59'16"W. FOR 150.29 FEET; THENCE S.50°02'46"W. FOR 136.19 FEET; THENCE S.86°42'41"W. FOR 91.78 FEET; THENCE S.81°31'53"W. FOR 59.36 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' WIDE); THENCE S.03°31'24"E. ALONG SAID RIGHT-OF-WAY FOR 34.30 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 29.40 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23 AS BEARING N.89°44'39"W.

DESCRIPTION PREPARED OCTOBER 29TH 1999.

S:\JOBS\11XX\1155\SURVEY\1155_desc_mit2.leg

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

DESCRIPTION OF A 43 ACRE PARCEL BEING A PORTION OF
Sections 23 & 24, Township 46 South, Range 25 East,
Lee County, Florida

A portion of Sections 23 and 24, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 11;
thence along the north line of said Section and the centerline of Alico Road, S.89°42'24"E. 1919.62 feet;
thence along the centerline of Tree Line Avenue S.01°01'21"W. 1018.81 feet to a point of curvature;
thence continue along said centerline of Treeline Avenue, southwesterly 3349.48 feet along said centerline and the arc of a circular curve concave to the northwest, having a radius of 10000.00 feet, through a central angle of 19°11'28" and being subtended by a chord which bears S.10°37'05"W. 3333.84 feet to the point of tangency;
thence S.20°12'19"W. 473.55 feet to a point of curvature;
thence southwesterly 1242.87 feet along said center line and the arc of a circular curve concave to the southeast, having a radius of 3000.00 feet, through a central angle of 23°44'13" and being subtended by a chord which bears S.08°20'42"W. 1234.00 feet to a point of tangency;
thence along said center line, S.03°31'24"E. 3887.79 feet to a point of curvature;
thence southeasterly 690.46 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 1925.00 feet, through a central angle of 20°33'03" and being subtended by a chord which bears S.13°47'56"E. 686.76 feet to a point of tangency;
thence S.24°04'07"E. 1593.09 feet to a point of curvature;
thence southerly and southeasterly, 1141.84 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 2800.00 feet, through a central angle of 23°21'55" and being subtended by a chord which bears S.35°45'25"E. 1133.95 feet to a point on said curve;
thence leaving said center line, N.42°33'38"E. 105.59 feet
thence S.59°16'15"E. 92.63 feet;
thence N.38°37'17"E. 462.00 feet to the POINT OF BEGINNING of the herein described parcel.
thence N.20°50'23"W. 170.61 feet;
thence N.3°26'59"W. 196.02 feet;
thence N.49°19'44"E. 344.71 feet;
thence S.54°09'13"E. 1057.59 feet;
thence S.05°08'14"W. 497.67 feet;
thence S.87°48'55"E. 1464.61 feet;
thence S.27°22'23"W. 649.51 feet;
thence S.83°15'50"W. 340.40 feet
thence S.48°52'47"W. 591.95 feet to the northeasterly right of way line of Tree Line Avenue and a point on a curve;
thence northwesterly 114.20 feet along the arc of a curve and said northeasterly right of way line having a radius of 1475.00 feet, through a central angle of 04°26'09", and being subtended by a chord which bears N.53°08'11"W. 114.17 feet to the point of tangency;

EXHIBIT "H"

WILSON, MILLER, BARTON & PEEK, INC.

4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912-1062 • Ph 941-939-1020 Fx 941-939-7479

Web Site: www.wilsonmiller.com

Fort Myers

E-mail: fortmyers@wilsonmiller.com

4/1/99-7495 Ver: 011-DGaugliardo
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F0231-009-005-55GN-2728

Naples

Fort Myers

Sarasota

Bradenton

Tampa

OR BK 03550 PG 1214

EXHIBIT

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thence along said northeasterly right of way line N.55°21'16"W. 423.96 feet;
thence leaving said line N.38°37'17"E. 180.43 feet;
thence N.40°45'20"W. 1287.06 feet;
thence N.51°22'43"W. 275.00 feet to the Point of Beginning for the herein described parcel.

Parcel contains 43 acres, more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.



Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

4-1-99
Date

Not valid unless embossed with the Professional's seal.

W.O.: F0253-009-005 LSSLD
REF.: A-0253-145
DATE: April 1, 1999

OR BK 03550 PG 1215

EXHIBIT "H"

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

DESCRIPTION OF A 66 ACRE PARCEL BEING A PORTION OF Section 13, Township 46 South, Range 25 East, Lee County, Florida

A portion of Section 13, Township 46 south, Range 25 east, Lee County, Florida more particularly described as follows:

COMMENCING at the Northwest corner of Section 11, Township 46 South, Range 25 East;
thence along the north line of said section and the centerline of Alico Road S.89°42'24"E. 1919.62 feet;
thence along the centerline of Treeline Avenue S.01°01'21"W. 109.05 feet; thence S.89°42'24"E. 75.00 feet to an
intersection with the south right of way line of Alico Road and the east right of way of Treeline Avenue: thence
along said southerly right of way line S.89°42'24"E. 1049.81 feet;
thence leaving said line S.1°00'21"E. 1635.40 feet to a point on a curve, point bearing S.84°01'34"W. from the
center of said curve;
thence southeasterly 5221.22 feet along the arc of a non-tangential circular curve concave to the northeast having a
radius of 3595.48 feet, having a central angle of 83°12'10" and being subtended by a chord which bears
S.47°34'31"E. 4774.39 feet to a point on said curve;
thence N.89°01'32"E. 1282.53 feet;
thence S.01°46'59"W. 407.03 feet;
thence S.89°48'06"E. 1264.40 feet;
thence S.20°09'57"E. 832.58 feet;
thence S.15°43'44"E. 1222.03 feet;
thence S.25°52'55"E. 362.91 feet;
thence S.00°07'13"E. 16.50 feet;
thence N.89°46'48"W. 635.94 feet;
thence S.19°49'36"W. 375.30 feet to the POINT OF BEGINNING of the herein described parcel.
Thence S.79°57'29"E. 18.29 feet;
thence S.48°44'52"E. 10.14 feet;
thence S.06°54'40"E. 51.94 feet;
thence S.11°39'28"E. 34.33 feet;
thence S.04°51'39"E. 21.39 feet;
thence S.18°18'13"W. 25.87 feet;
thence N.82°50'47"W. 15.56 feet;
thence N.76°56'48"W. 27.40 feet;
thence S.02°11'29"W. 62.11 feet;
thence S.14°31'45"E. 24.66 feet;
thence S.14°49'53"E. 6.59 feet;
thence S.24°14'57"W. 30.44 feet;
thence S.87°22'03"E. 5.44 feet;
thence S.87°24'51"E. 19.39 feet;
thence S.87°20'13"E. 13.45 feet;
thence N.85°27'36"E. 25.27 feet;
thence N.85°27'17"E. 29.97 feet;
thence N.85°52'53"E. 61.78 feet;

EXHIBIT "I"

WILSON, MILLER, BARTON & PEEK, INC.

4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912-1062 • Ph 941-939-1020 Fx 941-939-7479

Web Site: www.wilsonmiller.com

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E-mail: fortmyers@wilsonmiller.com

3/20/99-7496 Ver: 011-DGaugliardo

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thence N.90°00'00"E. 52.88 feet;
thence N.85°58'36"E. 250.30 feet;
thence N.85°35'19"E. 86.13 feet;
thence N.81°26'58"E. 44.56 feet;
thence N.80°50'39"E. 69.13 feet;
thence N.47°59'41"E. 29.61 feet;
thence N.24°14'29"E. 48.25 feet;
thence N.30°57'50"E. 12.03 feet;
thence N.30°59'13"E. 26.46 feet;
thence N.35°34'54"E. 18.90 feet;
thence N.47°16'30"E. 38.97 feet;
thence N.49°29'40"E. 20.30 feet;
thence N.46°03'51"E. 57.11 feet;
thence N.71°30'39"E. 20.89 feet;
thence N.56°14'53"E. 16.09 feet;
thence N.56°15'20"E. 201.37 feet;
thence N.89°36'23"E. 304.60 feet;
thence S.02°10'07"E. 1285.56 feet;
thence N.79°13'23"W. 80.22 feet;
thence S.56°32'16"W. 65.40 feet;
thence S.11°37'49"W. 61.39 feet;
thence S.43°47'29"E. 31.43 feet;
thence S.65°22'51"W. 932.56 feet;
thence S.62°02'33"W. 548.61 feet;
thence N.84°00'27"W. 113.75 feet;
thence S.73°01'40"W. 332.94 feet;
thence S.88°47'09"W. 386.35 feet;
thence N.01°12'51"W. 733.65 feet;
thence N.75°24'23"E. 644.66 feet;
thence N.02°55'16"W. 211.27 feet;
thence N.19°49'36"E. 960.80 feet to the Point of Beginning for the herein described parcel.

Parcel contains 66 acres more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.

Alan W. Sadowski
Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

4-1-99
Date

Not valid unless embossed with the Professional's seal.
W.O.: F0253-015-004 APPDP REF.: A-0253-144 Date: March 30, 1999

OR BK 03550 PG 1217

EXHIBIT "I"

Exhibits "J"
Miromar Lakes, L.L.C. Deed to Miromar Lakes Community Development District
December 20, 2000

The conveyance made by this deed is subject to the following exceptions and reservations retained by Miromar Lakes, L.L.C. (herein "Grantor"):

1. Grantor retains all rights to any and all useable fill dirt, if any, which may be hereafter extracted from any portion of the conveyed property.

2. Grantor retains the right to withdraw the maximum amount of available water from the lakes conveyed herein for irrigation and other similar purposes, subject only to the obligation to obtain permits therefore.

3. Grantor retains the sole right to install, maintain, and replace, docks or other structures within the lake areas, which right shall be personal property of Grantor and not appurtenant to any property of Grantor as of the date hereof. Grantor retains the permit rights it currently holds for docks, shall be privileged to seek, obtain and hold such additional or further permit rights with respect to docks or other structures as it may determine hereafter. Grantor may assign the right to install, maintain, and replace a dock or other structure, and upon such conveyance such right may be appurtenant to the real property of the grantee thereof.

4. Grantor shall be entitled to convey all or any part of the rights and privileges retained herein, such rights shall be exclusive to Grantor, and its successors and assigns, and shall not be subject to regulation, permission, or control by Grantee.

July 10, 2000 Army Corps of Engineer's Permit



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

RECEIVED
JUL 13 2000
BY:

REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

FULL
ACOE

7/19/00
C'd t
Permi
US Mail
to

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

TCR
Ka
C
Drs
Ber

- a. The date of commencement of the work.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

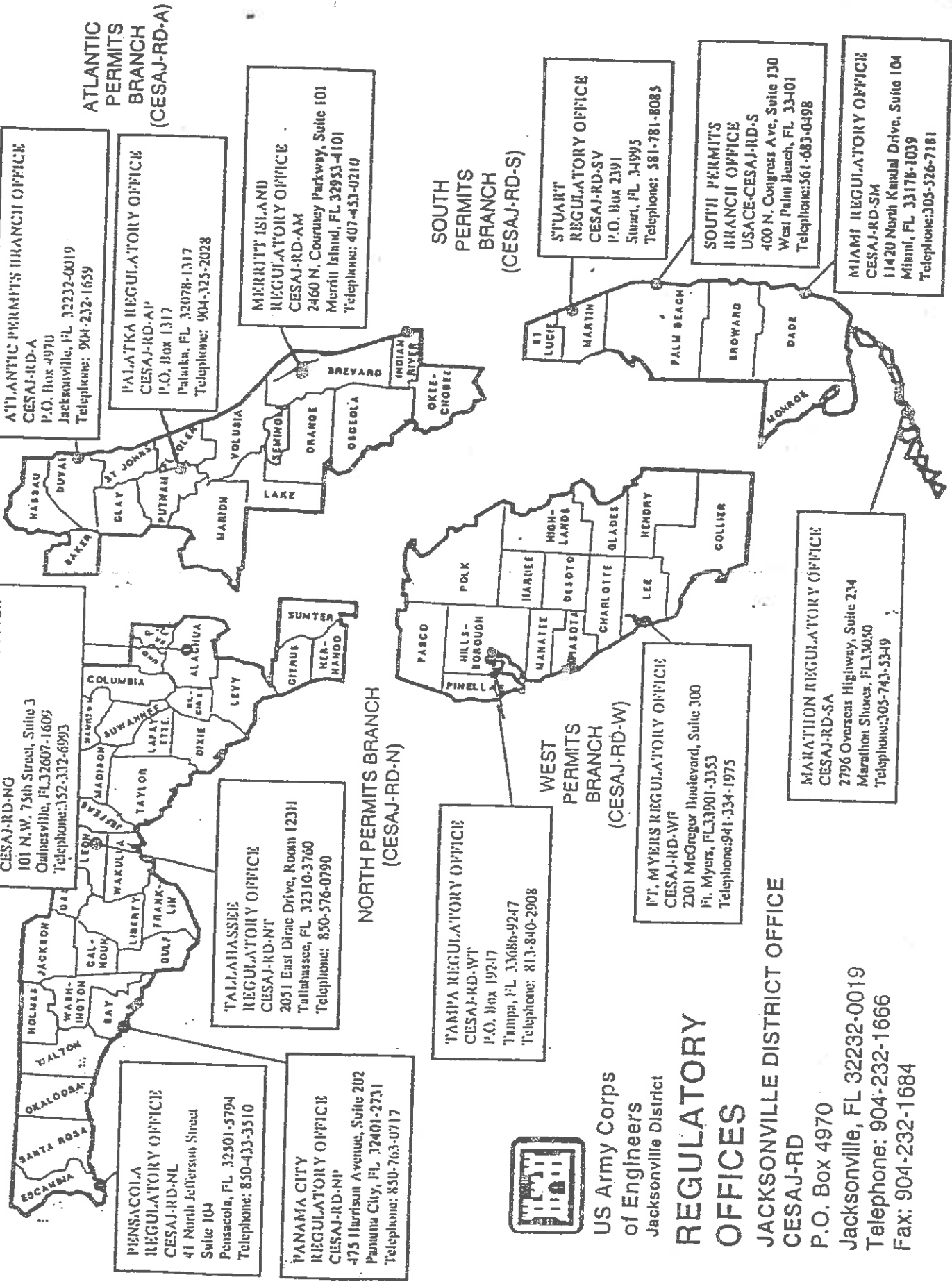
Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



**Joe R. Miller
Colonel, U.S. Army
District Engineer**

JAN 1999



ATLANTIC PERMITS BRANCH OFFICE
 CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32078-1317
 Telephone: 904-325-2028

MERRITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

SOUTH PERMITS BRANCH (CESAJ-RD-S)

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 888-781-8085

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1605
 Telephone: 352-332-6993

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dixie Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

NORTH PERMITS BRANCH (CESAJ-RD-N)

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19217
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

WEST PERMITS BRANCH (CESAJ-RD-W)

Pt. MYERS REGULATORY OFFICE
 CESAJ-RD-WP
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

MARATHON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overseas Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

PENSACOLA REGULATORY OFFICE
 CESAJ-RD-NL
 41 North Jefferson Street
 Suite 104
 Pensacola, FL 32501-5794
 Telephone: 850-433-3310

PANAMA CITY REGULATORY OFFICE
 CESAJ-RD-NP
 475 Harrison Avenue, Suite 202
 Panama City, FL 32401-2731
 Telephone: 850-763-0717



US Army Corps of Engineers
 Jacksonville District

REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
 CESAJ-RD
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666
 Fax: 904-232-1684

DEPARTMENT OF THE ARMY PERMIT
(DUPLICATE)

Permittee: MIROMAR LAKES, LLC.

Permit No. 199507483 (IP-MN)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To place approximately 688,000 cubic yards of clean fill material into 217.18 acres of wetlands and 6.50 acres of borrow pits; and to excavate approximately 248,000 cubic yards from 13.58 acres of wetlands to develop a large scale master planned development to be known as Miromar Lakes. All work is to be completed in accordance with the attached plans numbered 199507483 (IP-MN) in 9 sheets dated March 6, 1998, Attachment "A" entitled "Wetland Mitigation Plan Miromar Lakes" in 22 sheets dated April 27, 2000 including mitigation drawings, Attachment "B" entitled "Mitigation Area Management, Monitoring and Maintenance Program Miromar Lakes" in 6 sheets dated April 27, 2000, and Attachment "C" entitled "Eastern Indigo Snake Management Plan" in 3 sheets dated March 21, 2000.

Project Location: The project is located in the Estero River Watershed south of Alice Road within the University Village area, north of Corkscrew Road, east of Interstate 75 (I-75), and west of Florida Gulf Coast University (FGCU), in Sections 11, 12, 13, 14, 12, and 24, Township 46 South, Range 25 East; and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on JUL 10 2005. If you find that you need more time to complete the authorized activity, you must request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. For the protection of the eastern indigo snake, the permittee shall adhere to the provisions of Attachment "C" entitled "Eastern Indigo Snake Management Plan.
2. The permittee shall construct the mitigation in accordance with Attachments "A and B". The permittee shall submit all monitoring reports to the Corps, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.
3. The permittee shall commence construction of the mitigation areas no later than 60 days following commencement of the construction authorized by this permit instrument.
4. The permittee shall contribute \$175,000 to an escrow account for acquisition and management of 194 acres of Priority 1 panther habitat adjacent to existing public lands, as identified in the Florida Panther Habitat Preservation Plan (Logan et al. 1993).
5. The permittee shall set up an escrow account and deposit monies within 15 days from the issuance of the Corps permit and notify the Corps and the U.S. Fish and Wildlife Service (FWS) of the location and escrow agent of the escrow account. The escrow account will allow for the transfer of these funds only for the purchase of Priority 1 habitat.
6. The permittee shall provide a copy of the escrow agreement to the Corps and the FWS within 30 days of issuance of the Corps permit.
7. The permittee shall provide the location for the Priority 1 panther habitat purchase within 180 days from the issuance of the Corps permit. The Priority 1 lands proposed for purchase shall be approved by the Corps and the FWS prior to the transfer of any funds to purchase the property.
8. The information requested in special conditions 5, 6, and 7 above shall be submitted to the Corps of Engineers at the address shown in special condition 2 above and to the FWS, P.O. Box 2676, Vero Beach, FL 32961-2676.

9. If the permittee fails to provide the location for Priority 1 panther habitat purchase within 180 days of permit issuance, then all work within Corps jurisdictional areas shall cease until the location is provided.

10. The permittee shall place the purchased Priority 1 habitat lands in a conservation easement (CE) approved by the Corps, the FWS, and the SFWMD. The CE language shall be submitted with the information required in special condition 7 above.

11. Upon locating a dead, injured, or sick panther specimen, the permittee shall make the initial notification to the nearest FWS Law Enforcement Office (Vance M. Eaddy; FWS; 9549 Koger Blvd., Suite 111; St. Petersburg, Florida 33702; 727-570-5398). The permittee shall make a secondary notification to the Florida Fish and Wildlife Conservation Commission (FWC); South Region, 3900 Drane Field Road, Lakeland, Florida, 33811-1299; 1-800-282-8002. Care should be taken in handling sick or injured specimens to ensure effective treatment and care, or in the handling of dead specimens to preserve biological material in the best possible state for later analysis as to the cause of death. In conjunction with the care of sick or injured panthers or preservation of biological materials from a dead animal, the permittee has the responsibility to carry out instructions provided by Law Enforcement to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

12. The permittee shall develop and provide homeowners with an information pamphlet(s) on the eastern indigo snake, the Florida panther, and the Florida Panther Habitat Preservation Plan. The information pamphlet(s) shall be developed in cooperation with the FWC, the FWS, and the Florida Gulf Coast University. The pamphlets shall be submitted along with the information required in special condition 7 above.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

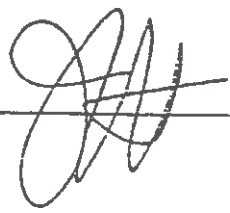
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE)

7/10/00
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER)
Joe R. Miller
Colonel, U.S. Army

JUL 10 2000
(DATE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: _____

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

TRANSFeree-SIGNATURE

DATE

(NAME-PRINTED)

(NAME OF SUBDIVISION)

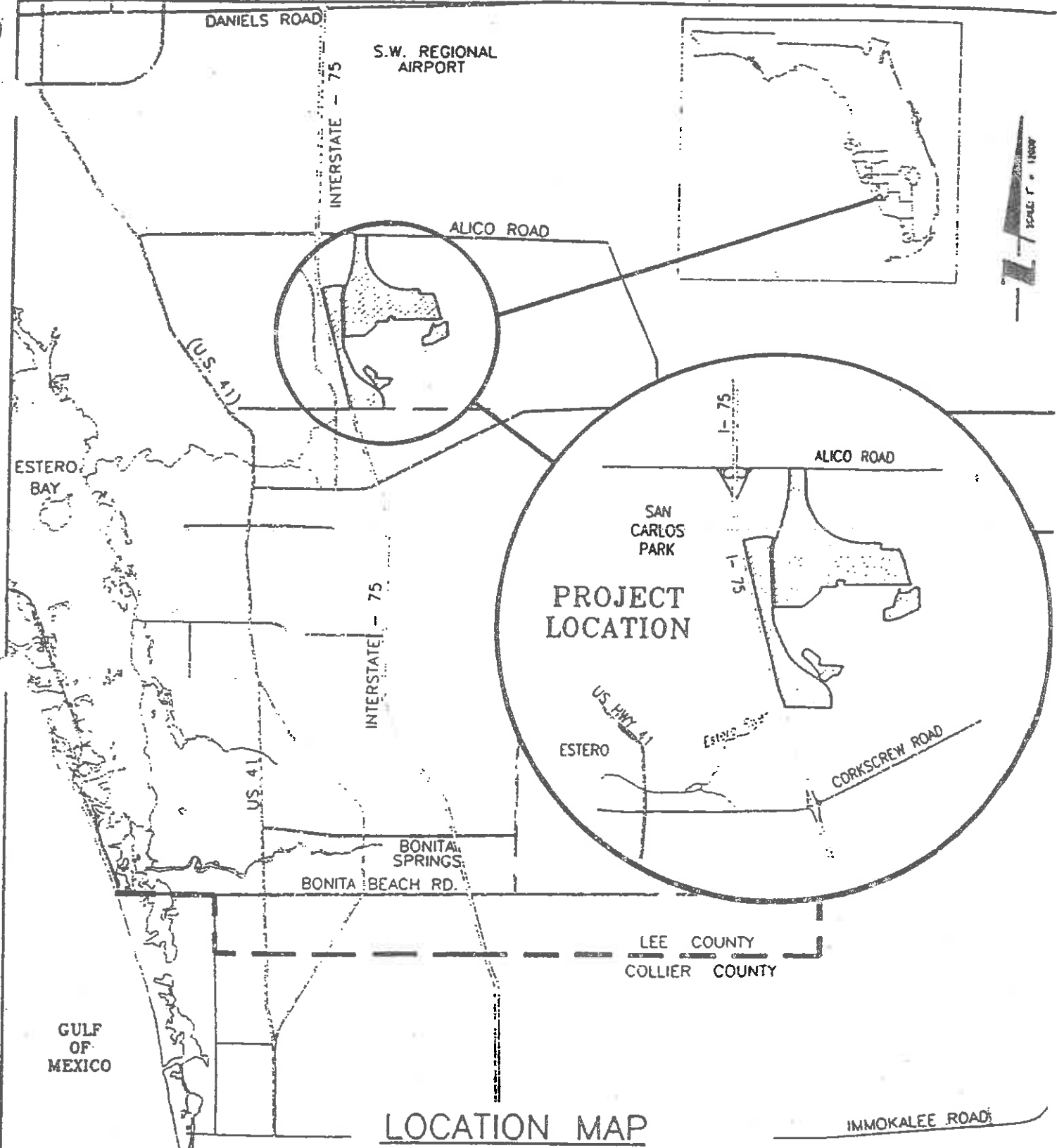
(ADDRESS)

(Lot #)

(Block #)

(CITY, STATE, AND ZIP CODE)

(TELEPHONE NUMBER W/AREA CODE)



LOCATION MAP

IMMOKALEE ROAD

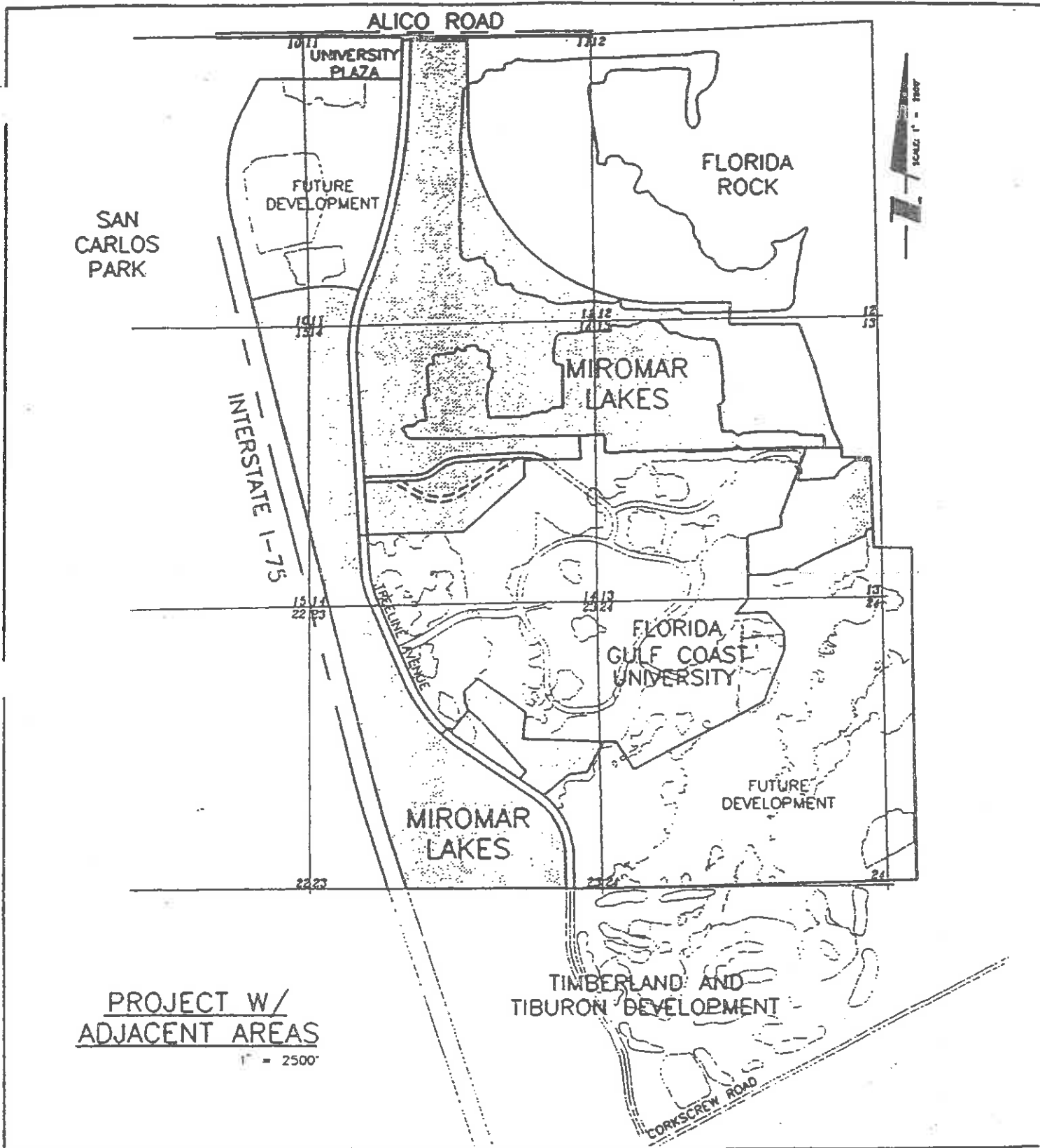
PROJECT: **MIROMAR LAKES**

APPLICANT: **MIROMAR DEVELOPMENT, INC.**

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

US ARMY CORPS OF ENGINEERS
APPLICATION #199507433 (IP-MN)
SHEET 1 of 9



PROJECT W/
ADJACENT AREAS
1" = 2500'

PROJECT: *MIROMAR LAKES*

APPLICANT: *MIROMAR DEVELOPMENT, INC.*

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

WILSON, MILLER, BARTON & PECK, INC.
3200 Bailey Lane, Suite 200, Naples, Florida 34105-8507 Phone (811) 649-4040 Fax (811) 643-5716

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 2 of 9
MARCH 6, 1998

ALICO ROAD

FUTURE MITIGATION

FUTURE MIXED USE

- RETAIL
- OFFICE
- RESIDENTIAL
- RESEARCH & HIGH TECH

NOTE:
THIS DRAWING IS PROVIDED AS MIROMAR DEVELOPMENT, INC.'S BEST UNDERSTANDING OF THE PREPARED DEVELOPMENT UPON CONSULTATION WITH ALICO, INC., THE OWNER OF THE REMAINING LANDS. THE PROPOSED FUTURE LAND USES ARE CONSISTENT WITH THE UNIVERSITY VILLAGE LAND USE DESIGNATION APPROVED BY THE COUNTY. ANY DEVELOPMENT OF THE REMAINING SITES WILL REQUIRE ADDITIONAL LOCAL GOVERNMENT APPROVAL, INCLUDING A DRI REGARDLESS OF SIZE OF THE PARCEL. THESE WERE RESTRICTIONS PLACED ON THE DEVELOPMENT BY THE LEE COUNTY COMMISSION AT THE TIME THE UNIVERSITY LOCATION WAS APPROVED.

MIROMAR DEVELOPMENT, INC., HAS NO SPECIFIC KNOWLEDGE OF THE LOCATION OF WETLANDS AND OTHER FEATURES OF CONCERN ON THE SITE, OTHER THAN WHAT WAS SUBMITTED IN THE ORIGINAL APPLICATION OF THE UNIVERSITY VILLAGE.

MIROMAR LAKES

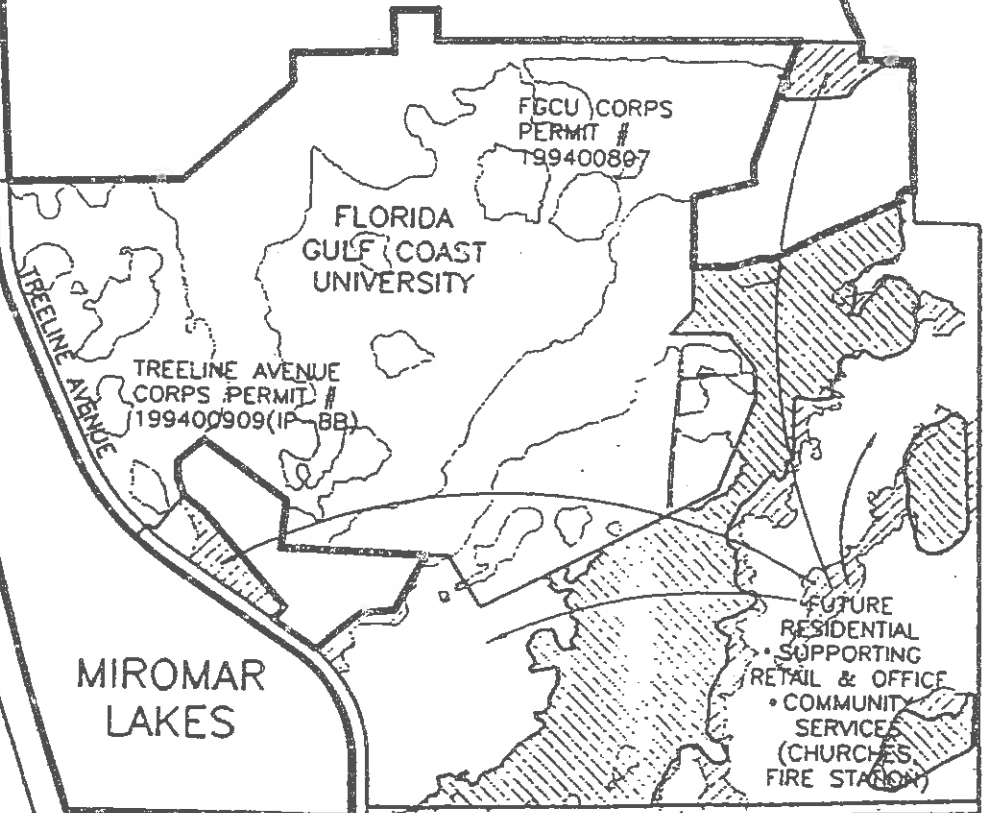
INTERSTATE 1-75

-  FUTURE MITIGATION
-  FUTURE IMPACTS

NOTE:
THESE AREAS ARE NOT PART OF THIS PROJECT AND WILL NOT BE PERMITTED UNDER THIS APPLICATION.

**CONCEPTUAL
MASTER
UNIVERSITY
VILLAGE AREA**

1" = 2000'



PROJECT: **MIROMAR LAKES**

APPLICANT: **MIROMAR DEVELOPMENT, INC.**

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

WILSON, MILLER, BARTON & PEER, INC.

3206 Bailey Lane, Suite 206, Naples, Florida 34105-8507 Phone (941) 648-7840 Fax (941) 643-5718

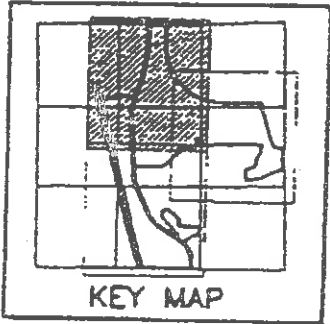
US ARMY CORPS OF ENGINEERS
APPLICATION #139507483 (IP-MN)

SHEET 3 of 9

MARCH 6, 1998

Feb 25 1995 - 14 34-01 D:\DWG\9505\950512.dwg

ALICO ROAD



PROPOSED CORPS JURISDICTIONAL WETLAND IMPACTS

1" = 1000'

- FILL (217.35 TOTAL AC.) (688,000 CY)
- EXCAVATION (:3.58 TOTAL AC.) (248,000 CY)
- CORPS WETLAND NUMBERS

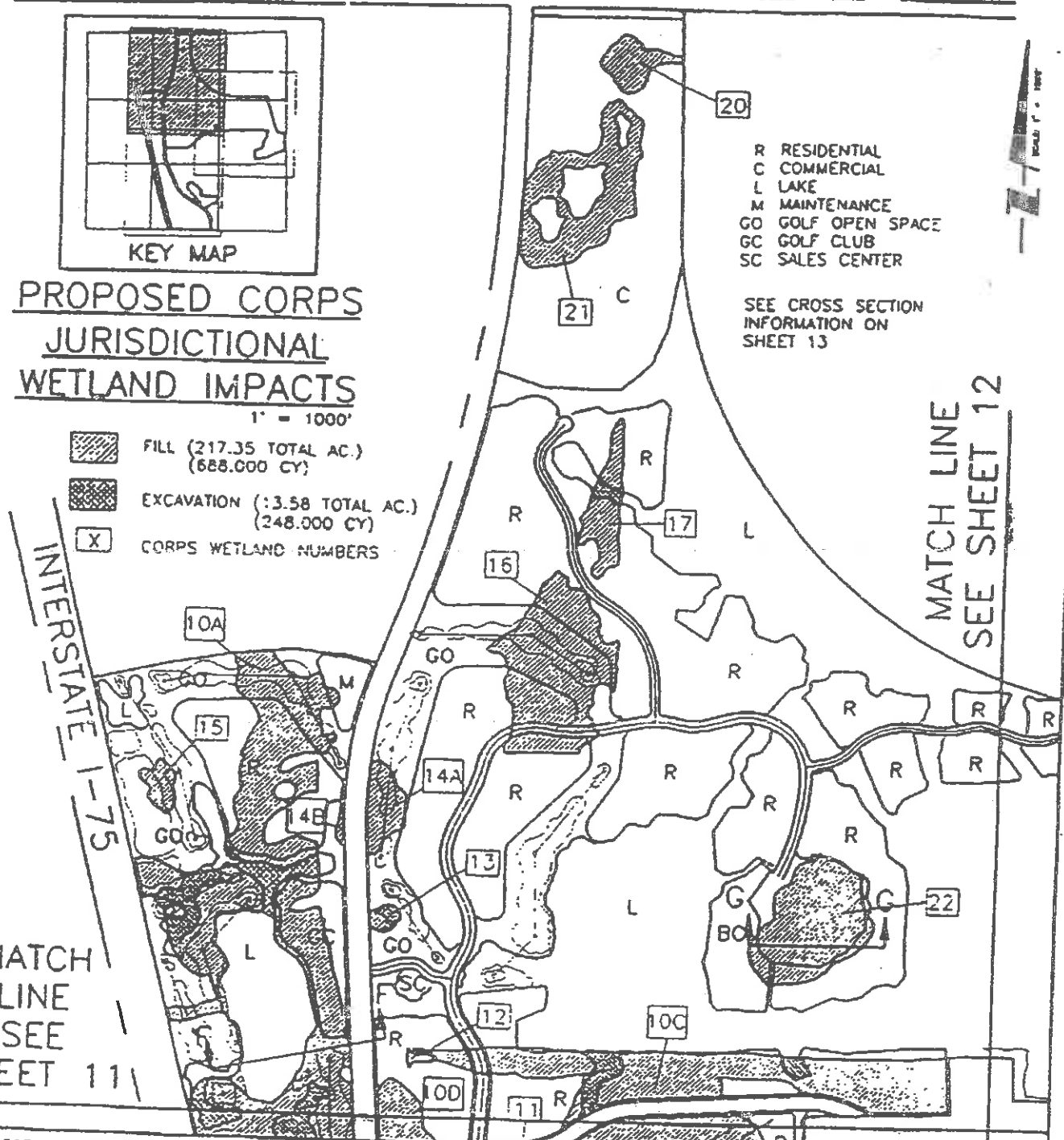
- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER

SEE CROSS SECTION INFORMATION ON SHEET 13

MATCH LINE SEE SHEET 12

INTERSTATE 1-75

MATCH LINE SEE SHEET 11



PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

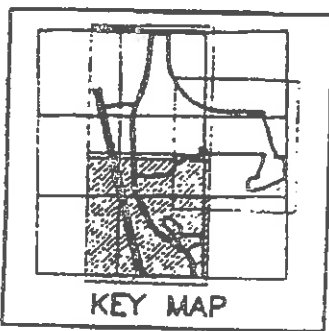
WILSON MILLER, BOSTON & PEEL, INC.
3200 Bailey Lane, Suite 300 Naples, Florida 34105-0507 Phone (813) 642-6648 Fax (813) 642-5710

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (TP-MN)
SHEET 4 of 9
MARCH 6, 1995

4-20 1998 - 04 45 03 01.DWG.02531.PROJ85:11.dwg

MATCH LINE
SEE SHEET 10

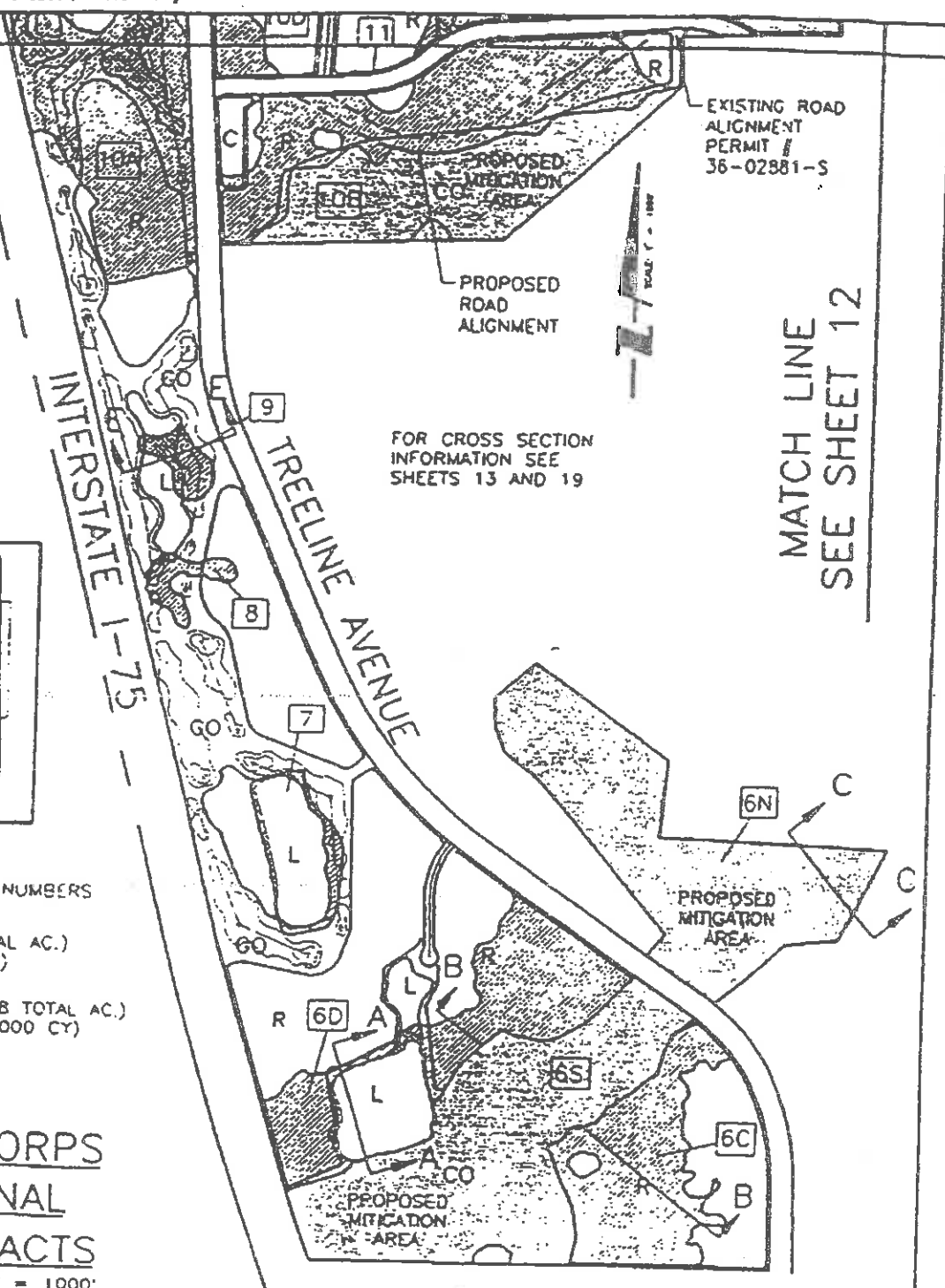
- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER



- XX CORPS WETLAND NUMBERS
- FILL (217.35 TOTAL AC.)
(688,000 CY)
- EXCAVATION (13.58 TOTAL AC.)
(248,000 CY)

**PROPOSED CORPS
JURISDICTIONAL
WETLAND IMPACTS**

1" = 1000'

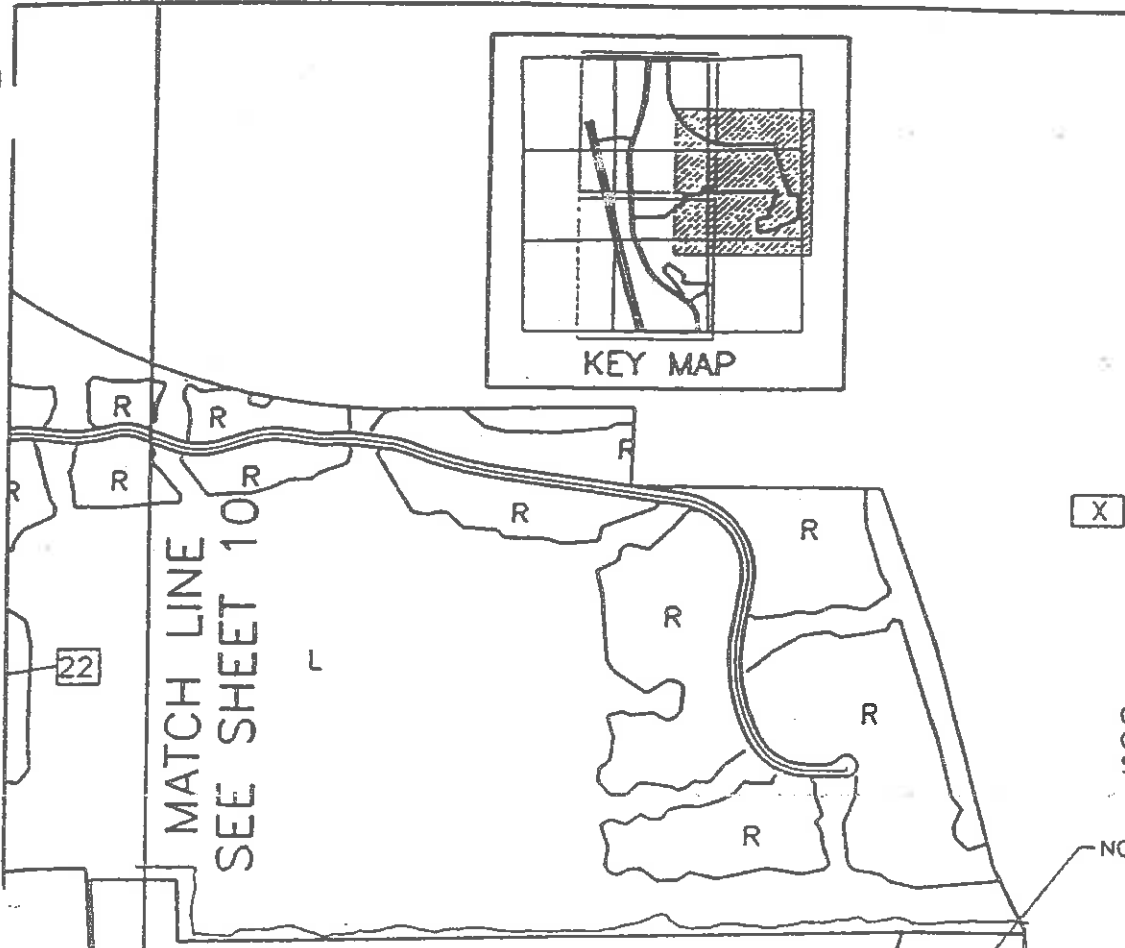
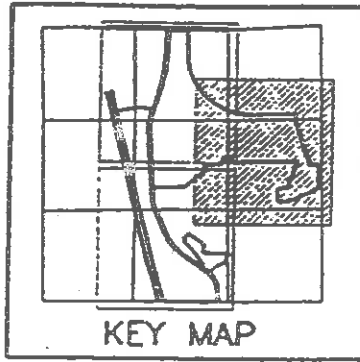


MATCH LINE
SEE SHEET 12

PROJECT: MIROMAR LAKES
 APPLICANT: MIROMAR DEVELOPMENT, INC.

WILSON MILLER
 PLANNERS, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
 SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS
 WILSON, MILLER, BAXTON & PERE, INC.
 3290 Duffer Lane, Suite 200, Naples, Florida 34103-4597 Phone (813) 449-4600 Fax (813) 443-3714

US ARMY CORPS OF ENGINEERS
 APPLICATION #195507483 (IP-MN)
 SHEET 5 OF 9
 MARCH 6, 1998

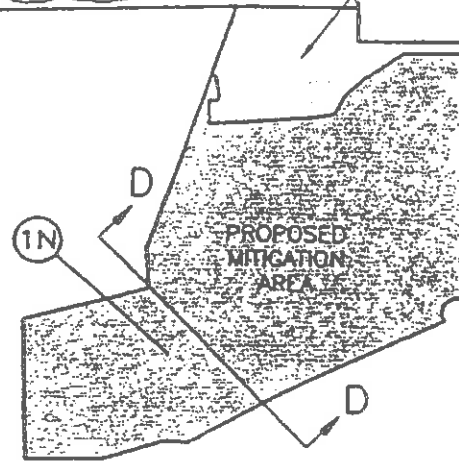


CORPS WETLAND NUMBERS

- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER

NOTE: EASEMENT TO BE PROVIDED FOR MITIGATION AREA ACCESS.

MATCH LINE
SEE SHEET 11



PROPOSED CORPS
JURISDICTIONAL
WETLAND IMPACTS

FOR CROSS SECTION INFORMATION SEE SHEET 18

1" = 1000'

PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

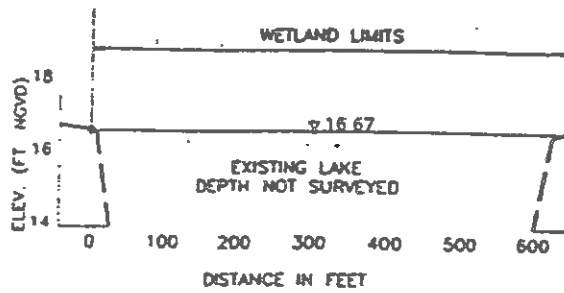
WILSON MILLER

PLANNERS, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

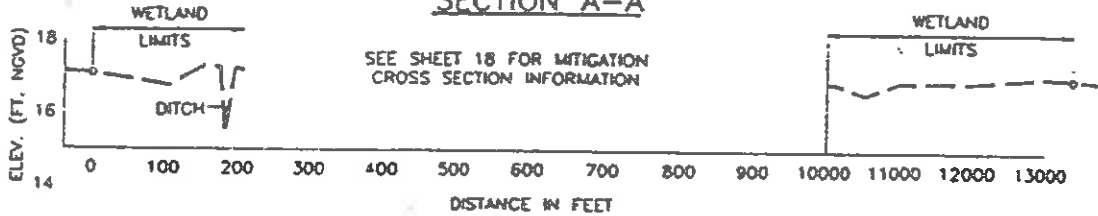
WILSON, MILLER, BARTON & PECK, INC.

3200 Bailey Lane, Suite 200, Naples, Florida 34105-8507 Phone (941) 649-4040 Fax (941) 643-5716

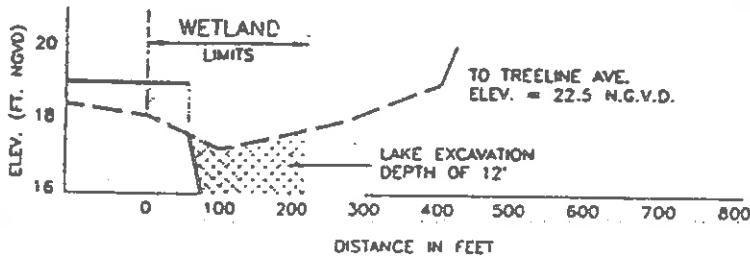
US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 6 of 9
MARCH 6, 1998



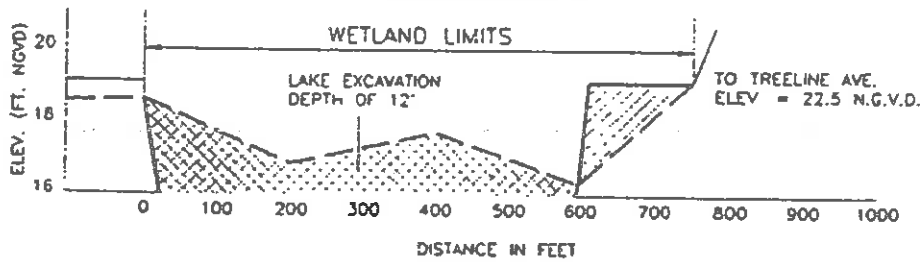
SECTION A-A



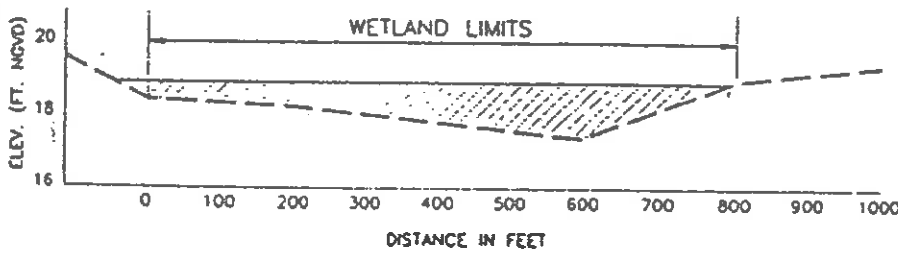
SECTION B-B



SECTION E-E



SECTION F-F



SECTION G-G

- PROPOSED ELEVATION
- - - EXISTING ELEVATION
- ▨ PROPOSED FILL
- ▩ PROPOSED EXCAVATION

WETLAND IMPACT SECTIONS

PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

VILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

VILSON, MILLER, BARTON & PECK, INC.

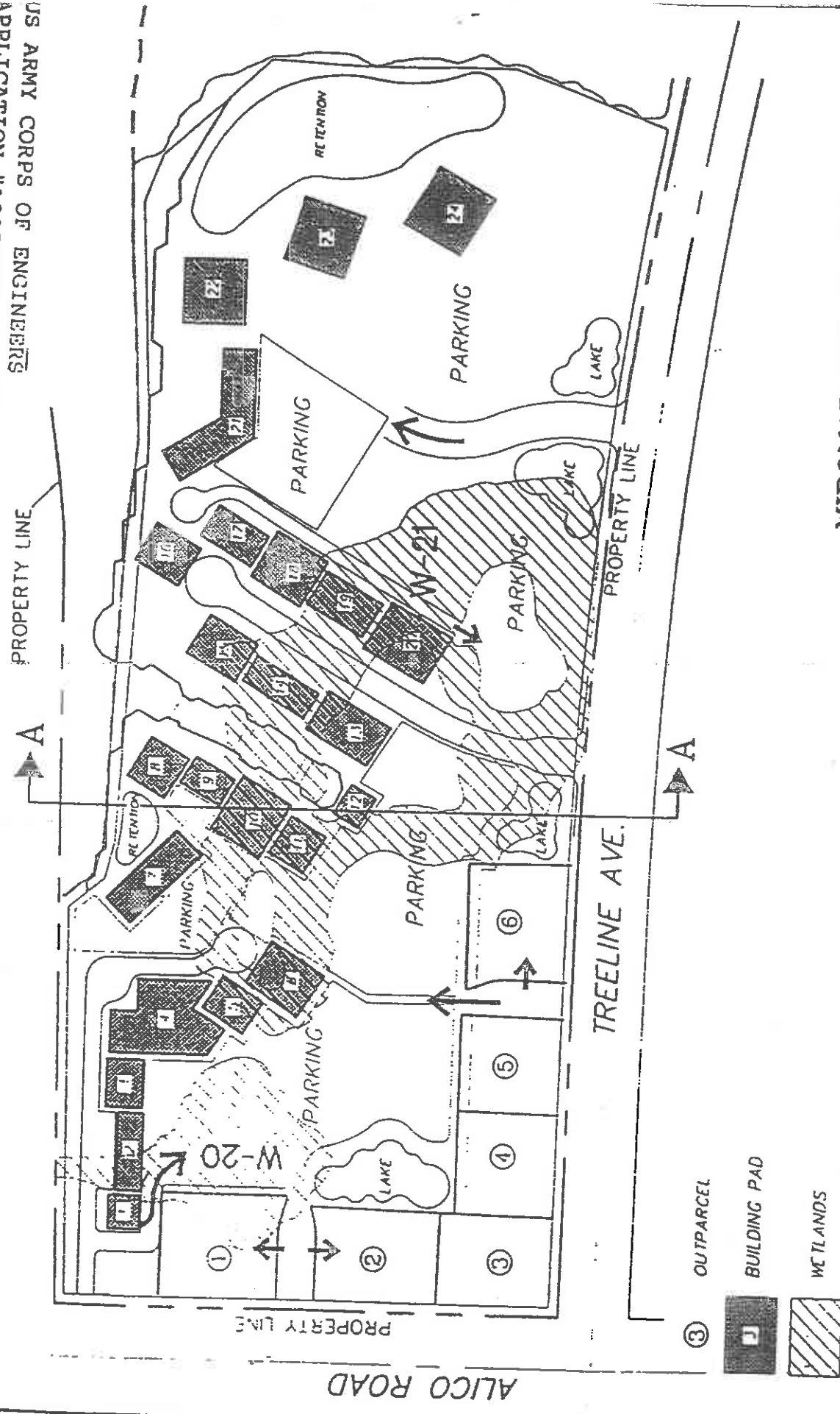
3208 Bailey Lane, Suite 200, Naples, Florida 34105-6507 Phone (813) 849-4040 Fax (813) 843-3716

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)

SHEET 7 of 9

MARCH 6, 1998

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 8 of 9
MARCH 6, 1998

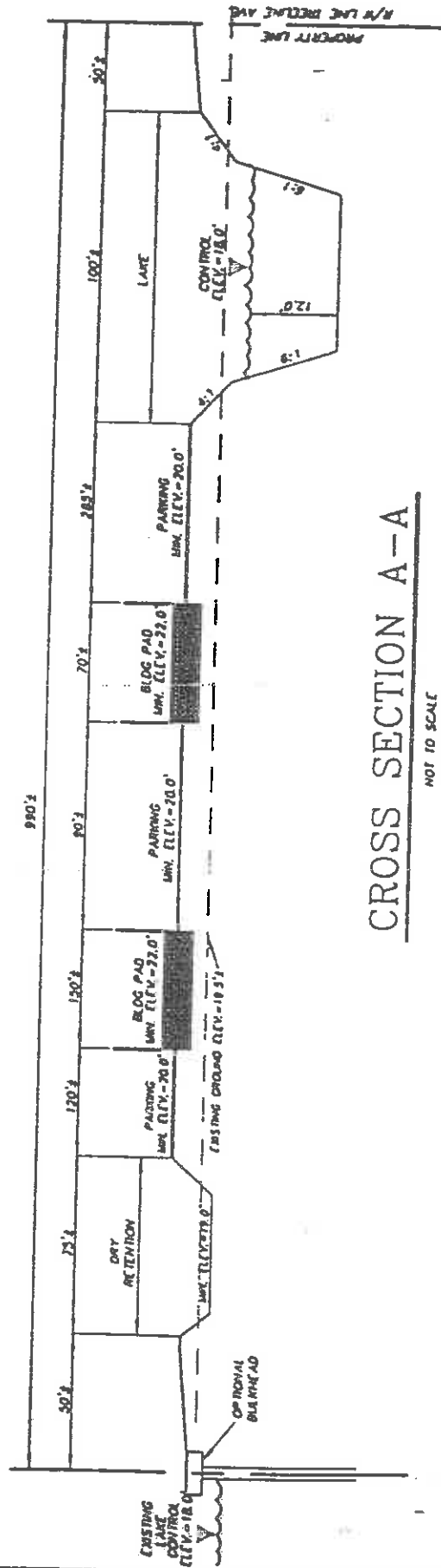


MIROMAR LAKES PRELIMINARY COMMERCIAL SITE PLAN

MIROMAR LAKES COMMERCIAL SITE PLAN
MIROMAR LAKES
LEE COUNTY, FLORIDA

Woods Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
10300 SW 101 STREET, MIAMI - SUITE 101
FORT MYERS, FLORIDA 33913

- ③ OUTPARCEL
- BUILDING PAD
- ▨ WETLANDS



CROSS SECTION A-A

NOT TO SCALE

US ARMY CORPS OF ENGINEERS
 APPLICATION #199507483 (IP-MN)
 SHEET 9 of 9
 MARCH 6, 1998

**MIROMAR LAKES PRELIMINARY
 COMMERCIAL SITE PLAN**

MIROMAR LAKES COMMERCIAL SITE PLAN
MIROMAR LAKES
 LEI COUNTY, FLORIDA

Hanks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
 10501 SW 4th CROSSWAY - SUITE 104
 DUNEDIN, FLORIDA 33517

WETLAND MITIGATION PLAN
MIROMAR LAKES
PERMIT APPLICATION NO. 199507483 I(IP-MN)

INTRODUCTION

The proposed Wetland Mitigation Program for the Miromar Lakes project consists of several elements which have been designed to coordinate with and augment the wetland mitigation proposed under the existing permits for Florida Gulf Coast University (Corps Permit No. 199400807) and Traeline Avenue (Corps Permit No 199400808), now known as Ben Hill Griffin Parkway. The elements include eradication of exotic vegetation, topographic alterations, wetland plantings, hydrologic improvements, as well as long term protection, through conservation easements, and long term maintenance and management of the site.

There are ± 255 acres of wetlands associated with the Miromar Lakes development areas including open water (less the large mining lakes). About 205 acres are vegetated wetlands and 50 acres or other waters. WilsonMiller, Inc. staff initially surveyed these areas in 1993. FLUCCS codes by wetland proposed for development and mitigation areas were re-surveyed for melaleuca by Dex Bender and Associates during August of 1997. The Florida Land Use, Cover and Forms Classification System (FLUCCS) map of the site developed by WilsonMiller, Inc. was used for the updated estimates of each wetland. A recent series aerial color photograph (20"x30") was also used to help confirm evaluations of the larger wetlands. Table 1 provides a summary of the wetlands by number, acres, impacted areas, other waters and 1997 estimated melaleuca coverage.

The code 424 was used for > 90% coverage. In 1997 melaleuca coverage estimates were made according to FAC 40E-4.3.2.4(c) of 50-75% and 76-100%. Additional categories of 1-24%, 25-49%, and >90% were to further determine the status of each wetland area. A comparison of rate of change between 1993 and 1997 can be made, if needed. These changes, even without estimated rates, show pervasive increases. There is no evidence that melaleuca will cease its exploitation of these native wetlands. For this reason, the August 1997 data estimate the minimum likelihood for melaleuca infestation in all but the areas with >90% melaleuca.

WETLAND IMPACTS

Approximately 168.47 acres of individual FLUCCS in identified wetlands have >50% melaleuca coverage. Table 1 lists the various wetlands and their degree of melaleuca infestation, while Table 3 provides a summary of wetlands to be impacted by FLUCCS and the melaleuca coverage.

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 1 of 32
APRIL 27, 2000

WETLAND MITIGATION

Table 2 provides the existing and proposed FLUCCS of the proposed mitigation areas by wetland and acreage. The FLUCCS types being proposed include more marsh systems than may have been represented in the past. Some of these marsh areas will be colonized by tree species with time increasing the forested areas.

Plan views of the proposed mitigation areas are provided and labeled as areas M1, M2, M3 and M4, which correspond to a portion of wetland 10B and wetlands W01N, W06N and W06S respectively.

All of these areas exhibit impacted hydrologic characteristics. Re-establishing better hydrology involves increasing duration at the surface. The introduction of more water (not greater than 42 cubic feet/second/square mile (CSM)) from the eastern end of the south lake will provide water to the northeastern portion of the main slough, a portion of M-2. This water will flow through two other mitigation sites, M-3 and M-4. Minor regrading in mitigation areas M-3 and M4 (lower by 1-2 feet) is proposed to assist regaining the hydrologic characteristics in this downstream area, along with some contouring to slow and hold water temporarily. Ditching leading from mitigation area M-1, through a portion of the University mitigation area has been filled in on the University site. This ditch will be filled in on the adjacent Miromar sites. Other ditching will be eliminated where it exists on M1, M-3 and MA.

Melaleuca dominance has been a major factor in decreasing the ecological values of the slough system that is proposed to be rehabilitated. Melaleuca could not have invaded these systems to such a severe degree except for the altered hydroperiod and subsequent fires. Additional water loss will be slowed by the removal of the existing ditch and additional water provided to the slough at the northeastern corner near the northeastern boundary of the University.

Mitigation area M-4 is formed by wetland 6S, a +49.29 acre parcel. A small upland area of ± 0.62 acres of palmetto is present within this wetland. About 48.49 acres have greater than 50% melaleuca present. The wetlands consist of ± 18.92 acres of melaleuca, the cypress (± 26.92 acres) is 76-90% melaleuca, the cypress, pine cabbage palm (± 2.65) is 50-74% melaleuca and the ditch (± 0.18 acres) is less than 10% melaleuca. All of this mitigation area will be cleared, elevation lowered (to bring the groundwater table closer to the surface), replanted and receive an additional extended hydroperiod. Table 3 provides the types of wetland vegetation to be replanted. The intense activity is clearly equivalent to the level needed for restoration work category.

Mitigation area M-1 contains wetland 10B1, a ± 27.52 acre parcel just north and contiguous with a large University mitigation site. A ± 0.36 acre live oak hammock uplands is within this parcel. About 22 acres have greater than 50% melaleuca present. The wetland consists of ± 0.09 acre graminoid understory with pine and a 50-74% melaleuca coverage, a ± 4.00 acre cypress area with a 10-24% melaleuca coverage, a ± 18.99 acre cypress area with 50-74% melaleuca coverage and a ± 3.54 acre cypress area with 75-90% melaleuca coverage. The ± 4 acre cypress area and the live oak upland will be enhanced by removing the exotics. The upland will be preserved. The remaining wetlands will be subject to either complete clearing and replanting (± 3 acres) or selective clearing and replanting (± 19 acres).

ATTACHMENT "A"

WETLAND MITIGATION PLAN, MIROMAR LAKES

SHEET 2 of 22

APRIL 27, 2000

Mitigation area M-3, containing wetland 6N (± 43.96), is just west of BHG Parkway at the southern end of the slough, just south of the University mitigation area. This wetland was not surveyed by GPS so the observations are based on biologist's site visits and aerial interpretation. With selective clearing and an improved water table we expect the 411 pine flatwoods (± 0.72 acres) to revert to a wetland 416 FLUCCS. A small area of palmetto (± 0.48 acres) will be enhanced by selective clearing. Melaleuca, at $>90\%$, is present over ± 19.02 acres. The rest of the wetland consists of cypress with 10-24% melaleuca (± 2.71 acres), cypress with 50-74% melaleuca (± 1.05 acres) and cypress with 75-90% melaleuca (± 19.80 acres). Except for the palmetto and pine uplands, and ± 2.71 acres of cypress, all of the remaining area will be completely cleared and replanted (± 39.5 acres). About 6.7 acres may be selectively cleared and replanted if conditions are appropriate.

Mitigation area M-2, containing wetland 1N (± 65.90 acres), is in the slough northeast of the University and just south of the far eastern end of Miromar Lakes. This wetland is in better shape because less melaleuca has invaded this area. About 5.88 acres have greater than 50% melaleuca and another ± 18.94 acres with $<50\%$ melaleuca. These melaleuca area will be cleared or selectively removed depending on access characteristics and density patterns. All 424 FLUCCS and FLUCCS in the E4 category will be completely cleared, regraded and replanted. The E1-E3 categories will be selectively cleared. The hydroperiod to the western and southern part of this site will be increased in duration to aid in recovery of this area and to downstream mitigation sites on the University and for Miromar Lakes. This water will come from the large southern mining lake via a control structure, not to exceed 42 CSM, at the lake and a swale extending down the eastern side of the University conservation area. The existing ditches will be blocked or filled in to slow runoff from the northwestern and southern parts of this site.

SEDIMENT PROFILE

ASG Geosciences Inc., provided sediment profile information for various areas of the Miromar Development site. Stations SB26-29 which are located in the southern part of the site show poorly graded sand to 10 feet or greater below surface elevations. These stations are near (SB26, 27 and 29) or within the mitigation site M4 (SB28). There appears to be enough sandy soil to allow the lowering of ground elevations up to 4 feet without encountering rock and have enough soil remaining for plants to re-grow.

GRADING PLANS - HYDROLOGIC RESTORATION

The attached plan and cross section views are provided for mitigation areas 3 and 4. These plans take in to account South Florida Water Management District (SFWMD) approved pool elevations, existing information developed by Hole Montes for the University and the original plans by Wilson Miller. Discussions with FWC about the Ben Hill Griffin Crossing and the open deeper water aquatic were taken in to account as well as aquatic birds flying across the road. Miromar has elected to leave the system in its present constructed configuration. A buffer of trees will force birds to fly higher over vehicular traffic. No small animal path is apparent in the box culverts. Miromar does not propose to add any as part of its activities.

FOREST ENHANCEMENT

Some forested areas are being retained and/or replanted in mitigation areas 2, 3 and 4. Much of these areas will be replanted as marsh and grass systems with widely spaced cypress or hydric pine. Twenty trees per acre is the goal for these widely spaced trees to aid in a long-term gradual conversion to more forested systems. Approximately 48 acres are proposed for marsh systems with widely spaced trees. The total number of trees to be planted will depend on the survival rates at the end of the growing seasons. The first planting will be at a density of 25 trees per acre. These areas are identified on the proposed mitigation FLUCCS maps and in Table 2 as 641/621/411 H as in Table 2 "Proposed FLUCCS" column.

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 4 of 22
APRIL 27, 2000

Table 1 Wetlands On the Development Site *

Wetland Number	Total Acres of Wetlands	Wetland Impact Acres by Wetland	Impact to Other Surface Waters	> 50% Melaleuca by FLUCCS	< 50% Melaleuca by FLUCCS
20*	2.60	2.10	.50	2.10	0.00
21*	10.37	10.37	0.00	10.37	0.00
17*	3.95	3.76	0.19	2.66	1.10
16*	16.29	16.29	0.00	12.50	3.79
22	12.44	12.44	0.00	0.00	12.44
15	1.48	1.28	0.20	0.37	0.91
14A*	2.88	2.88	0.00	2.88	0.00
14B*	0.36	0.36	0.00	0.36	0.00
13*	0.90	0.90	0.00	0.90	0.00
12*	0.30	0.20	0.10	0.20	0.00
10A*	83.68	49.47	34.21	41.90	7.57
10B2*	29.80	29.80	0.00	29.50	0.30
10C*	23.97	21.07	2.90	20.97	0.10
10D*	3.27	3.27	0.00	3.27	0.00
9	2.60	2.60	0.00	0.40	2.20
8	2.20	2.20	0.00	0.20	2.00
7	9.60	0.80	8.80	0.30	0.50
6C*	22.89	22.89	0.00	21.39	1.20
6D*	30.93	22.10	8.83	17.90	4.20
Totals:**	= 260.51	= 204.78	= 55.73 **	168.47	36.31

** - Not including the two mining lakes

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 5 of 22
 APRIL 27, 2000

TABLE 2 Mitigation Areas Existing FLUCCS with Melaleuca Density and Proposed FLUCCS

Mitigation Area	Wetland	FLUCCS	Total Acres (Existing)	Proposed FLUCCS	Total Acres (Proposed)
M4	6S	321E1	.62	321	.62
		424	18.92	616	1.85
		513	.18	621	14.63
		621E3	2.65	641/621	4.70
		621E4	26.92	641/621/411H	17.24
				643	6.11
				6445	4.14
Subtotal			49.29		49.29
M3	6N	321E1	.48	321	.48
		411E2	.72	416	6.03
		424	19.02	616	.56
		513	.18	621	6.93
		621E1	2.71	624	4.22
		621E3	1.05	641/621/411H	20.46
		621E4	19.80	643	3.72
				6445	1.56
Subtotal			43.96		43.96
M2	1N	411	3.48	411	4.02
		411E1	.89	416	13.37
		411E2	.06	427	.95
		416E1	.10	438	.09
		416E2	11.17	621	29.29
		416E3	2.43	624	6.61
		24	3.45	641/621/411H	5.74
		427	.95	643	5.83
		513	1.73		
		621	29.20		
		621E2	.63		
		624E1	1.15		
		624E2	4.94		
		641	5.72		
		Subtotal			65.90
M1	10B1	321	.54	321	.54
		416E3	.09	416	.14
		427	.36	427	.36
		621E1	4.00	621	4.00
		621E3	18.99	624	18.88
		624E4	3.54	641	2.88
				643	.72
Subtotal			27.52		27.52
Grand Totals			186.67		186.67

Table 3 Wetland Impacts by FLUCCS and Melaleuca Coverage.

FLUCCS	Melaleuca Coverage					Total
	0 %	E1 (1-24%)	E2 (25-49%)	E3 (50 - 74%)	E4 (≥75%)	
310	0.00	0.00	2.3	.75	0.00	3.05
321	0.00	0.00	0.00	.20	0.00	.20
416	0.00	2.73	6.60	25.54	8.73	43.65
424	0.00	0.00	0.00	0.00	94.67	94.67
438	1.49	0.00	0.00	0.00	0.00	1.49
621	2.80	.20	.70	22.97	9.31	35.98
624	0.00	0.00	0.00	0.00	4.06	4.06
641	.46	4.02	0.00	0.00	2.19	6.67
643	0.00	12.81	2.20	0.00	0.00	15.01
Totals	4.75	19.76	11.80	49.46	119.01	204.78

Table 4 Summary of Existing FLUCCS and Melaleuca Coverage for the Mitigation Areas

FLUCCS	Melaleuca Coverage					Total
	0 %	E1 (1-24%)	E2 (25-49%)	E3 (50 - 74%)	E4 (≥75%)	
321	0.54	1.10	0.00	0.00	0.00	1.64
411	3.48	0.89	0.78	0.00	0.00	5.15
416	0.00	0.10	11.17	2.52	0.00	13.79
424	0.00	0.00	0.00	0.00	41.39	41.39
427	1.31	0.00	0.00	0.00	0.00	1.31
513	2.09	0.00	0.00	0.00	0.00	2.09
621	29.20	6.71	.63	22.69	46.72	105.95
624	0.00	1.15	4.94	0.00	3.54	9.63
641	5.72	0.00	0.00	0.00	0.00	5.72
Totals	42.34	9.95	17.52	25.21	91.65	186.67

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 7 of 20
 APRIL 27, 2005

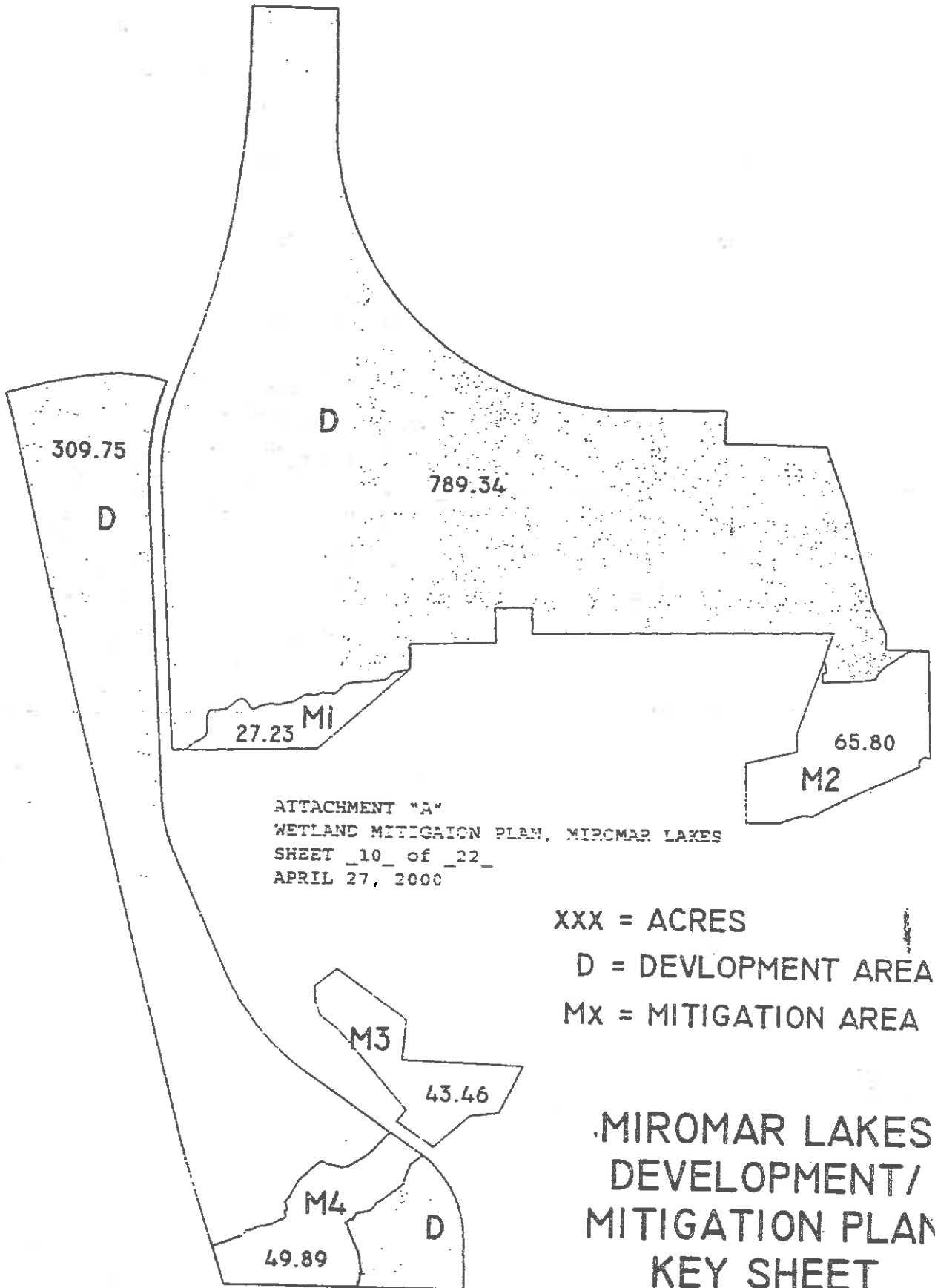
Table 5 Mitigation Activities Table

Mitigation Area Activity	Acres
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >75% melaleuca	
M4 (424 + 621E4)	45.84
M3 (424)	8.74
Sub-Total	54.58
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >75% melaleuca	
M3 (424+621E4)	30.08
Sub-Total	30.08
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >50% melaleuca	
M4 (621E3)	2.65
Sub-Total	2.65
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >50% melaleuca	
M3 (621E3)	1.05
M2 (424)	3.45
M1 (624E4)	3.54
M1 (621E3 + 416E3)	19.08
Sub-Total I	27.12
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, <50% melaleuca	
M3 (411E2 + 513+ 621E1)	3.61
Sub-Total	3.61
Total	118.04

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 8 of 30
 APRIL 27, 2000

Table 6 Melaleuca Credits - Basis of Review 4.3.2.4

Activity for Mitigation Area	Credits Earned
Exotic removal, some replanting, hydrology, <50% melaleuca	
M1 (621E1)	4.00
M2 (411E1 + 411E2)	0.95
M2 (416E1 + 416E2)	2.84
M2 (621E2 + 624E1)	1.78
M2 (513)	1.73
M4 (513)	0.18
Sub-Total	11.48
Exotic removal, hydrology, > 50% melaleuca	
M2 (416E3)	2.04
Sub-Total	2.04
Exotic removal, < 50% melaleuca	
M2 (416E3)	0.39
Sub-Total	0.39
Exotic removal < 50% melaleuca	
M2 (416E2 + 624E2)	13.37
Sub-Total	13.37
Hydrology, <10% melaleuca	
M2 (621)	2.79
Sub-Total	2.79
Wetland Preservation	
M2 (621)	26.41
M2 (641)	5.72
Sub-Total	32.13
Upland preservation, exotic removal	
M1 (321 + 427)	0.90
M2 (411 + 427)	4.43
M4 (321E1)	0.621
Sub-Total	5.95
Total:	68.15
Grand Total for Table 5 and Table 6	186.19



ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 10 of 22
 APRIL 27, 2000

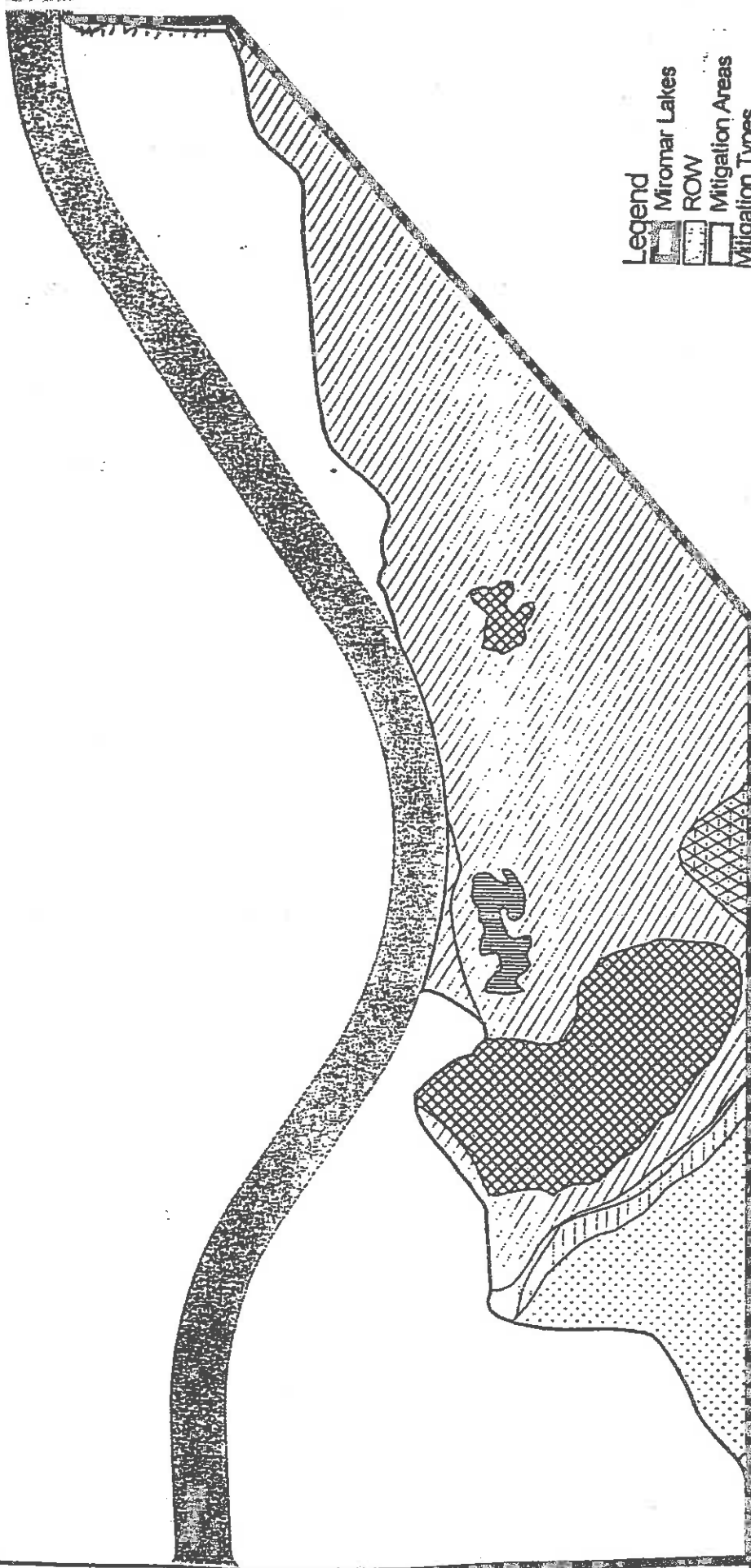
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 D = DEVELOPMENT AREA
 MX = MITIGATION AREA

MIROMAR LAKES
 DEVELOPMENT/
 MITIGATION PLAN
 KEY SHEET

Miomar Lakes

Mitigation Land Use Types

Mitigation Area 1



- Legend**
- Miomar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwood
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Sw
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIOMAR LAKES
 SHEET 11 of 22
 APRIL 27, 2000

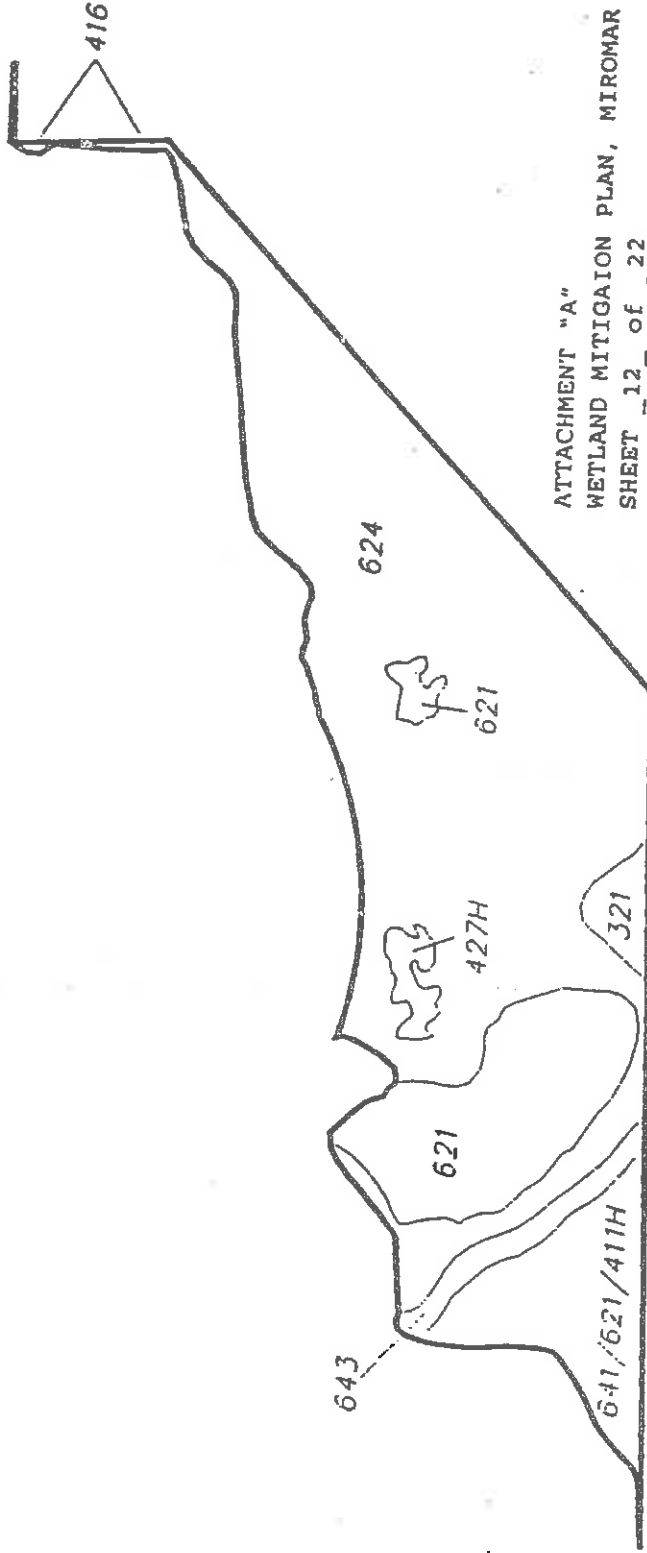


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MITIGATION AREA M1

Proposed Fluxes Legend

- 321 Palmetto Prairie
- 416 Pine Flatwoods - Graminoid Understory
- 427H Live Oak - Hydric
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydric
- 643 Wet Prairies



ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 12 of 22
APRIL 27, 2000

EXHIBIT

BASE INFORMATION FROM GIS LAYERS PROVIDED BY:
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W. DEXTER BENDER
AND ASSOCIATES
ENVIRONMENTAL & MARINE CONSULTING
FORT MYERS, FL (941) 334-3680

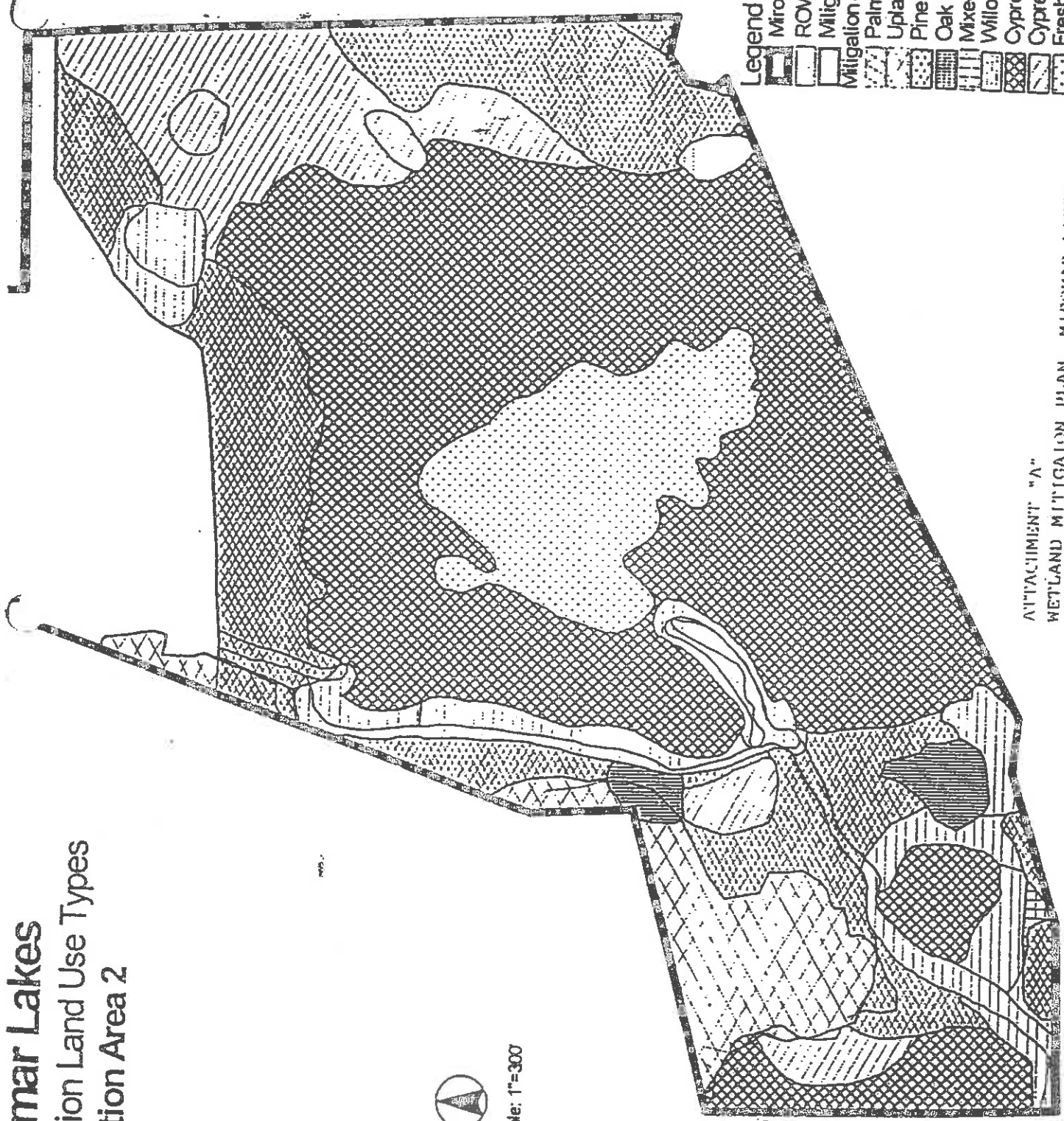


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MIROMAR DEVELOPMENT, INC.
MIROMAR LAKES

SHEET

Miomar Lakes Mitigation Land Use Types Mitigation Area 2



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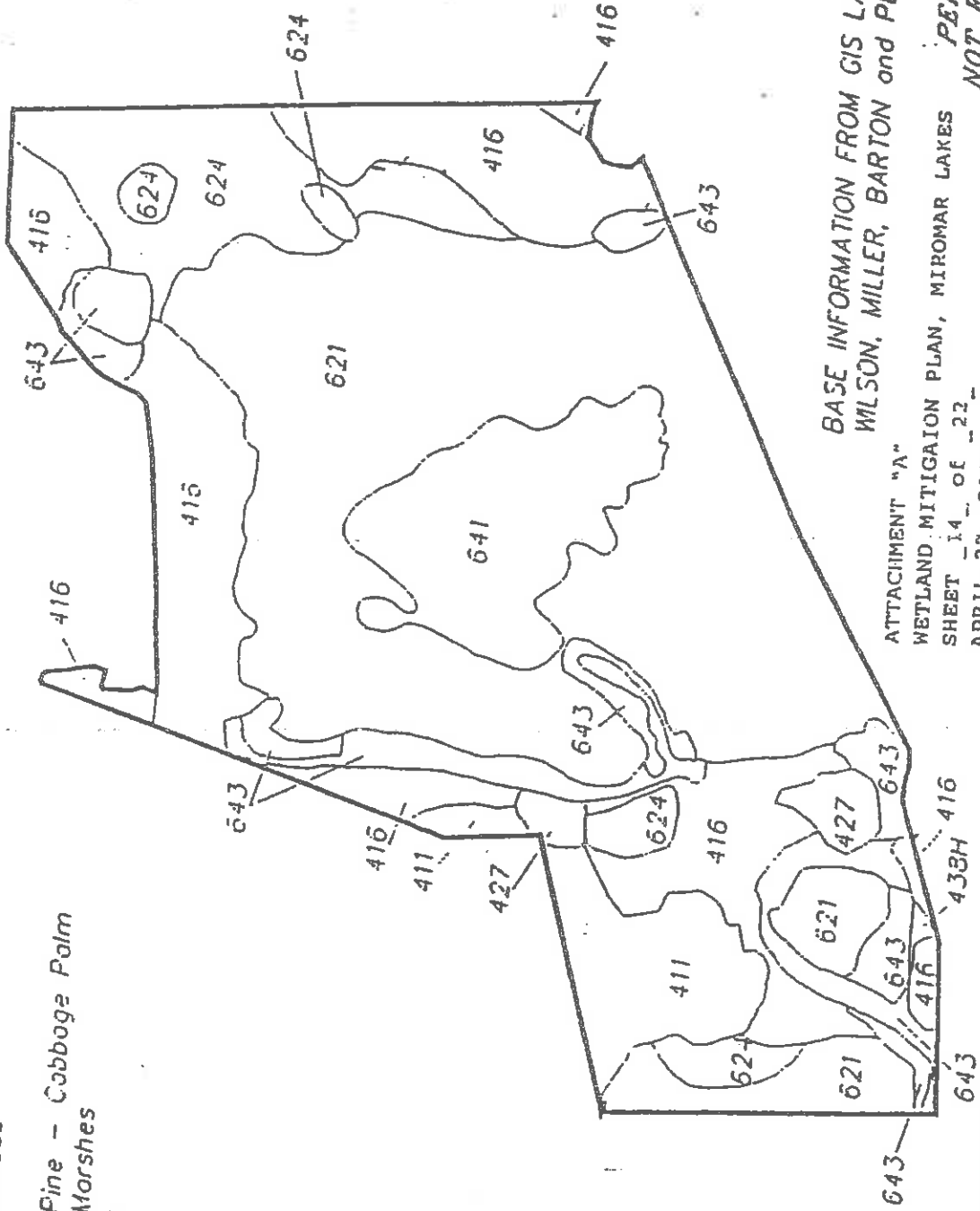
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- Miomar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwoods
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Swamp
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIOMAR LAKES
SHEET 13 OF 22
APRIL 27, 2009

MITIGATION AREA M2

Proposed Flucss Legend

- 416 Fine Flatwoods - Graminoid Understory
- 411 Pine Flatwoods
- 427 Live Oak
- 438H Mixed Hardwoods
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641 Freshwater Marshes
- 643 Wet Prairies



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WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 14 of 22
APRIL 27, 2000

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MIROMAR LAKES

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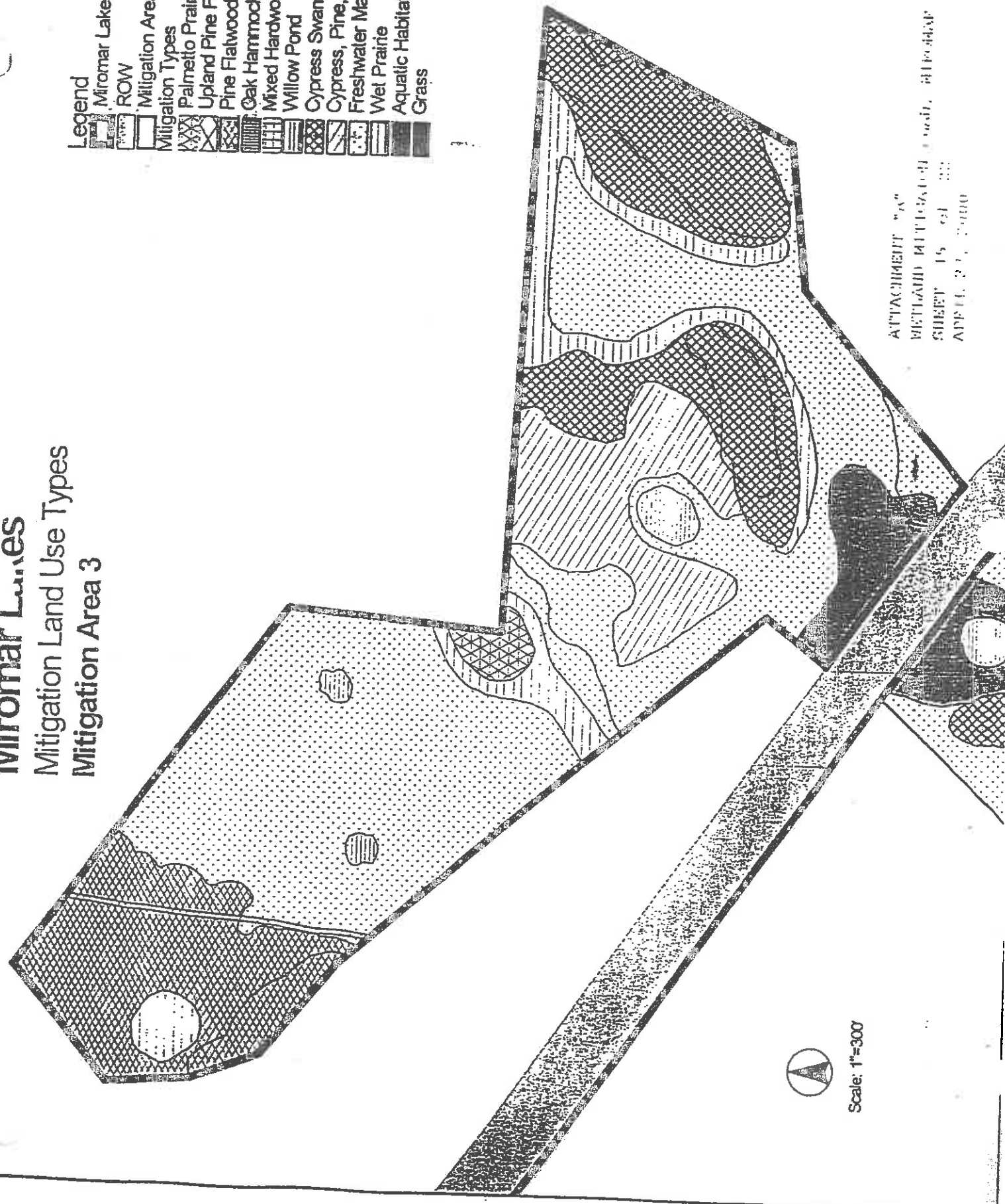
SHEET

Miromar Lakes

Mitigation Land Use Types

Mitigation Area 3

- Legend**
- Miromar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwoods
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Swamp
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass



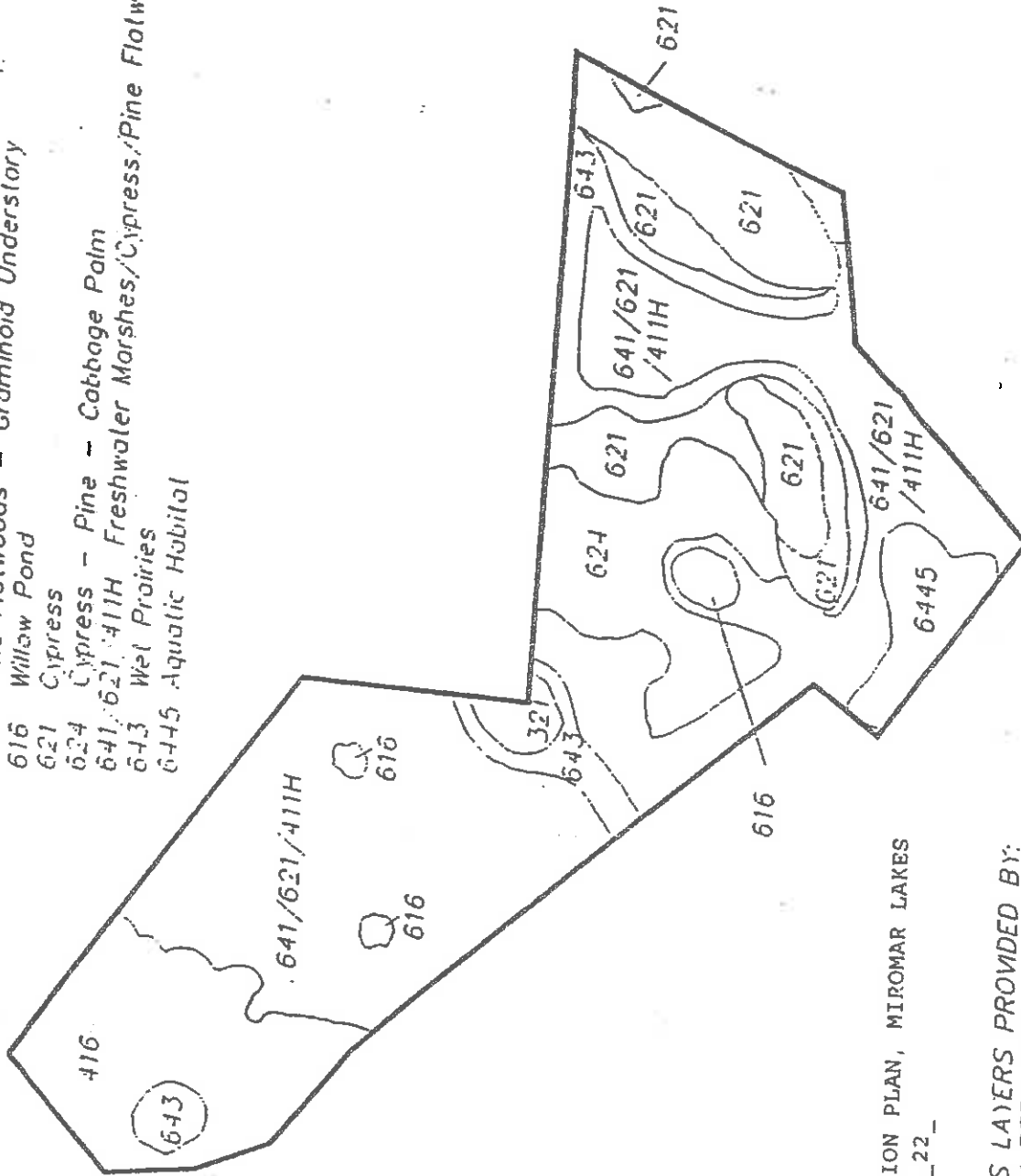
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ATTACHMENT "A"
 MIAMI MITIGATION PLAN, BLUEGRASS LARRE
 SHEET 15 OF 22
 APRIL 27, 2000

MITIGATION AREA M3

Proposed Fluxes Legend

- 321 Palmetto Prairies
- 416 Pine Flatwoods - Graminoid Understory
- 616 Willow Pond
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydr
- 643 Wet Prairies
- 6445 Aquatic Habitat



ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 16 of 22
 APRIL 27, 2000

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 AND ASSOCIATES
 ENVIRONMENTAL & MARINE CONSULTING
 47 MEANS, FL 33411 TEL 3680

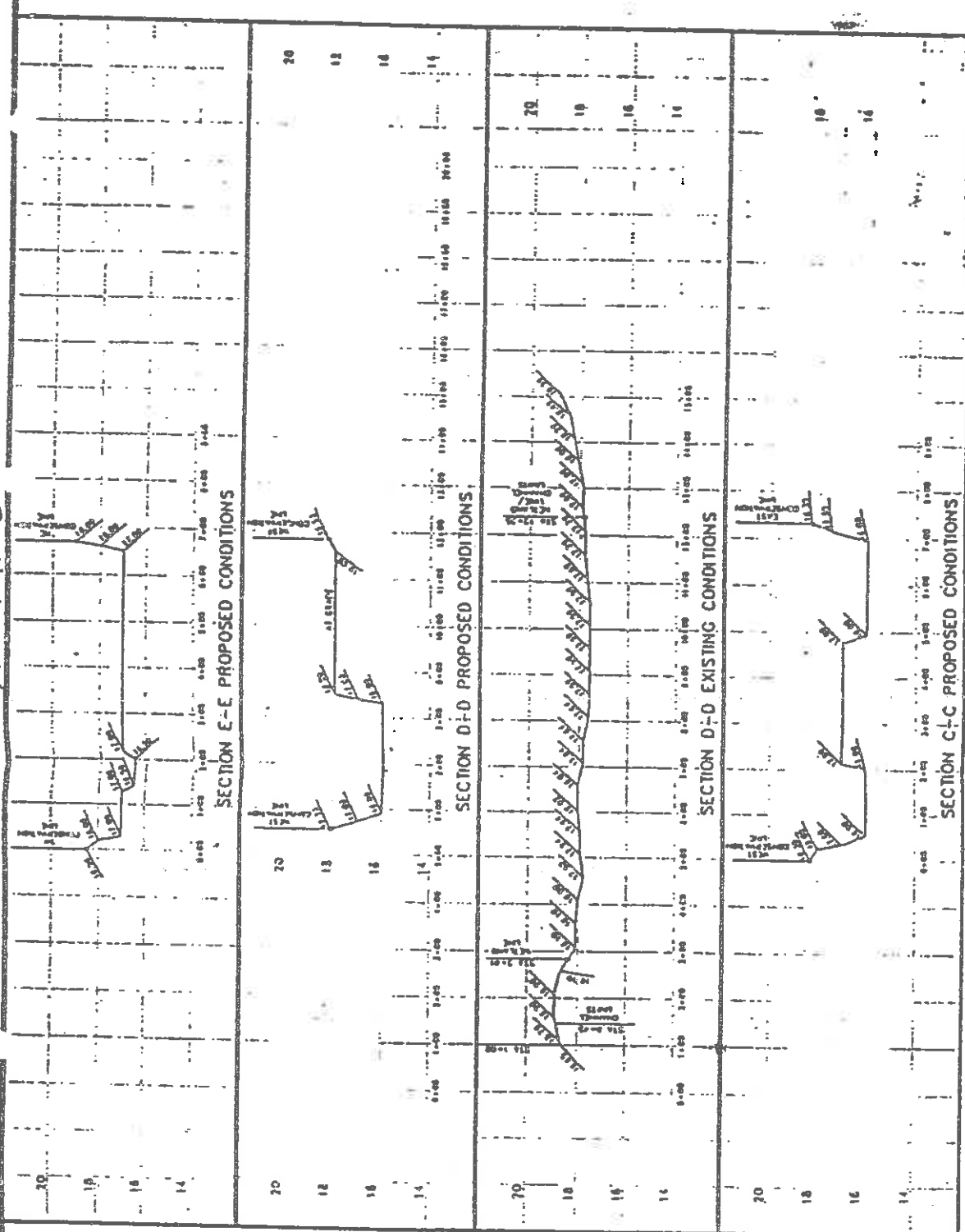


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 MIROMAR LAKES

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EXHIBIT

MITIGATION AREA M-3



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ATTACHMENT "A"

WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 10 OF 22
APRIL 27, 2000

MIROMAR DEVELOPMENT, INC.
MIROMAR LAKES

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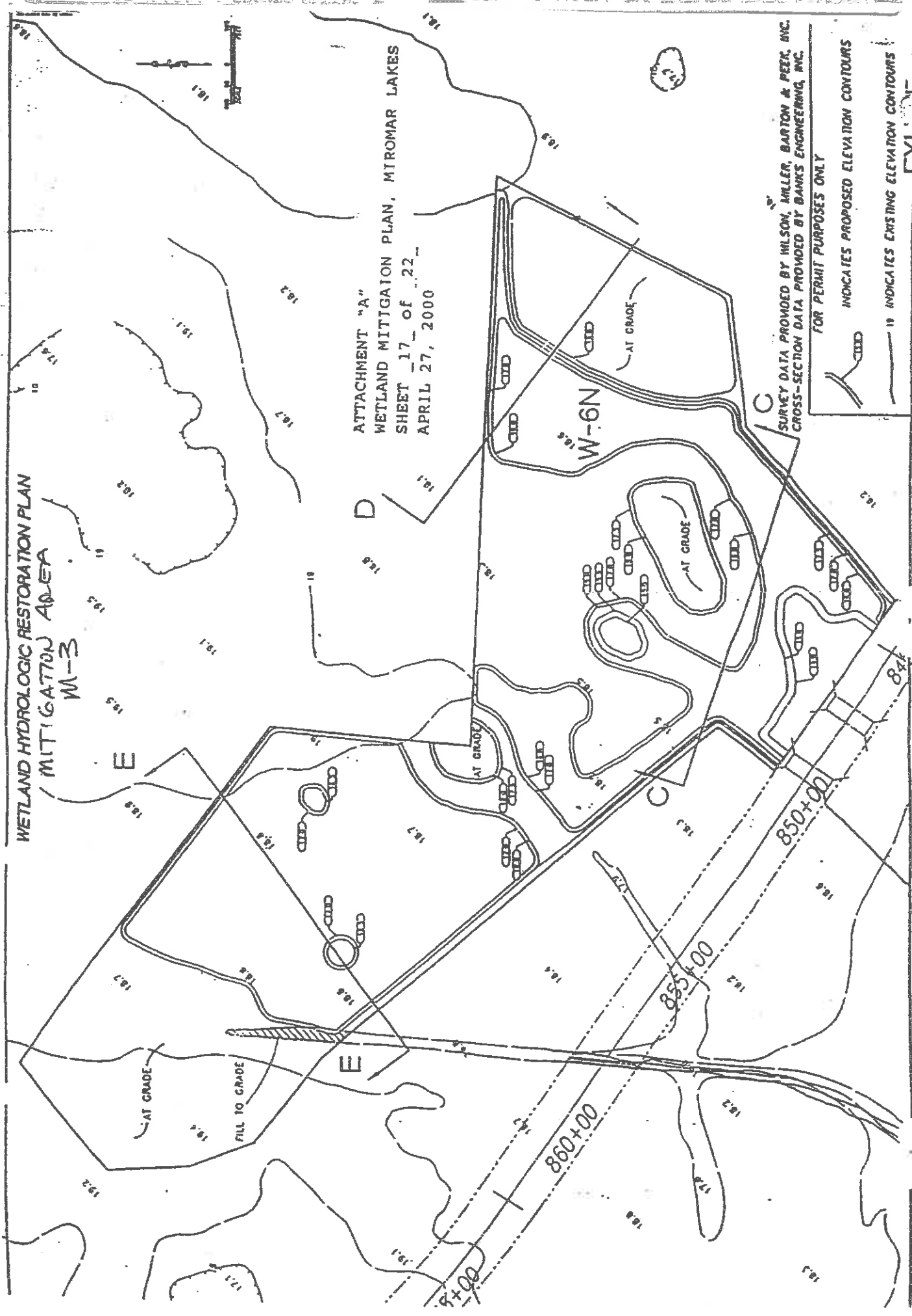
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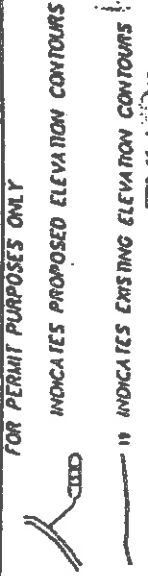
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WETLAND HYDROLOGIC RESTORATION PLAN
MITIGATION AREA
W-3



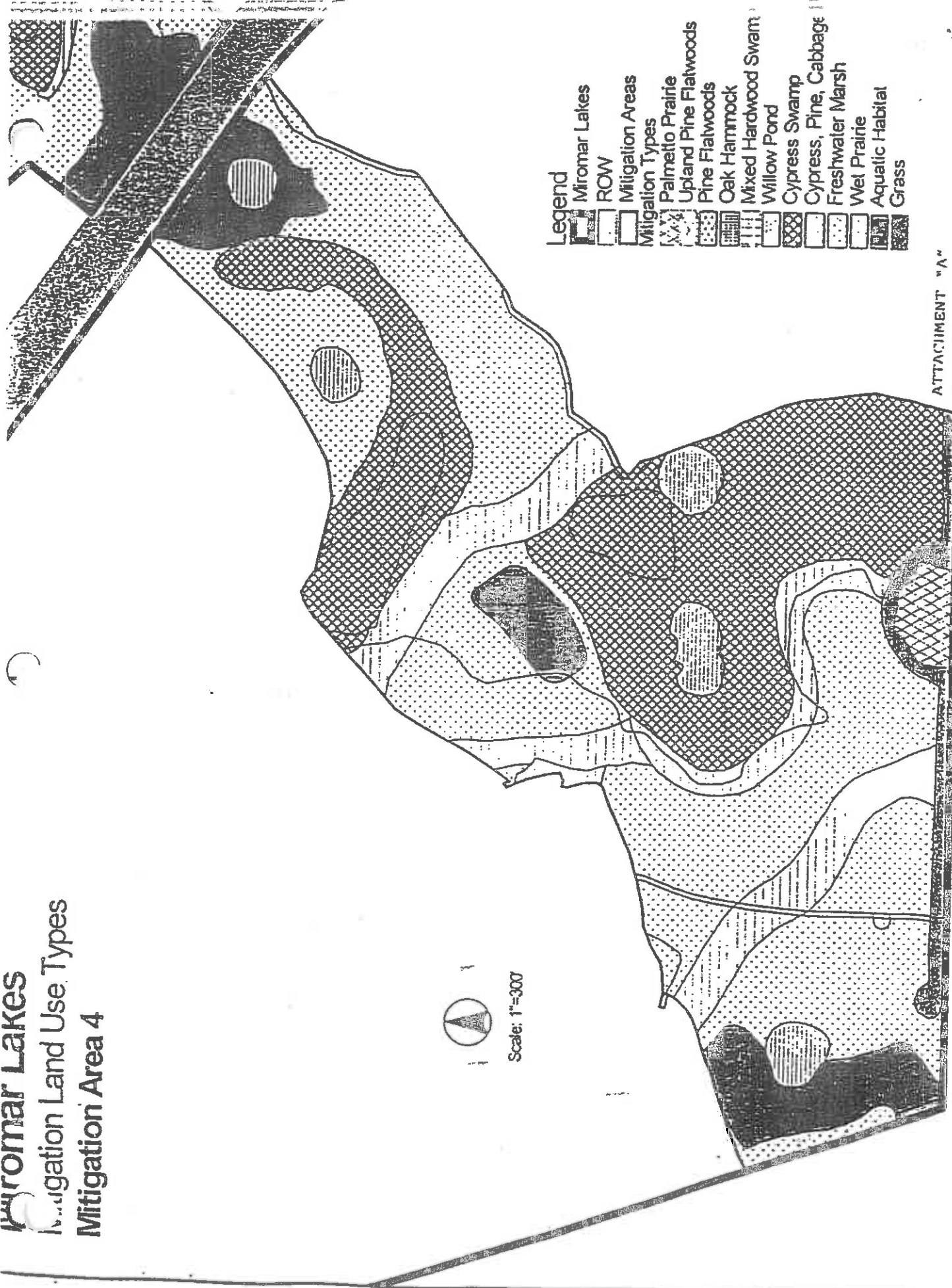
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SHEET 17 of 22
APRIL 27, 2000

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EXT

Miomar Lakes Mitigation Land Use Types Mitigation Area 4



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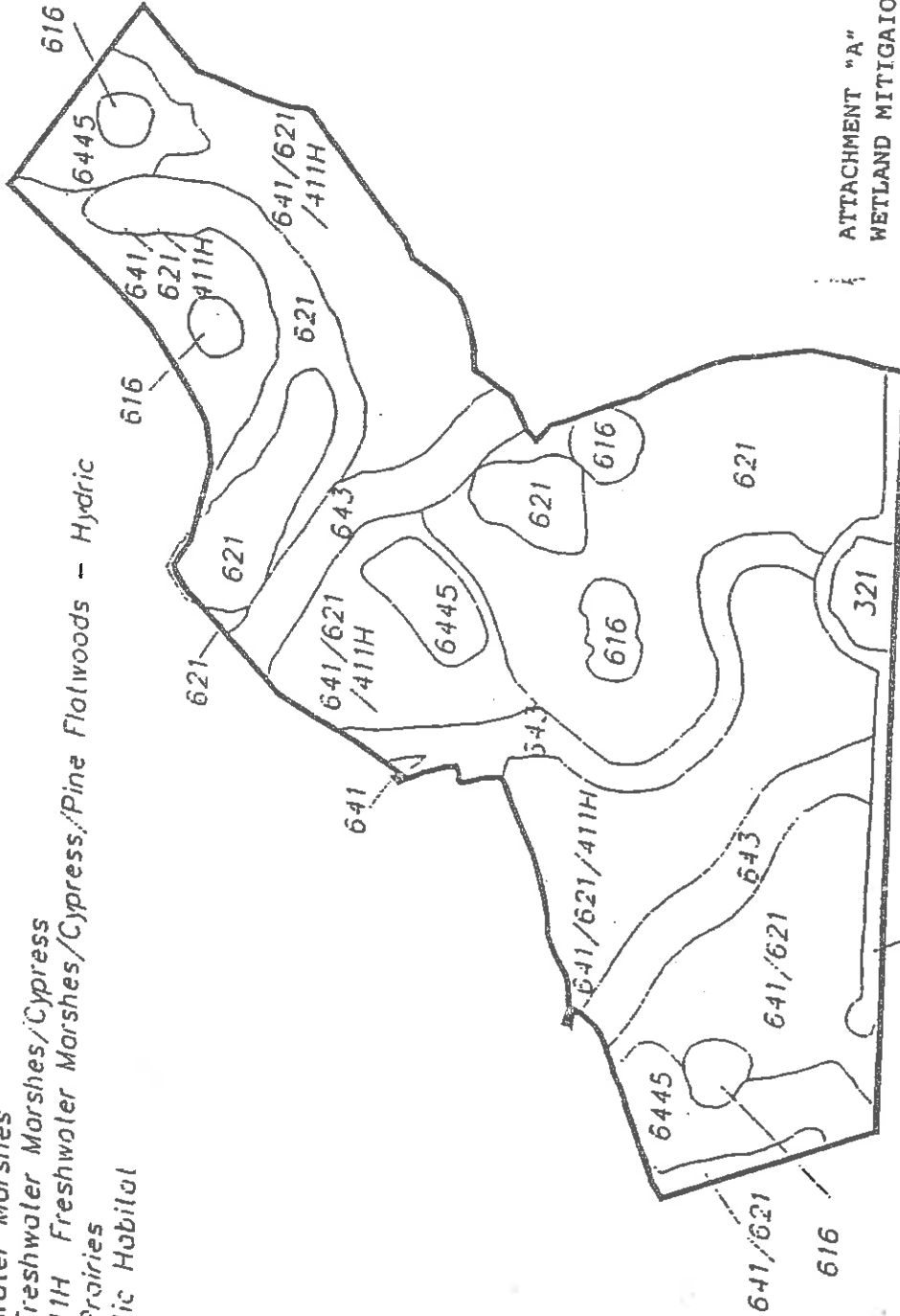
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- Miomar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwoods
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Swamp
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIOMAR LAKES
SHEET 19 of 23
APRIL 27, 2000

MITIGATION AREA M4

Proposed Fluges Legend

- 310 Herboaceous
- 321 Palmetto Prairies
- 616 Willow Pond
- 621 Cypress
- 641 Freshwater Marshes
- 641/621 Freshwater Marshes/Cypress
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydric
- 643 Wet Prairies
- 6445 Aquatic Habitat



EXHIBIT

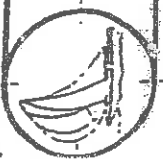
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WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 20 of 22
APRIL 27, 2000

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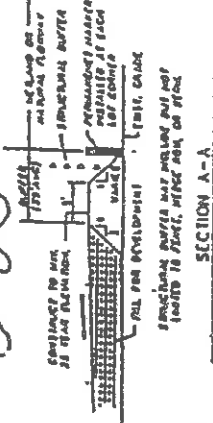
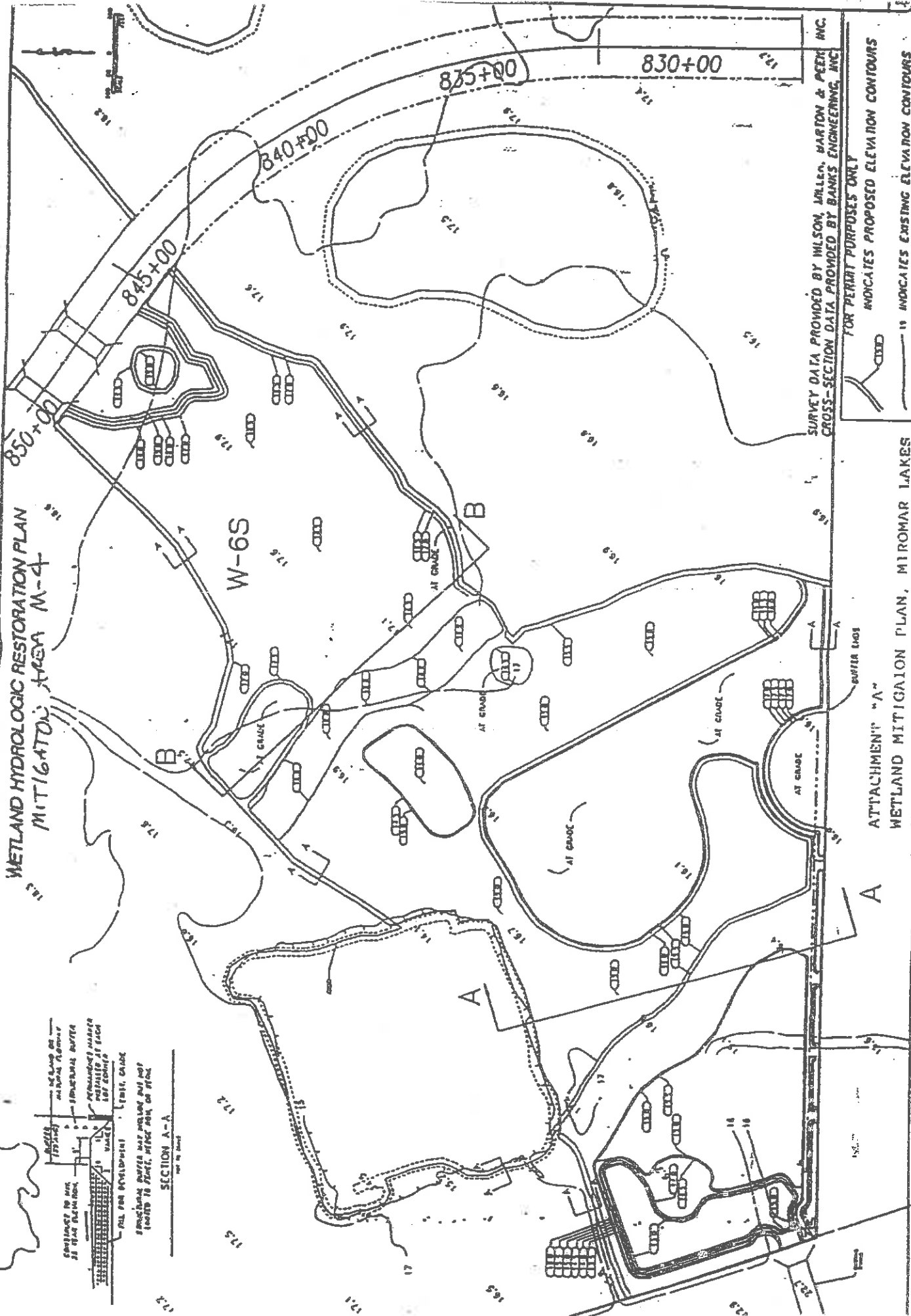
MIROMAR DEVELOPMENT, INC.
MIROMAR LAKES

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WETLAND HYDROLOGIC RESTORATION PLAN
MITIGATION AREA M-4

W-6S

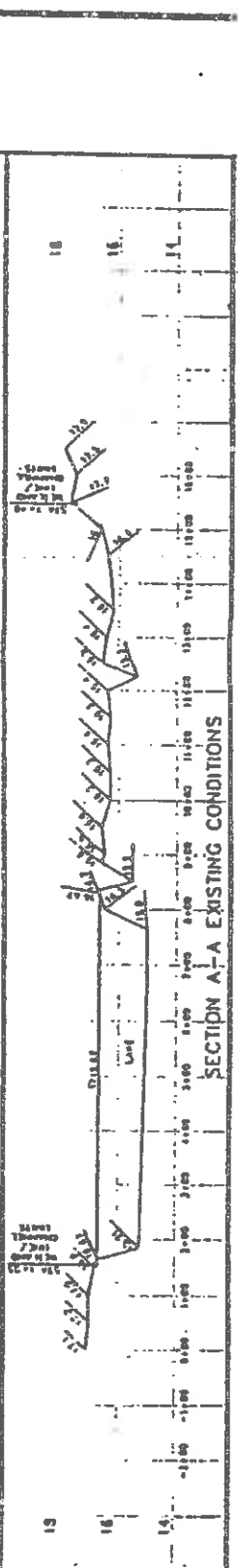
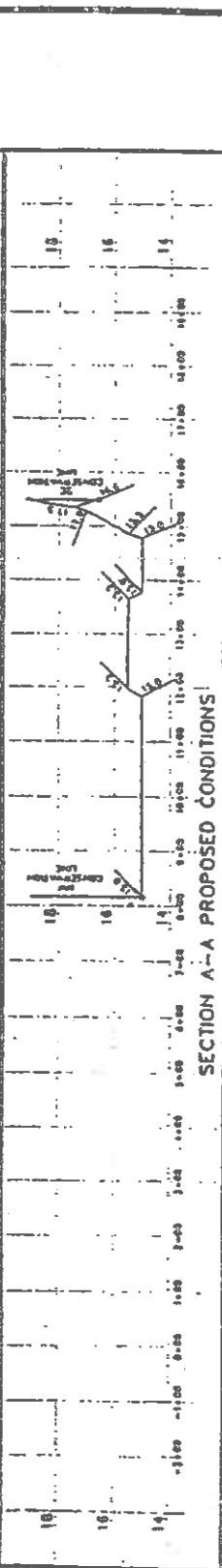
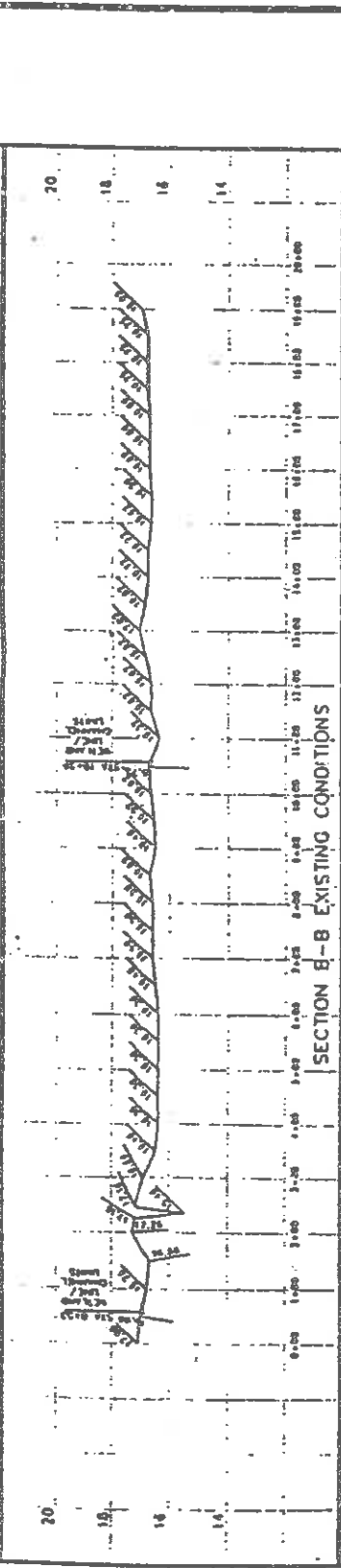
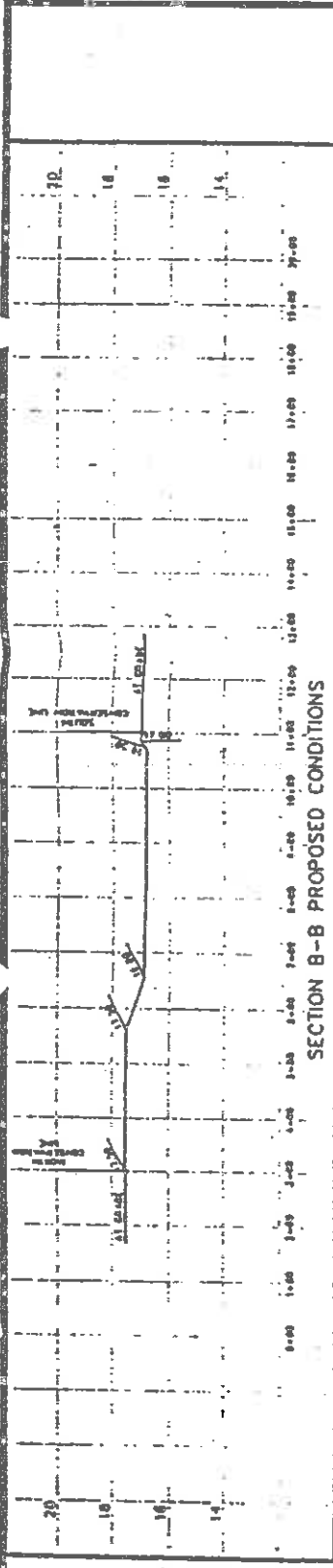


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ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 21 OF 22
APRIL 27, 2000

EXHIBIT

MULTIGATION AREA M-4



EXISTING CONDITIONS INFORMATION PROVIDED BY HOLZ, MONTES and ASSOCIATES
 ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 22 OF 22
 APRIL 27, 2009

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MIROMAR DEVELOPMENT, INC.
 MIROMAR LAKES

SED:

SHEET

EXHIBIT

**Miromar Lakes Mitigation Area Management
Monitoring and Maintenance Program**

**MITIGATION AREA MANAGEMENT, MONITORING
AND
MAINTENANCE PROGRAM
MIROMAR LAKES
PERMIT APPLICATION NO. 199507483 (IP-MN)**

ATTACHMENT "B"
MITIGATION AREA MANAGEMENT, MONITORING
AND MAINTENANCE PROGRAM, MIROMAR LAKES
SHEET 1 of 6
APRIL 27, 2000

**Miromar Lakes Mitigation Area Management
Monitoring and Maintenance Program**

**MITIGATION AREA MANAGEMENT, MONITORING,
AND MAINTENANCE PROGRAM**

This attachment describes the general mitigation management, maintenance, and monitoring programs and the mitigation success criteria for the Miromar Lakes.

MITIGATION SUCCESS CRITERIA OVERVIEW

For purposes of the following discussion of success criteria, the Miromar Lakes mitigation area can be divided into two broad categories of mitigation effort:

- 1) Enhanced areas in which exotic/nuisance species are removed and controlled, but in which exotic/nuisance infestation was not severe enough nor exotic/nuisance removal destructive enough to require replanting of native species; and
- 2) Restored-replanted areas in which in which exotic/nuisance species are removed and controlled, native species are planted to varying degrees as required and hydrology improved. Some restored-replanted areas will involve removal of all vegetation, lowering the natural grade (for hydrology) and regrading, while others will use less intensive grading in order to preserve identified healthy native trees existing in heavy exotic invasions.

Reference to exotic vegetation within the mitigation areas includes Brazilian pepper (*Schinus terebinthifolius*), melaleuca (*Melaleuca quinquenervia*), Australian pine (*Casuarina equisetifolia*) and ear-leaf acacia (*Acacia auriculiformis*). Opportunistic, native, nuisance species that may become abundant within replanted areas include cattails (*Typha* spp.), primrose willow (*Ludwigia peruviana*), and torpedo grass (*Panicum repens*). All references to "cover" shall mean the aerial extent accounted for by a given species or the area beneath the canopy of a given species.

The permittee shall retain the ability to modify the monitoring program described herein. Any proposed modifications to this program shall first be approved by the SFWMD and the U.S. Army Corps of Engineers (Corps).

SUCCESS CRITERIA

The following criteria shall define the success of the Miromar Lakes:

- A. Completion of the initial eradication of exotics/nuisance species from enhanced areas in the given mitigation phase will occur first. These areas will be free of exotic/nuisance plants initially and be controlled to have no more than 5% coverage during any subsequent monitoring year. Exotic/nuisance plants will be eradicated at the end of each monitoring year, if present.

- B. Completion of the initial clearing, grading, replanting, over-seeding, and/or mulching with wetland topsoil in the restored-replanted areas included in the given mitigation phase. By definition, there will be no exotic plants initially present.
- C. For a given mitigation area, completion of existing drainage ditch filling, constructed wetland excavation and re-grading within the mitigation phase area, and reestablishment of flow from the South Lake shall constitute the elements of hydrologic restoration for that area.
- D. One year following completion of replanting in a restored-replanted marsh/ widely spaced trees area (20 trees per acre is the target goal): achieve a minimum of 80% survival of the installed plants. If replanting includes over-seeding with native, herbaceous species, or mulching with wetland soils, survivorship shall apply to the seeded plants or mulch-germinated plants as an addition to installed plants during the monitoring. If wetland topsoil is used as an inoculum seed source in marsh areas, success criteria shall include obtaining a minimum of 80% coverage in the groundcover stratum, by native wetland plant species, within 5 years following completion of application of topsoil. This 80% criteria shall only be applicable to areas where topsoil is used rather than direct plantings. The topsoil areas will be maintained free of exotics each year and have no more than 5% nuisance species between monitoring periods. These widely spaced trees will be a minimum of 6' in height.
- E. For each monitoring year following the completion of replanting in a restored-replanted marsh/widely spaced trees area achieve: a.) a minimum of 80% survival of widely spaced trees, herbaceous plants and shrubs including recruited native plants, and b) no more than 5% cover by nuisance species and 0% exotic species. Coverage by shrubs and herbaceous plants may decrease as planted and recruited trees grow reaching a target of 20 trees per acre. Number of trees above the 20 per acre will be a good indication of natural recruitment in third through fifth years. Most of this recruitment will have to come from existing mature trees adjacent to the marsh area. If, in the fourth year the goal of 20 trees per acre is not stable, then over-planting will occur to bring the 80% survival to the equivalent of 20 trees per acre.
- F. Two years following the completion of replanting in a restored-replanted forest area achieve: a.) a minimum of 80% survival of planted trees and shrubs; and b.) a minimum of 80% survival of planted herbaceous plants including recruited native plants.

Each monitoring after the second year following the completion of replanting in a restored-replanted forest area achieve: a.) a minimum of 80% survival of planted trees and shrubs; b.) a minimum of 80% survival of planted herbaceous plants including recruited native plants and 40% coverage c.) no more than 5% cover by nuisance species and 0% exotic species. These success criteria will thereafter remain in effect for the duration of the monitoring period. Coverage by the canopy will increase each year as an indication of growth and recruitment, reach 25% by the fifth year.

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MANAGEMENT AND MAINTENANCE

Miromar Lakes mitigation areas will be preserved by recording each area as a conservation easement to the SFWMD with restricted uses and by designating the area as a conservation area.

Management and maintenance will be performed by the owner/developer until the mitigation is considered a success prior to the time that the development is conveyed to a property owners' association or other person.

The mitigation areas for the Miromar Lakes site will require regular maintenance until mitigation systems reach maturity and are able to out-compete exotics. Maintenance and management activities may include, but are not limited to:

- maintenance, repair, and replacement of piezometers and staff gauges;
- mechanical and hand removal of invasive species in both forested and marsh (herbaceous) areas;
- herbicidal treatment of stumps to prevent re-growth after exotic clearing is complete
- removal and/or herbicidal treatment of exotics on a regularly scheduled routine or as needed depending on the speed and amount of re-growth after the initial exotic eradication.
- replanting of wetlands where initial planting failed due to adverse conditions or disease.
- adjustment of control structures. after approval by the District.

Management and maintenance responsibilities will always include maintenance of surface water management systems and control of exotic and nuisance plant species.

Maintenance work will be performed on a quarterly basis after qualitative evaluations by the maintenance supervisor. More extensive maintenance will be performed, if needed, after each annual monitoring report is evaluated.

WETLAND MONITORING

The monitoring of the restored, enhanced, and constructed wetlands will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation which includes exotic and wetland/native species. Quantitative and qualitative observations concerning the success, functioning (including wildlife utilization), and progress of the mitigation will be utilized. Hydrology will be monitored through the use of piezometers and staff gauges.

Baseline monitoring will document conditions on site as they exist prior to construction. Time-zero monitoring will be conducted immediately after the restoration, enhancement, construction and/or exotic eradication is complete. This report will describe certified as-built elevations, dates of initial plantings, number, size, and species of plants installed. Annual reports will focus on changes from the baseline conditions. They will be structured to document the success of the mitigation and identify ways to maintain and/or improve the conditions of the various mitigation areas. Monitoring for baseline, time-zero, and annual reports will utilize identical methods of data collection.

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The following outline lists the information that will be included in each of the monitoring reports accompanied by the appropriate site plans and exhibits. Report format will follow the Environmental Monitoring Report Guidelines issued by SFWMD. Each report will contain plan drawings showing the location of transects, sampling stations, photo stations, restoration/mitigation features, piezometers, staff gages, and rain gages.

RESTORATION / MITIGATION WORK DONE

Each monitoring report will describe restoration/mitigation work done since the previous report and restoration/mitigation work anticipated during the next twelve months.

VEGETATION SAMPLING

All quantitative sampling stations will be marked with permanent PVC poles that are clearly labeled with the station number.

Forested Areas:

Quantitative data in the forested areas will consist of a permanent 30' wide belt transect through each ecotone. The length of the transect will be determined in the field. Data collected for woody species will include percent canopy cover and percent survival. Qualitative observations of exotics, such as estimated percent cover, will be recorded for herbaceous species, shrubs and trees. These data will be used to determine the success of the forested mitigation areas. Forested areas shall include those areas listed on the plan set as pine flatwoods, cypress swamp, cypress-pine-palm swamp, mixed hardwood swamp, oak hammock, cabbage palm hammock.

Marsh Areas:

Quantitative data for herbaceous areas will consist of a permanent transect, the length of which will be determined in the field. Along the transect will be a number of permanent quadrats. The number, size and spacing of the quadrats will be determined in the field. Data collected from the quadrats for herbaceous species will include percent cover and percent survival. Qualitative observations such as estimated percent cover will be recorded for woody species

HYDROLOGIC MONITORING

Water levels in the mitigation areas for Miromar Lakes will be monitored by the use of staff gauges and/or piezometers. The number of each will be determined and installed in the field one month prior to the baseline monitoring. The staff gauges will be placed in low areas of the wetlands and piezometers will be placed evenly throughout. Readings will be taken monthly during the rainy season, and monthly through the remainder of the year. These data, along with rain data for the area, will be included in the monitoring reports. Graphs of the water elevation will be referenced to the wet season water table.

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PHOTOGRAPHIC DOCUMENTATION

Photographs will be taken during each monitoring event to document the initial conditions and create a time-line comparison of the mitigation program as it progresses from year to year. Permanent photo-stations will be established at each end of each sampling transect.

At each photo station situated at the ends of the sampling transects, a panoramic photo(s) will be taken. All photos will include permanent PVC poles with the photo-station designation clearly marked.

MONITORING REPORT NARRATIVE

Each monitoring report shall contain a narrative that discusses what was done since the last monitoring report, problems encountered, how any problems were resolved, and a statement related to progress of the mitigation sites toward ultimate success. When the permittee determines that success has been achieved, the permittee shall submit a request to the Corps, as part of the narrative for that monitoring report, that requests concurrence by the Corps that the mitigation has reached success. The permittee's request shall be accompanied by detailed information documenting the reasons why the permittee had determined that the mitigation has reached success.

MONITORING REPORT SUBMITTAL AND TIMING

Monitoring reports shall begin with a baseline report followed by a time-zero report and then annual reports for a minimum of 5 years. The permittee recognizes the need to continue mitigation and monitoring past 5 years if the mitigation has not been deemed successful.

Should it become obvious during the monitoring period that the mitigation will not be successful, the permittee shall submit contingency plans to ensure the success of the mitigation.

All monitoring reports shall be submitted to the U.S. Army Corps of Engineers, Jacksonville District, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

**EASTERN INDIGO SNAKE MANAGEMENT PLAN
for Miromar Lakes
March 21, 2000**

Introduction

Eastern indigo snakes (*Drymarchon corais couperi*) have not been documented on the Miromar Lakes property but could be present based on the availability of potentially suitable habitat. Because the eastern indigo snake is protected under the Endangered Species Act of 1973, there are civil and criminal penalties for injuring, harming, harassing or killing this species. The permittee and/or the permittee's contractors may be held responsible for any eastern indigo snakes harmed, harassed, or killed as a result of Miromar Lakes construction activities. To help avoid harm to these snakes and to help maintain any existing populations, the permittee will engage in a protection/management program. This program (the "Plan") will be conducted for the construction phase of the Miromar Lakes project. The elements of this Plan will be the same for each phase and are described in the following paragraphs.

Protection Measures

Educational pamphlets will be prepared and distributed to all field survey and construction crews prior to commencement of construction activities. These pamphlets will generally describe laws pertaining to the eastern indigo snake, characteristics of the snake (description, habitats, etc.), and protocols and procedures to follow if an eastern indigo snake is encountered. A draft pamphlet is attached and will be submitted to the U.S. Fish and Wildlife Service (USFWS) for review and approval prior to being finalized.

A qualified biologist, approved by the USFWS, shall be present during the construction clearing phases of the project for the first week, with periodic spot checks thereafter, to monitor the project site for indigo snakes and insure that steps are being taken to protect these snakes. The name(s) and qualifications of the proposed biologist will be submitted to Kim Dryden of the USFWS for review and approval.

If an eastern indigo snake is sighted during construction the following measures shall be taken: 1) cease construction activity in the area of the sighting; 2) notify the qualified biologist; and 3) allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction. If the indigo snake remains within the area of construction, the qualified biologist will relocate the eastern indigo snake to a designated preservation area, outside that area of construction, before construction activity resumes.

Only the qualified biologist shall come in contact with or relocate an eastern indigo snake. The snake will be captured and released immediately into a preserve area with suitable habitat. Indigo snakes are to be held in captivity long enough to transport them to a release site. At no time will two (2) snakes be kept in the same container during transportation.

The applicant will submit a report to the USFWS summarizing all activities pertaining to the eastern indigo snake. This report shall be submitted within 60 days of the completion of the project and shall include 1) any sightings of the eastern indigo snake and specific locations (GPS or latitude and longitude); 2) summaries of any relocated snakes and the locations where and when they were relocated; 3) a thorough description of the preserve area; and 4) summaries of maintenance activities and schedules.

Contacts

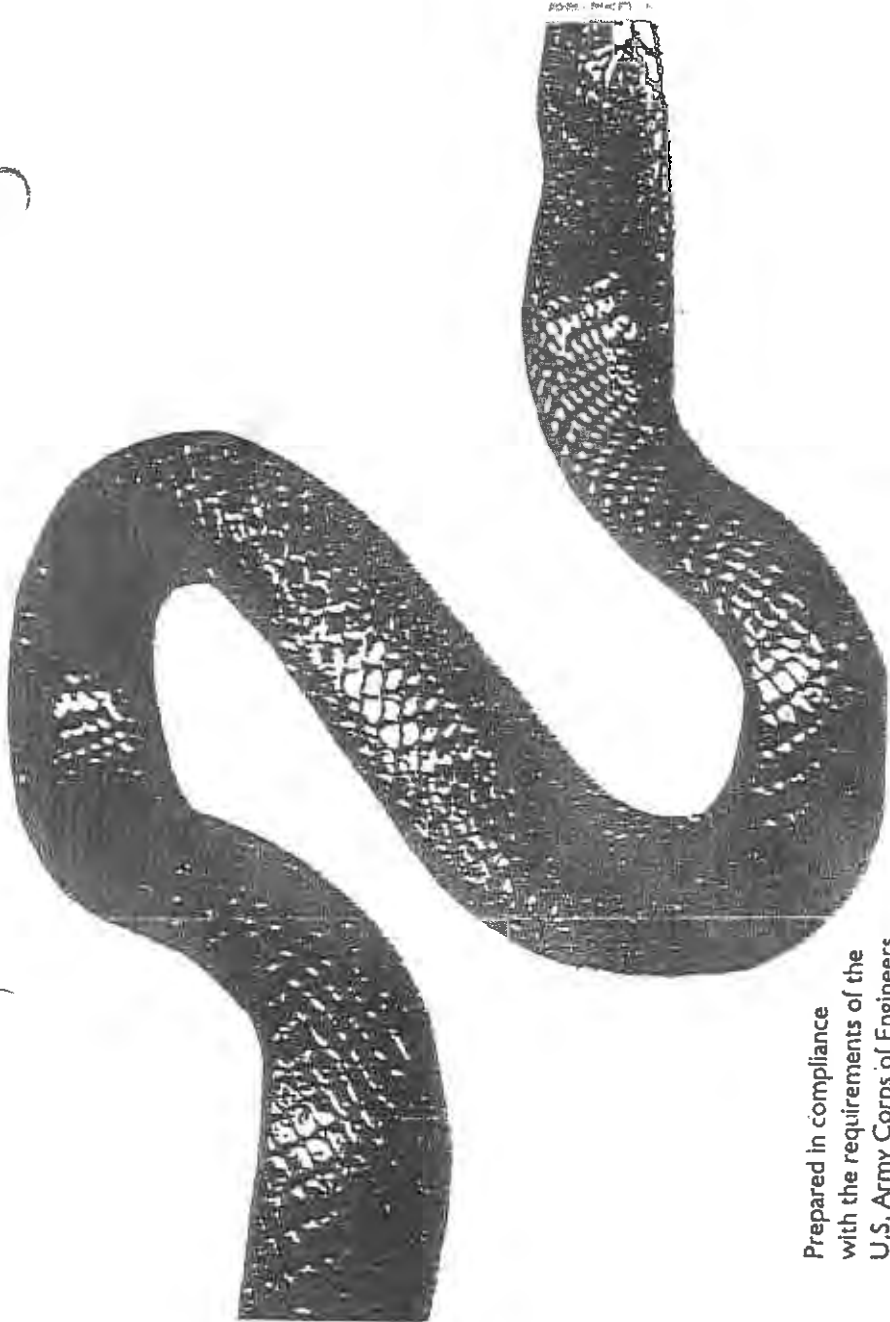
In case of a sighting of the eastern indigo snake during construction contact one of the following:

Tom Trettis
Bruce Layman
Wilson Miller
(941) 649-4040

Kim Dryden
U.S. Fish and Wildlife Service
(941) 353-2873

Jim Beever
Florida Fish and Wildlife Conservation Commission
(941) 575-5765

ATTACHMENT "C"
EASTERN INDIGO SNAKE MANAGEMENT PLAN
FOR MIROMAR LAKES
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MARCH 21, 2000



Prepared in compliance
with the requirements of the
U.S. Army Corps of Engineers
permit for:

Identification

Miramar Lakes

**EASTERN INDIGO
SNAKE**

Prepared by:
Wilson Miller
3200 Bailey Lane, Suite 200
Naples, FL 34105

Construction Lakes Protection

The eastern indigo snake (*Drymarchon corais couperi*) was formerly collected heavily for the pet trade. This activity coupled with the fact that its habitat has been largely fragmented by development has led the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS) to categorize the species as threatened. It is also protected under the Endangered Species Act of 1973.

The Miramar Lakes property contains eastern indigo snake habitat including gopher tortoise burrows, where they are often found. Because of this, there is potential for this snake to be found on site, especially during construction activities.

The following information gives a description of the eastern indigo snake and its habits and also explains what to do if a snake is encountered during construction.

Characteristics

Physical Description: The largest of North American snakes (up to 8 feet). Heavy-bodied. Body shiny black to blue-black. Throat is often red, coral, or white color but this is highly variable and can extend from the face well into the belly. Sometimes confused with the black racer which is dull black and smaller.

Habitat: Found in pineyards, scrub, palmetto prairies, and wet prairies, particularly near wetland edges. Due to their extensive home range, however, they can be found in a wide variety of habitats. Sometimes reside in gopher tortoise burrows for protection and warmth.

Mating Habit- This species mates from November

to February with hatchlings appearing in late July to October.

Feeding Habits: The eastern indigo snake is not a constrictor; it immobilizes food with its jaws. It will feed on frogs, small mammals, birds, other snakes, lizards and young turtles.

Defense Mechanisms: When disturbed, it hisses, vibrates its tail and flattens its neck.

Protections

Because the eastern indigo snake is protected under the Endangered Species Act of 1973, there are civil and criminal penalties for injuring, harming, harassing or killing this species. If an eastern indigo snake is sighted during construction or clearing, the following measures shall be taken:

- Cease construction clearing activity in the area of the sighting immediately;
- Notify the construction supervisor and the Wilson Miller biologist named on the back of this brochure;
- Allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction;
- The Wilson Miller biologist will relocate the eastern indigo snake to the designated preservation area before construction activity resumes.



Notice Contractor Employers

Miramar Lakes

On the Miramar Lakes project, all contractor employees associated with land clearing, grading, mitigation and golf course construction are required to know that Eastern Indigo Snakes may exist in this area and precautions by all employees must be taken to avoid harm to this protected species.

If an Eastern Indigo Snake is found during clearing, grading or construction, all construction activities in the immediate vicinity of the snake must cease. It is required that any snake found be allowed to freely move away from the construction area. Qualified biologists from the Florida Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission or any authorized representatives are the only person permitted to physically relocate any eastern indigo snakes from the construction area. The contractors or employee are requested to immediately contact:

Wilson Miller
Environmental Services Division
(941) 649-4040, ext. 5646 or 6250

ATTACHMENT "C"
EASTERN INDIAN SNAKE
PROTECTIONS
MIRAMAR LAKES
MARCH 21, 2000

United States Fish and Wildlife Service
Office of Ecological Services
3860 Tollgate Blvd. Suite #300, Naples, FL 34114
(941) 353-2873

SPECIAL CONDITIONS

1. MINIMUM BUILDING FLOOR ELEVATION: BASIN: 1 - 21.50 FEET NGVD.
BASIN: 2 - 21.50 FEET NGVD.
BASIN: 3 - 21.50 FEET NGVD.
BASIN: 5 - 22.00 FEET NGVD.
BASIN: 4 - 22.00 FEET NGVD.
BASIN: 6 - 22.00 FEET NGVD.
2. MINIMUM ROAD CROWN ELEVATION: BASIN: 1 - 19.50 FEET NGVD.
BASIN: 2 - 18.75 FEET NGVD.
BASIN: 3 - 18.30 FEET NGVD.
BASIN: 5 - 20.00 FEET NGVD.
BASIN: 4 - 19.20 FEET NGVD.
BASIN: 6 - 20.00 FEET NGVD.
3. MINIMUM PARKING LOT ELEVATION: BASIN: 1 - 19.00 FEET NGVD.
BASIN: 5 - 19.20 FEET NGVD.
BASIN: 6 - 20.00 FEET NGVD.
4. DISCHARGE FACILITIES:
BASIN: 1:
1-6' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 18.15' NGVD.
1-6' W X .65' H V-NOTCH WITH INVERT AT ELEV. 17.5' NGVD.
1670 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : BASIN 2
CONTROL ELEV : 17.5 FEET NGVD. /17.5 FEET NGVD DRY SEASON.
BASIN: 2:
1-6' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 17.58' NGVD.
1-6' W X .83' H V-NOTCH WITH INVERT AT ELEV. 16.75' NGVD.
1650 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : BASIN 3
CONTROL ELEV : 16.75 FEET NGVD. /16.75 FEET NGVD DRY SEASON.
BASIN: 3:
1-8' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 16.46' NGVD.
1-8' W X .46' H V-NOTCH WITH INVERT AT ELEV. 16' NGVD.
290 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : I-75 SWALE
CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.
BASIN: 4:
1-.32' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
100 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ADJACENT SLOUGH SYSTEM

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 5:

- 2-9' WIDE SHARP CRESTED WEIRS WITH CREST AT ELEV. 19' NGVD.
- 2-9' W X 1' H V-NOTCHES WITH INVERT AT ELEV. 18' NGVD.
- 2-6' DIA. RCP CULVERTS EACH 50' LONG.

RECEIVING BODY : EXISTING LAKE

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 1:

- 1-22' W X 1.78' H SHARP CRESTED WEIR WITH CREST AT ELEV. 18.22' NGVD.
- 1-22' W X .22' H V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : ADJACENT SLOUGH SYSTEM

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 2:

- 1-140 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6, STRUCTURE NO. 3:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 4:

- 1-135 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 5:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 6:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

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CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 7:

1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 8:

1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

5. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
6. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
7. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
8. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE NURTURED OR PLANTED FROM 2 FEET BELOW TO 1 FOOT ABOVE CONTROL ELEVATION TO INSURE VEGETATIVE GROWTH.
9. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
10. ALL SPECIAL CONDITIONS PREVIOUSLY STIPULATED BY PERMIT NUMBER 36-03568-P REMAIN IN EFFECT UNLESS OTHERWISE REVISED AND SHALL APPLY TO THIS MODIFICATION.
11. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF MIROMAR LAKES MASTER ASSOCIATION, INC. THE PERMITTEE SHALL SUBMIT A COPY OF THE RECORDED DEED RESTRICTIONS (OR DECLARATION OF CONDOMINIUM, IF APPLICABLE), A COPY OF THE FILED ARTICLES OF INCORPORATION, AND A COPY OF THE CERTIFICATE OF INCORPORATION FOR THE HOMEOWNERS ASSOCIATION CONCURRENT WITH THE ENGINEERING CERTIFICATION OF CONSTRUCTION COMPLETION.
12. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
13. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE STAKED AND ROPED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF ROPING AND STAKING AND SCHEDULE AN INSPECTION OF THIS WORK. THE ROPING AND STAKING SHALL BE SUBJECT TO SFWMD STAFF APPROVAL. THE PERMITTEE SHALL MODIFY THE STAKING AND ROPING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. STAKING AND

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ROPING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.

14. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
15. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
16. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE SUCCESSFUL COMPLETION OF THE MITIGATION WORK, INCLUDING THE MONITORING AND MAINTENANCE OF THE MITIGATION AREAS FOR THE DURATION OF THE PLAN. THE MITIGATION AREA(S) SHALL NOT BE TURNED OVER TO THE OPERATION ENTITY UNTIL THE MITIGATION WORK IS ACCOMPLISHED AS PERMITTED AND SFWMD STAFF HAS CONCURRED.
17. (1) A WETLAND MITIGATION PROGRAM FOR MIROMAR LAKES SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 3, 26 AND 28. THE PERMITTEE SHALL RESTORE/CREATE .41 ACRE OF FORESTED WETLANDS, ENHANCE 130.09 ACRES OF FORESTED WETLANDS, 47.11 ACRES OF HERBACEOUS/SHRUB WETLANDS, 2.09 ACRES OF OTHER SURFACE WATERS AND PRESERVE 6.97 ACRES OF UPLAND COMPENSATION AREA(S).
18. A WETLAND MONITORING PROGRAM AND MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 28. THE MONITORING PROGRAM SHALL EXTEND FOR A PERIOD OF 5 YEARS WITH ANNUAL REPORTS SUBMITTED TO SFWMD STAFF. AT THE END OF THE FIRST MONITORING PERIOD THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION. THE 80% SURVIVAL RATE SHALL BE MAINTAINED THROUGHOUT THE REMAINDER OF THE MONITORING PROGRAM. AT THE END OF THE 5 YEARS MONITORING PROGRAM THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION AND AN 80% COVERAGE OF DESIRABLE OBLIGATE AND FACULTATIVE WETLAND SPECIES.
19. A BASELINE WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 28.
20. A TIME ZERO WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 28 FOR ALL CREATED WETLANDS AND SHALL INCLUDE A SURVEY OF THE AREAL EXTENT AND CROSS SECTIONAL ELEVATIONS OF THE CREATED WETLAND AREAS, PANORAMIC PHOTOGRAPHS, AND A DESCRIPTION OF PLANTED SPECIES SIZES AND DENSITIES OR MULCHING METHODOLOGY.
21. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT(S) 5, 26 AND 29 MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING, OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.
22. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH

REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
APRIL 30, 2000	EXOTIC VEGETATION REMOVAL PHASE 1
JUNE 30, 2000	PLANTING MITIGATION AREA PHASE 1
JUNE 30, 2000	REMOVAL OF FENCE CROSSING SLOUGH AND TIE OFF OF FENCE ENDS TO BRIDGE ABUTMENTS
SEPTEMBER 30, 2000	TIME ZERO MONITORING REPORT PHASE 1
OCTOBER 31, 2000	SUBMITTAL OF DOCUMENTATION ON PRESERVATION OF 121 ACRES OF PRIORITY 1 HABITAT
OCTOBER 31, 2000	SUBMITTAL OF CONSERVATION EASEMENT
MARCH 31, 2001	MAINTENANCE ACTIVITIES PHASE 1
SEPTEMBER 30, 2001	FIRST MONITORING REPORT PHASE 1
MARCH 31, 2002	MAINTENANCE ACTIVITIES PHASE 1
APRIL 1, 2002	BASELINE MONITORING REPORT PHASE 2
APRIL 30, 2002	EXOTIC VEGETATION REMOVAL PHASE 2
MAY 30, 2002	CLEARING AND GRADING MITIGATION AREA PHASE 2
JUNE 30, 2002	PLANTING MITIGATION AREA PHASE 2
JUNE 30, 2002	PLANTING VEGETATION BARRIER BETWEEN MITIGATION AREA M-3 & BEN HILL GRIFFIN PRKY
SEPTEMBER 30, 2002	TIME ZERO MONITORING REPORT PHASE 2
SEPTEMBER 30, 2002	SECOND MONITORING REPORT PHASE 1
MARCH 31, 2003	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2003	MAINTENANCE ACTIVITIES PHASE 2
SEPTEMBER 30, 2003	THIRD MONITORING REPORT PHASE 1
SEPTEMBER 30, 2003	FIRST MONITORING REPORT PHASE 2
MARCH 31, 2004	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2004	MAINTENANCE ACTIVITIES PHASE 2
APRIL 1, 2004	BASELINE MONITORING REPORT PHASE 3
APRIL 30, 2004	EXOTIC VEGETATION REMOVAL PHASE 3
MAY 30, 2004	CLEARING AND REGRADING MITIGATION AREA PHASE 3
JUNE 30, 2004	PLANTING MITIGATION AREA PHASE 3
JUNE 30, 2004	PLANTING VEGETATION BARRIER BETWEEN MITIGATION AREA M-4 & BEN HILL GRIFFIN PRKY
SEPTEMBER 30, 2004	FOURTH MONITORING REPORT PHASE 1
SEPTEMBER 30, 2004	SECOND MONITORING REPORT PHASE 2
SEPTEMBER 30, 2004	TIME ZERO MONITORING REPORT PHASE 3
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2005	FIFTH MONITORING REPORT PHASE 1
SEPTEMBER 30, 2005	THIRD MONITORING REPORT PHASE 2
SEPTEMBER 30, 2005	FIRST MONITORING REPORT PHASE 3
MARCH 31, 2006	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2006	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2006	FOURTH MONITORING REPORT PHASE 2
SEPTEMBER 30, 2006	SECOND MONITORING REPORT PHASE 3
MARCH 31, 2007	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2007	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2007	FIFTH MONITORING REPORT PHASE 2
SEPTEMBER 30, 2007	THIRD MONITORING REPORT PHASE 3
MARCH 31, 2008	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2008	FOURTH MONITORING REPORT PHASE 3
MARCH 31, 2009	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2009	FIFTH MONITORING REPORT PHASE 3

- 23. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.
- 24. IF THE PROJECT DESIGN IS CHANGED AS A RESULT OF OTHER AGENCY REQUIREMENTS, AN ENVIRONMENTAL RESOURCE PERMIT MODIFICATION MAY BE REQUIRED. THE PERMITTEE SHALL NOTIFY SFWMD STAFF OF DESIGN CHANGES REQUIRED BY OTHER AGENCIES FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
- 25. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED FOR THE MITIGATION AREAS AND UPLAND PRESERVES ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THESE AREAS AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE MITIGATION AREAS AND UPLAND PRESERVES ARE FREE OF EXOTIC VEGETATION (AS CURRENTLY DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL) IMMEDIATELY FOLLOWING A MAINTENANCE ACTIVITY AND THAT EXOTIC AND NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 5% OF TOTAL COVER.
- 26. THE PERMITTEE SHALL PRESERVE 121 ACRES OF PRIORITY 1 PANTHER HABITAT IDENTIFIED IN THE DOCUMENT TITLED "FLORIDA PANTHER HABITAT PRESERVATION PLAN, SOUTH FLORIDA POPULATION" DATED NOVEMBER 1993 AND LOCATED ADJACENT TO PUBLICLY-OWNED NATURAL LANDS. THE PROPOSED PRESERVATION LANDS SHALL BE APPROVED BY THE DISTRICT AND THE FFWCC PRIOR TO THE PERMITTEE'S ACQUISITION OF ANY INTEREST IN THE PARCEL. THESE LANDS MAY BE PURCHASED IN FEE SIMPLE OR LESS THAN FEE SIMPLE. THE PERMITTEE SHALL ENCUMBER THE LAND THROUGH EITHER A DISTRICT APPROVED CONSERVATION EASEMENT OR RESTRICTIVE COVENANT INCORPORATING THE PROVISIONS OF SECTION 704.06, F. S. THE PERMITTEE SHALL BE RESPONSIBLE FOR MAINTAINING THE PARCEL IN ITS CURRENT ENVIRONMENTAL CONDITION.

BY JULY 31, 2000, THE PERMITTEE SHALL PLACE \$175,000 IN A TRUST FUND DEDICATED TO THE SPECIFIC PURPOSE OF PURCHASING INTEREST IN A MINIMUM OF 121 ACRES OF PRIORITY 1 PANTHER HABITAT LAND PURSUANT TO THIS CONDITION. FUNDING THE ESCROW ACCOUNT IS A DEMONSTRATION OF REASONABLE ASSURANCE THAT LANDS WILL BE PURCHASED. THE ACTUAL COST OF ACQUISITION AND MAINTENANCE MAY BE MORE OR LESS THAN THE AMOUNT HELD IN ESCROW.

IF THE SUBJECT LANDS ARE PROPOSED FOR DONATION TO A PUBLIC ENTITY FOR MANAGEMENT FOLLOWING PURCHASE, THE TRANSFER SHALL PROVIDE FOR THE LONG TERM MANAGEMENT OF THE PARCEL.

ANY ENCUMBRANCE IMPRESSED ON THE PARCEL PURSUANT TO THIS CONDITION SHALL ALLOW THE PARCEL OWNER TO CONTINUE EXISTING LAND MANAGEMENT PRACTICES AND USES WITHIN THE PARCEL IN ORDER TO MAINTAIN THE PARCEL IN ITS EXISTING CONDITION. FURTHER, THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS MAY ALLOW WITHIN THE PARCEL INSTALLATION OF FENCING, AND HUNTING IN ACCORDANCE WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION RULES.

NO LATER THAN OCTOBER 31, 2000, THE PERMITTEE SHALL SUBMIT FOR REVIEW AND APPROVAL THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS. THE PERMITTEE SHALL RECORD THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS IN THE PUBLIC RECORDS WITHIN 14 DAYS OF RECEIVING THE DISTRICT'S APPROVAL OF THE SUBMITTED INFORMATION. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT OR RESTRICTIVE COVENANTS TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE FT. MYERS SERVICE CENTER.

WITHIN 90 DAYS OF PURCHASE OF THE PARCEL OR RECORDING OF THE ABOVE ENCUMBRANCE, THE PERMITTEE SHALL PROVIDE THE DISTRICT WITH A NARRATIVE REPORT PREPARED BY A

PERMIT NO: 36-0356B-F

PAGE 8 OF 12

WILDLIFE ECOLOGIST DESCRIBING THE EXISTING CONDITIONS OF THE PROPERTY. DISTRICT STAFF SHALL BE PROVIDED SUPERVISED ACCESS TO THE PROPERTY AFTER REASONABLE NOTICE TO THE PARCEL OWNER. SUCH ACCESS NOT TO BE UNREASONABLY WITHHELD.

27. (A) NO LATER THAN OCTOBER 31, 2000, THE PERMITTEE SHALL SUBMIT FOR REVIEW AND APPROVAL, TWO (2) COPIES OF THE FOLLOWING:

1. PROJECT MAP IDENTIFYING CONSERVATION AREA
2. BOUNDARY SKETCH AND LEGAL DESCRIPTION, WITH ACREAGE, OF CONSERVATION AREA, LABELED AS EXHIBITS TO THE CONSERVATION EASEMENT
3. SIGNED CONSERVATION EASEMENT

THE ABOVE INFORMATION SHALL BE SUBMITTED TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE DISTRICT SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.

(B) THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT OVER THE REAL PROPERTY DESIGNATED ON ATTACHED EXHIBIT 29. THE EASEMENT SHALL BE GRANTED FREE OF ENCUMBRANCES OR INTERESTS WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. THE CONSERVATION EASEMENT SHALL BE GRANTED TO THE DISTRICT USING THE APPROVED FORM ATTACHED HERETO AS EXHIBIT 29. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE PRIOR WRITTEN CONSENT FROM THE DISTRICT.

(C) THE PERMITTEE SHALL RECORD THE CONSERVATION EASEMENT IN THE PUBLIC RECORDS WITHIN 14 DAYS OF RECEIVING THE DISTRICT'S APPROVAL OF THE SUBMITTED INFORMATION. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.

28. A WETLAND WATER LEVEL MONITORING PROGRAM SHALL BE INSTITUTED ON THE PROJECT SITE, WITH AT LEAST TWO PIEZOMETERS LOCATED NORTH OF BEN HILL GRIFFIN PARKWAY AND AT LEAST TWO PIEZOMETERS LOCATED SOUTH OF BEN HILL GRIFFIN PARKWAY. WATER LEVEL DATA SHALL BE RECORDED AT LEAST TWICE A DAY, AS IS CURRENTLY PROVIDED BY THE TREELINE AVENUE WATER LEVEL MONITORING PROGRAM. MONITORING DATA SHALL BE SUBMITTED TO THE SFWMD QUARTERLY IN CONJUNCTION WITH RAINFALL DATA FROM THE SITE. SUBMITTED REPORTS SHALL INCLUDE A DISCUSSION OF ALTERATIONS TO BASELINE WATER ELEVATIONS AND DURATIONS. THE PROGRAM SHALL CONTINUE UNTIL THE MIROMAR LAKES MITIGATION PLAN HAS BEEN DEEMED SUCCESSFUL BY DISTRICT STAFF.
29. A FOX SQUIRREL MANAGEMENT PLAN SHALL BE IMPLEMENTED ON MIROMAR LAKES IN ACCORDANCE WITH THE PREVIOUSLY APPROVED MANAGEMENT PLAN. ANY SELECTIVE CLEARING (UTILIZING SUCH METHODS AS CHOPPING, MOWING AND/OR BUSH-HOGGING) OF THE GROUND COVER STRATUM WITHIN THE CONSERVATION AREAS AND ANY PRUNING AND/OR THINNING OF CANOPY AND SUBCANOPY VEGETATION WITHIN THE CONSERVATION AREAS, AS DISCUSSED IN THE FOX SQUIRREL MANAGEMENT PLAN, SHALL RECEIVE APPROVAL FROM SFWMD POST PERMIT COMPLIANCE STAFF PRIOR TO CONDUCTING SUCH ACTIVITIES. ANY MODIFICATIONS TO THIS MANAGEMENT PLAN SHALL REQUIRE APPROVAL FROM SFWMD STAFF.
30. BY JUNE 30, 2000 THE PERMITTEE SHALL REMOVE THE PORTION OF THE FENCE CROSSING THE SLOUGH AND TIE THE FENCE ENDS TO THE BRIDGE ABUTMENTS.
31. IN CONJUNCTION WITH MITIGATION ACTIVITIES IN MITIGATION AREAS M-3 AND M-4, THE PERMITTEE SHALL PLANT VEGETATIVE BARRIERS IN THE FORM OF TREES AND SHRUBS (UP TO 15 FT HIGH) WHERE THE DEEP POOLS ARE LOCATED ADJACENT TO THE ROADWAY AS SHOWN ON EXHIBIT 26.
32. THE FOLLOWING EXHIBITS ARE INCORPORATED BY REFERENCE INTO THE PERMIT:

EXHIBITS 6 THROUGH 18. PAVING, GRADING & DRAINAGE PLANS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 19. DRAINAGE SECTIONS. PREPARED BY BANKS ENGINEERING AND DATED 03-01-99.

EXHIBITS 20 & 21. PAVING, GRADING & DRAINAGE DETAILS. PREPARED BY BANKS ENGINEERING AND DATED FEB. 4, 1999.

EXHIBIT 22. BARRIERS FOR FILL SLOPES. PREPARED BY BANKS ENGINEERING AND DATED FEB. 4, 1999

EXHIBIT 23. GOLF CART OVERPASS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 24. OFFSITE TURN LANE. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 25. CLUBHOUSE TURN LANE IMPROVEMENTS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 26. WETLAND IMPACT AND MITIGATION PLANS. PREPARED BY W. DEXTER BENDER & ASSOCIATES AND DATED MARCH 02, 2000.

EXHIBIT 29, PAGES 6 & 8. SKETCH OF CONSERVATION EASEMENT AREA, PREPARED BY BANKS ENGINEERING AND DATE-STAMPED NOV 1, 99.

EXHIBIT 29 PAGES 9-15. LEGAL DESCRIPTION OF CONSERVATION EASEMENT AREA. PREPARED BY WILSON MILLER AND DATE-STAMPED NOV 1, 99.

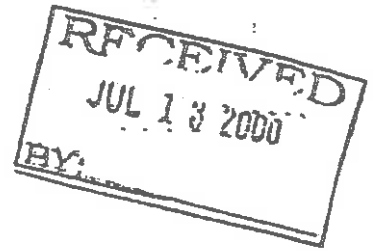
THESE EXHIBITS MAY BE FOUND IN THE PERMIT FILE.

33. PRIOR TO COMMENCEMENT OF CONSTRUCTION IN THOSE AREAS, THE PERMITTEE SHALL SUBMIT PLANS FOR PERMIT MODIFICATION THAT PROVIDE A MINIMUM OF 1/2" DRY PRETREATMENT FOR ALL STORMWATER RUNOFF WITHIN BASIN 5 AND FOR ALL COMMERCIAL TRACTS IN OTHER BASINS PRIOR TO DISCHARGE TO THE LAKE SYSTEM.

34. PRIOR TO CONSTRUCTION OF THE GOLF CART CROSSING OVER BEN HILL GRIFFIN PARKWAY, THE PERMITTEE SHALL SUBMIT AN APPLICATION FOR CONSTRUCTION AUTHORIZATION. IN ADDITION, THE PERMITTEE SHALL SUBMIT DOCUMENTATION OF APPROVAL OF THE PROPOSAL FROM LEE COUNTY.



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4870
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

This notice of authorization must be conspicuously displayed at the site of work

United States Army Corps of Engineers


A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

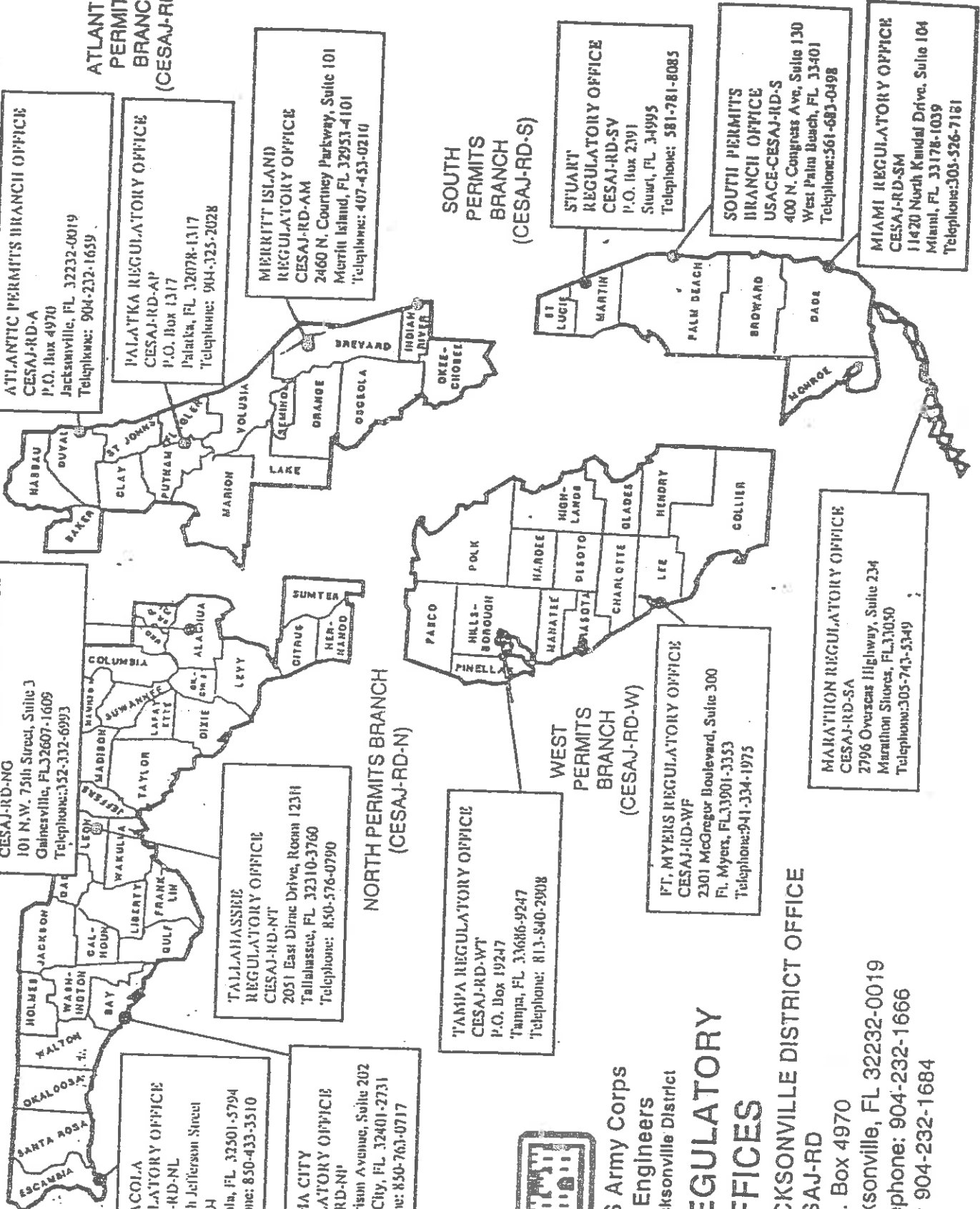
on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)


Joe R. Miller
Colonel, U.S. Army
District Engineer

JAN 1999



ATLANTIC PERMITS BRANCH OFFICE
 CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32978-1317
 Telephone: 904-325-2028

MERRITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

SOUTH PERMITS BRANCH (CESAJ-RD-S)

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 581-781-8085

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-326-7161

GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1609
 Telephone: 352-332-6993

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dirac Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

NORTH PERMITS BRANCH (CESAJ-RD-N)

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19247
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

WEST PERMITS BRANCH (CESAJ-RD-W)

FT. MYERS REGULATORY OFFICE
 CESAJ-RD-WF
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

MAKATTON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overseas Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

PENSACOLA REGULATORY OFFICE
 CESAJ-RD-NL
 41 North Jefferson Street
 Suite 104
 Pensacola, FL 32501-5794
 Telephone: 850-433-3510

PANAMA CITY REGULATORY OFFICE
 CESAJ-RD-NP
 475 Harrison Avenue, Suite 202
 Panama City, FL 32401-2731
 Telephone: 850-763-0717



US Army Corps of Engineers
 Jacksonville District

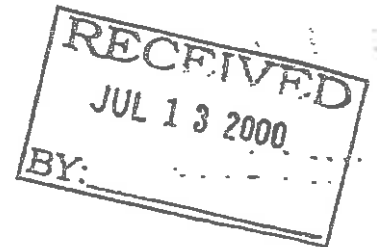
REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
 CESAJ-RD

P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666
 Fax: 904-232-1684



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
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Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work.**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

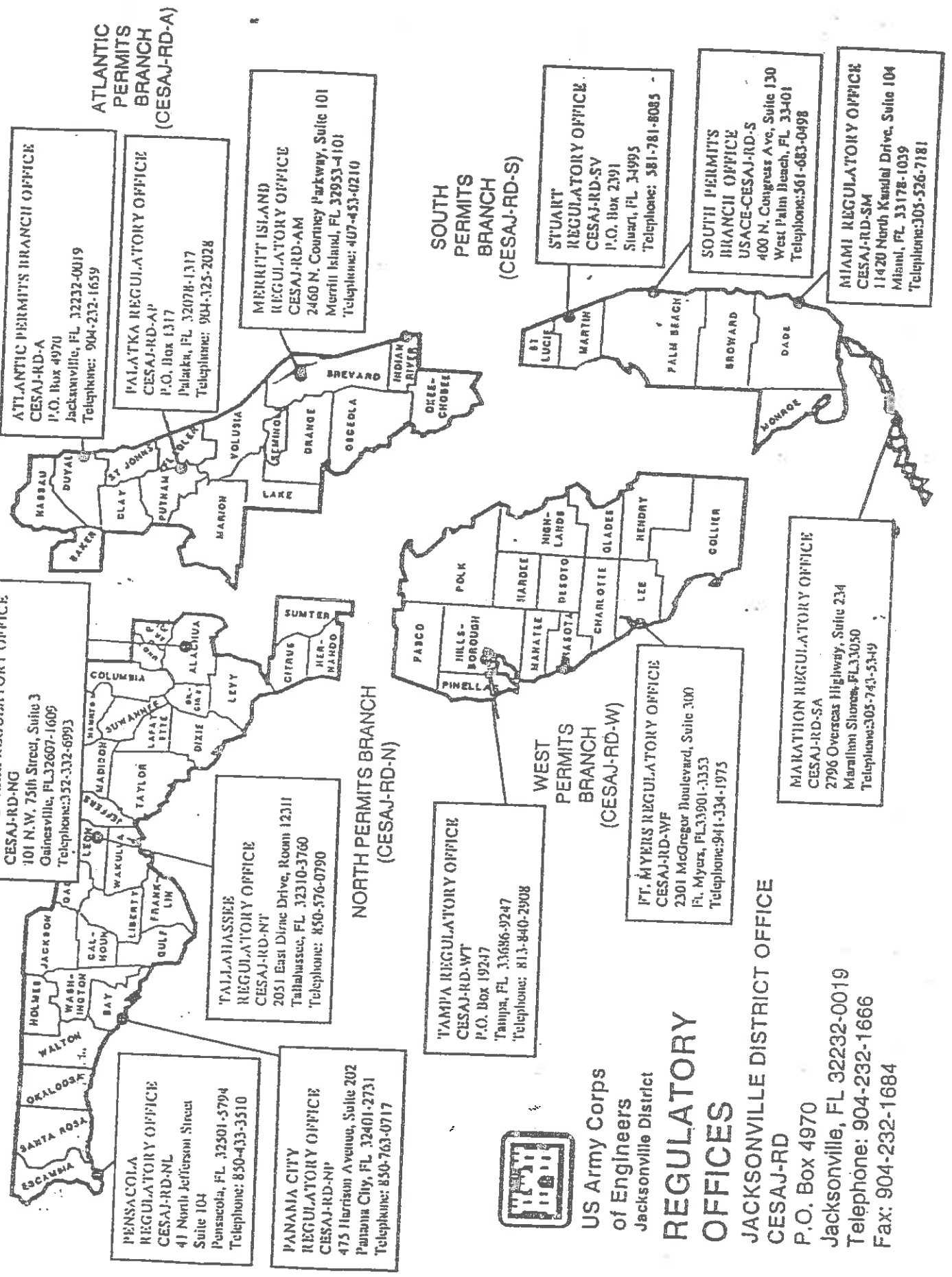
Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



Joe R. Miller
Colonel, U.S. Army
District Engineer

JAN 1999



US Army Corps
of Engineers
Jacksonville District

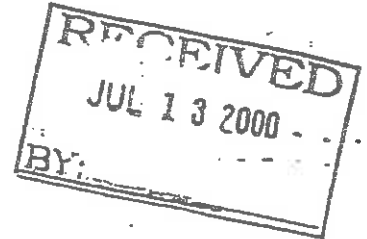
REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
CESAJ-RD

P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-1666
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Joe R. Miller
Colonel, U.S. Army
District Engineer

Post-It® Fax Note	7671	Date	11/3/01	# of pages	1
To	Tom Pethompi	From	Don Lawrence		
Co./Dept.	David Bowen	Co.	Co. For Miromar		
Phone #		Phone #			

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Joe R. Miller
Colonel, U.S. Army
District Engineer

NOV 1999

REGULATORY OFFICE
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1600
 Telephone: 352-332-6993

GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19247
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dirac Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

LA CITY REGULATORY OFFICE
 202
 P.O. Box 2731
 Tallahassee, FL 32301-5794
 Telephone: 850-433-3510

MARATHON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overcross Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

WEST PERMITS BRANCH (CESAJ-RD-W)
IFT, MYERS REGULATORY OFFICE
 CESAJ-RD-WF
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

NORTH PERMITS BRANCH (CESAJ-RD-N)

ATLANTIC PERMITS BRANCH (CESAJ-RD-A)

MIRRIITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

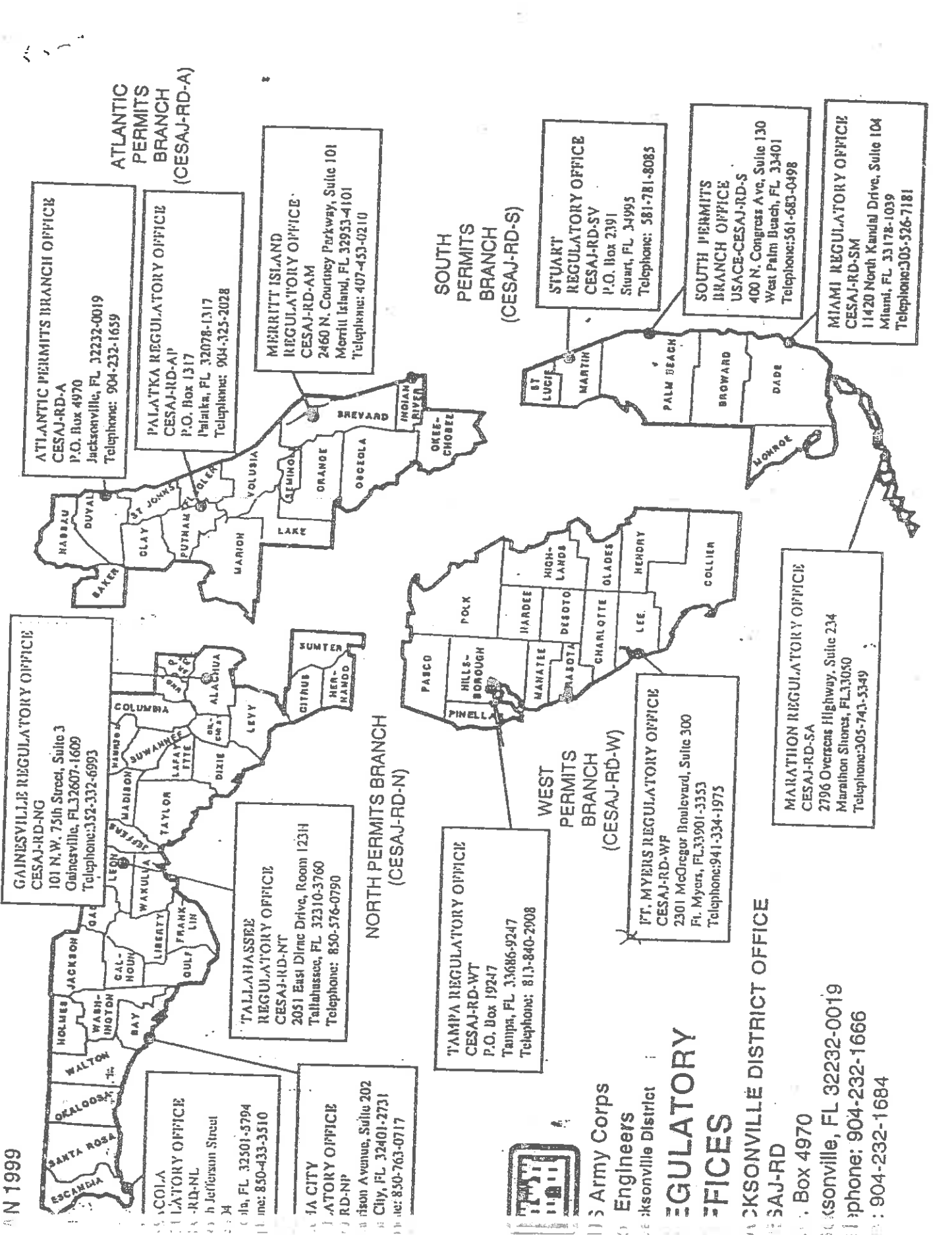
PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32978-1317
 Telephone: 904-325-2028

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 581-781-8085

SOUTH PERMITS BRANCH (CESAJ-RD-S)

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181



U.S. Army Corps of Engineers
 Jacksonville District

REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE

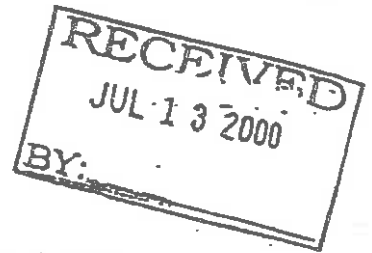
SAJ-RD
 Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666
 Fax: 904-232-1684



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)



JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resummptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



Joe R. Miller
Colonel, U.S. Army
District Engineer

AN 1999

ESCAMBIA
SANTA ROSA
WALTON
WASH-
INGTON
HOLMES
JACKSON
GAL-
HOUS
BAY
LIBERTY
WAKULLA
LEON
JEFFERS
MADISON
SUWALMISE
LAFAYETTE
TAYLOR
ALACHUA
BL-
SUS
DIXIE
LEVY
CITRUS
HER-
HANDO
SUMTER

SACOLA
REGULATORY OFFICE
CESAJ-RD-NL
1011 North Jefferson Street
104
Tallahassee, FL 32301-3794
Telephone: 850-433-3510

TAMPA CITY
REGULATORY OFFICE
CESAJ-RD-NP
11111 North Dale Avenue, Suite 202
Tampa, FL 33611-2731
Telephone: 850-763-0717

TALLAHASSEE
REGULATORY OFFICE
CESAJ-RD-NT
2051 East Dixie Drive, Room 12311
Tallahassee, FL 32310-3760
Telephone: 850-376-0790

NORTH PERMITS BRANCH
(CESAJ-RD-N)

TAMPA REGULATORY OFFICE
CESAJ-RD-WT
P.O. Box 19247
Tampa, FL 33686-9247
Telephone: 813-840-2908

WEST
PERMITS
BRANCH
(CESAJ-RD-W)

FT. MYERS REGULATORY OFFICE
CESAJ-RD-WF
2301 McGregor Boulevard, Suite 300
Ft. Myers, FL 33901-3353
Telephone: 941-334-1975

MARATHON REGULATORY OFFICE
CESAJ-RD-SA
2796 Overseas Highway, Suite 234
Marathon Shores, FL 33050
Telephone: 305-743-5349

GAINESVILLE REGULATORY OFFICE
CESAJ-RD-NG
101 N.W. 75th Street, Suite 3
Gainesville, FL 32607-1609
Telephone: 352-332-6993

ATLANTIC PERMITS BRANCH OFFICE
CESAJ-RD-A
P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-1639

PALATKA REGULATORY OFFICE
CESAJ-RD-AP
P.O. Box 1317
Palatka, FL 32978-1317
Telephone: 904-325-2028

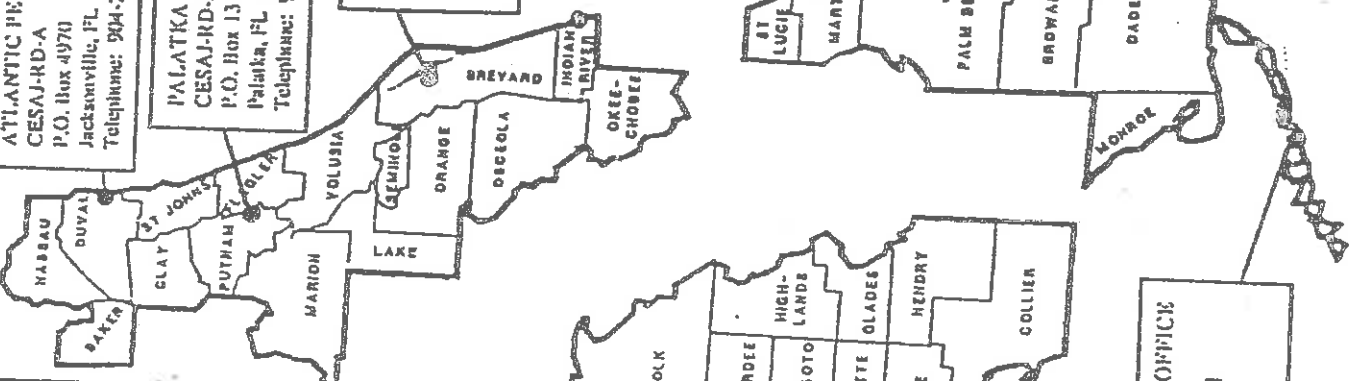
MERRITT ISLAND
REGULATORY OFFICE
CESAJ-RD-AM
2460 N. Courtney Parkway, Suite 101
Merritt Island, FL 32953-4101
Telephone: 407-453-0210

SOUTH
PERMITS
BRANCH
(CESAJ-RD-S)

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MIAMI REGULATORY OFFICE
CESAJ-RD-SM
11420 North Kendall Drive, Suite 104
Miami, FL 33178-1039
Telephone: 305-326-7181



U.S. Army Corps
of Engineers
Jacksonville District

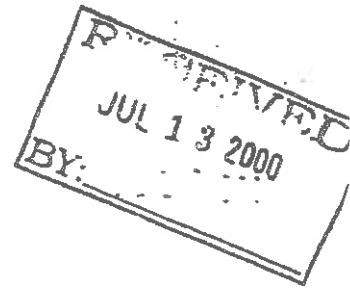
REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE

CESAJ-RD
P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-1666
FAX: 904-232-1684



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resummptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



**Joe R. Miller
Colonel, U.S. Army
District Engineer**

GAINESVILLE REGULATORY OFFICE
CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1609
 Telephone: 352-332-6993

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 Telephone: 941-334-1975

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 2796 Overseas Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

ATLANTIC PERMITS BRANCH OFFICE
CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

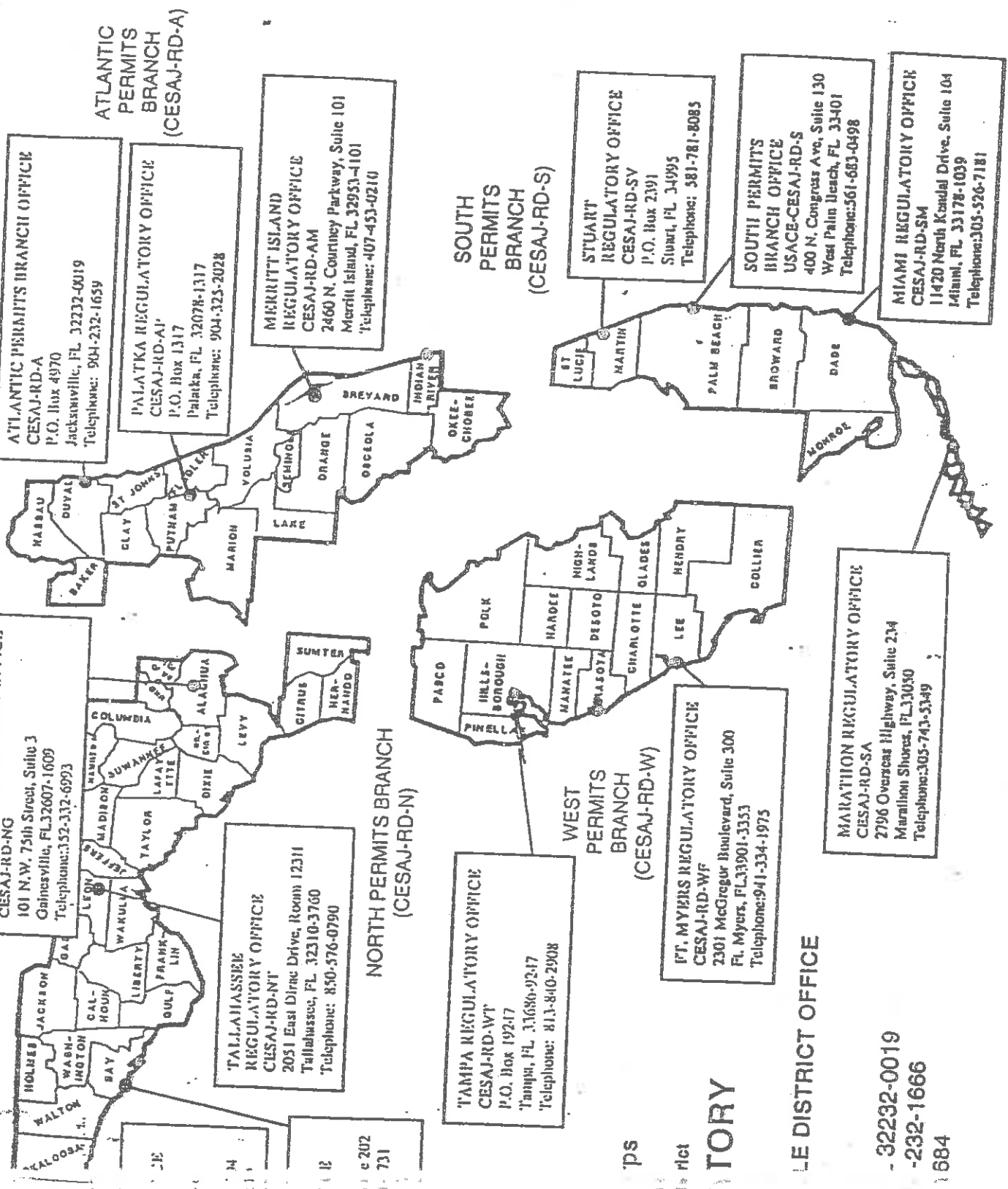
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 Palatka, FL 32078-1317
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 Merritt Island, FL 32953-1101
 Telephone: 407-453-0210

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 Telephone: 581-781-8085

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USACE-CESAJ-RD-S
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 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
CESAJ-RD-SM
 11420 North Krasdal Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181



TORY

LE DISTRICT OFFICE

- 32232-0019
 - 232-1666
 1684

April 5, 2007 Army Corps of Engineer's Permit



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
Post Office Box 4970
Jacksonville, Florida 32232-0019

REPLY TO
ATTENTION OF

April 5, 2007

Regulatory Division
South Permits Branch
West Permits Section
SAJ-1995-7483 (IP-MN) Addition

Jerry Schmoyer, Vice President
Miromar Lakes, LLC.
10801 Corkscrew Road, Suite 305
Estero, Florida 33928-9430

Dear Mr. Schmoyer:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

A handwritten signature in black ink, appearing to read "D. S. Hobbie", is written over a large, stylized flourish.

David S. Hobbie
Chief Regulatory Division

Enclosures

This notice of authorization must be conspicuously displayed at the site of work


United States Army Corps of Engineers

A permit to discharge fill into approximately 73.31 acres of wetlands for the construction of an addition to the Miromar Lakes residential development. East of I-75 between Alico Road and Corkscrew Road, Sections 13, 23 and 24, Township 46 South, Range 25 East, and Sections 18, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC
on March 26, 2007

Address of Permittee:
10801 Corkscrew Road, Suite 305
Estero, Florida 33928-9430

SAJ-1995-7483(IP-MN)-Addn


Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

DEPARTMENT OF THE ARMY PERMIT

Permittee: Miromar Lakes, LLC.

Permit No. SAJ-1995-7483 (IP-MN) Addition

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To discharge clean fill into approximately 73.31 acres of wetlands and excavate approximately 13.50 acres of wetlands. All work is to be completed in accordance with the attached plans numbered 199507483 (IP-MN) in 18 sheets dated December 2006, Attachment "A" entitled "Revised On-Site Mitigation Plan for the Miromar Lakes DRI Addition Parcel" in 8 sheets dated revised December 4, 2006, and Attachment "B" entitled "Eastern Indigo Snake Management Plan".

Project Location: The project is located in the Estero River Watershed east of I-75 between Alico Road and Corkscrew Road and just SE of the Florida Gulf Coast University (FGCU), in Sections 13, 23, and 24, Township 46 South, Range 25 East; and Section 18, Township 46 South, Range 26 East, Lee County, Florida.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **26 MAR 2012**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity

or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature **and mailing address** of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee shall construct the mitigation in accordance with Attachment "A". The permittee shall submit all monitoring reports to the Corps, Regulatory Division, Enforcement and Special Projects Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

2. For the protection of the eastern indigo snake, the permittee shall adhere to the provisions of Attachment "B" to this permit document.

3. This Corps permit does not authorize you to take an endangered species, in particular Florida panther habitat. In order to legally take a listed species, you must have separate authorization under the ESA (e.g. an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed FWS BO dated October 16, 2006, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species

occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The FWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

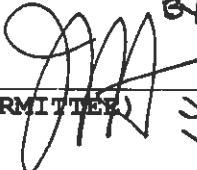
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

BY: 
(PERMITTEE) JERRY SCHMOJER
VICE PRESIDENT

MIDMAR LAKES, LLC
BY: MIDMAR DEVELOPMENT CORP
ITS MANAGING MEMBER

4/4/07
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


(DISTRICT ENGINEER)
Paul L. Grosskruger
Colonel, U.S. Army

4/5/07
(DATE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-1995-7483(IP-MN), Addition

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

TRANSFEEE-SIGNATURE

DATE

(NAME-PRINTED)

(NAME OF SUBDIVISION)

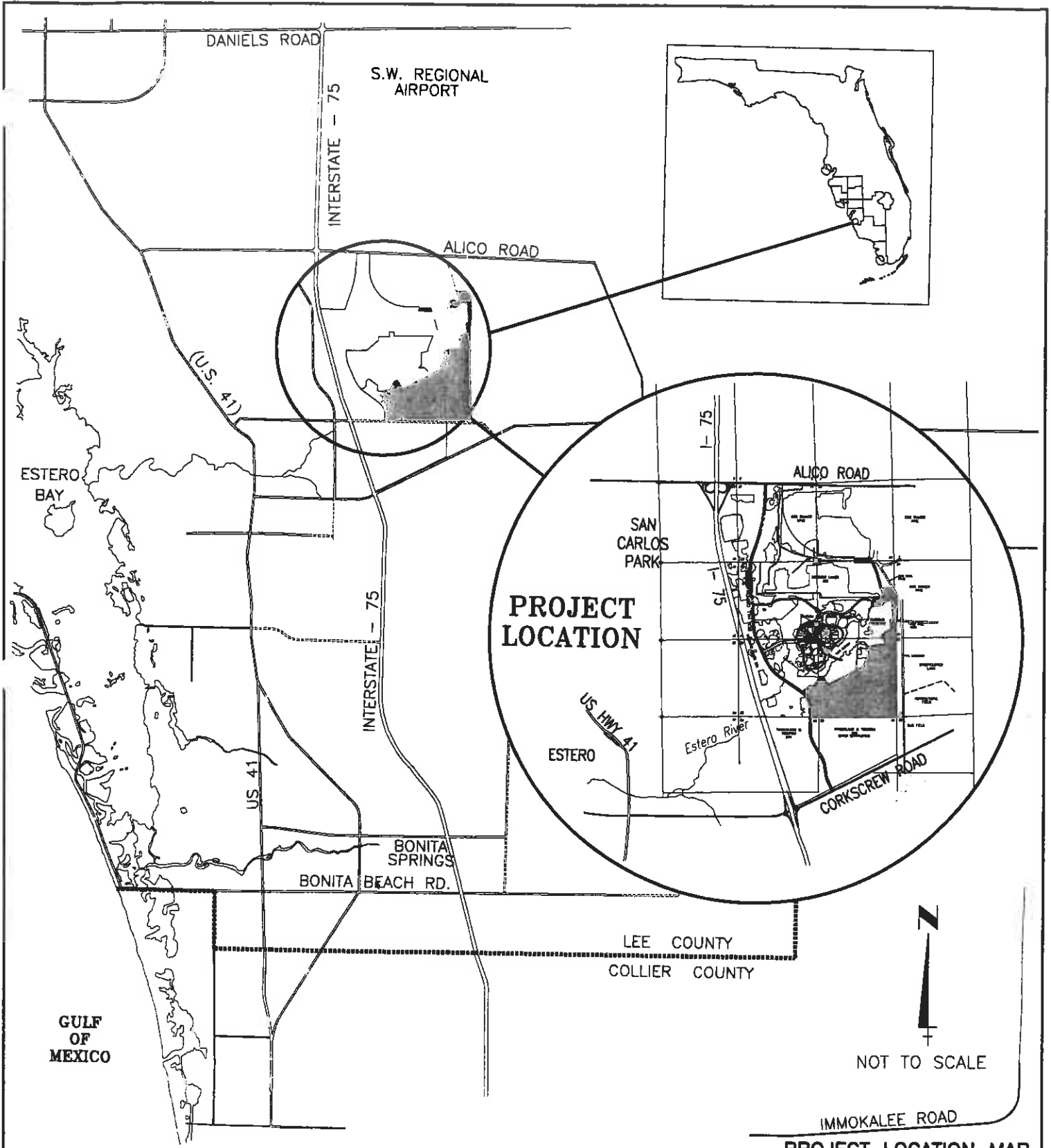
(ADDRESS)

(Lot #)

(Block #)

(CITY, STATE, AND ZIP CODE)

(TELEPHONE NUMBER W/AREA CODE)



PROJECT LOCATION MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

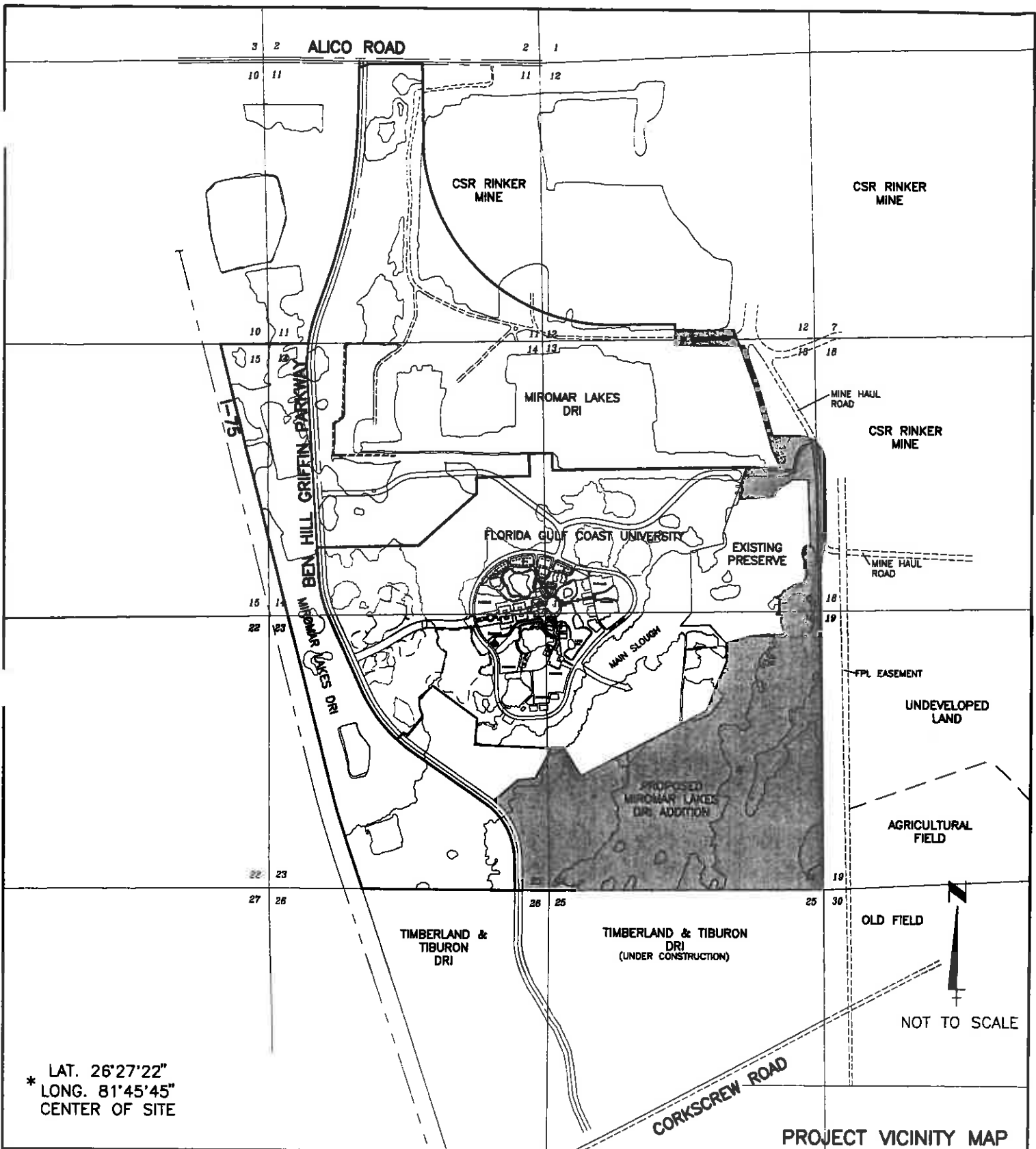
WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

WilsonMiller, Inc. - FL Lic# LC-C00079
WilsonMiller, Inc. - Certificate of Authorization 643

SCALE:	N.T.S.	DATE:	DEC. 2006
SEC: 12, 13	TWP: 23, 24	RGE: 46S	REV NO: 4
PROJECT NO:	F0253-018-030 FPCIA	INDEX NO:	A-F0253-238
DRWN BY/EMP NO:	S.W.P./1078	SHEET NO:	1 of 18



LAT. 26°27'22"
 * LONG. 81°45'45"
 CENTER OF SITE

PROJECT VICINITY MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

WilsonMiller, Inc. - FL Lic# LC-000890
 WilsonMiller, Inc. - Certificate of Authorization #43

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

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4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

SCALE:	N.T.S.	DATE	DEC. 2006
SEC: 12,13	TWP: 23.24	RGE: 46S	25E
PROJECT NO.	F0253-018-030	FPCIA	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	2 of 18



* LAT. 26°27'22"
 * LONG. 81°45'45"

**AERIAL
 PHOTOGRAPH**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.P.

WilsonMiller

WilsonMiller, Inc. - FL Lic# LC-000070
 WilsonMiller, Inc. - Certificate of Authorization M3

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

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4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

SCALE:	N.T.S.	DATE:	DEC. 2006
SEC: 12,13	TWP: 46S	RGE: 25E	REV NO. 4
PROJECT NO. F0253-018-030	FPCIA	INDEX NO. A-F0253-238	
DRWN BY/EMP NO. S.W.P./1078		SHEET NO. 3 of 18	



GRAPHIC SCALE:
2000 1000 0 2000

SCALE IN FEET

PROJECT
SITE

TOPOGRAPHIC
MAP

SOURCE: USGS ESTERO, FLA. QUADRANGLE

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

WilsonMiller, Inc. - FL Lic. # LC-000000
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WilsonMiller, Inc.

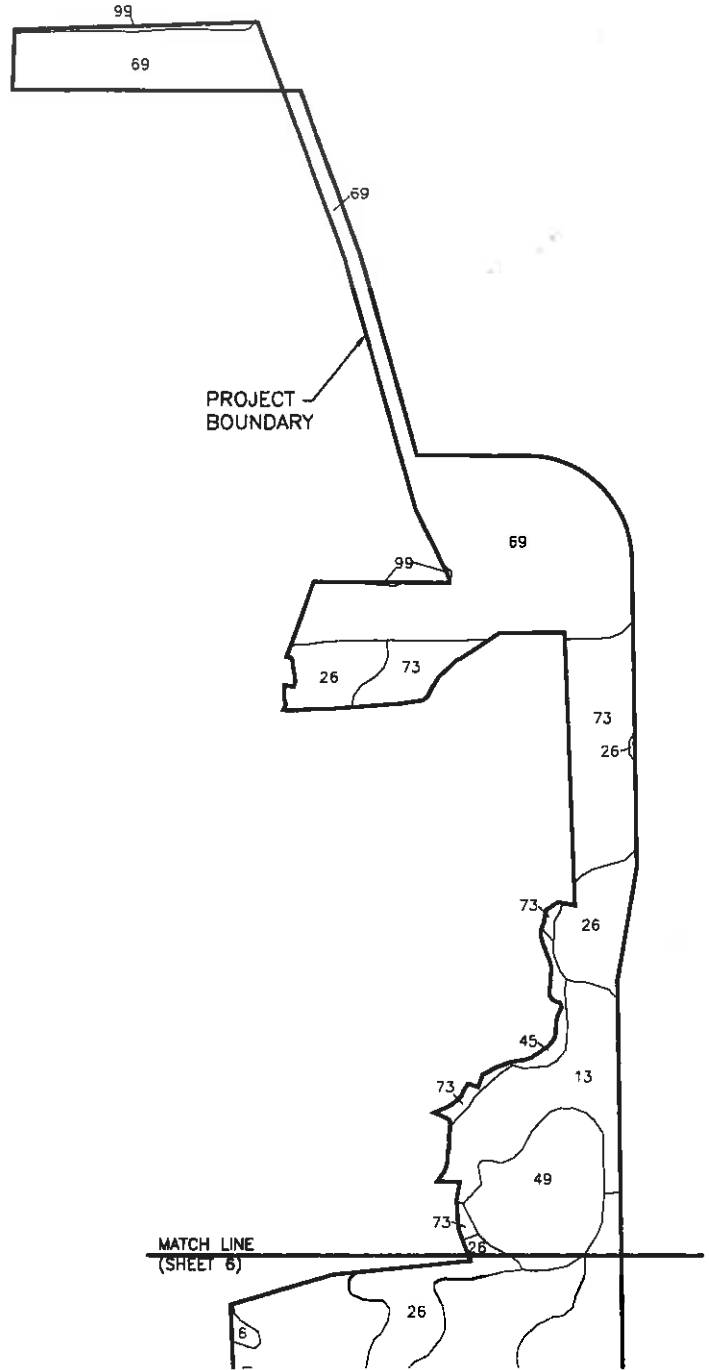
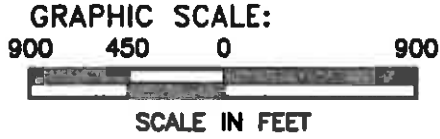
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SCALE: SEE BAR SCALE	DATE: DEC. 2006
SEC. 12,13 TWP. 23,24 46S 25E	REV NO: 4
PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 4 of 18

Nov 30, 2006 - 16:15:45

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SYMBOL	NAME
6	Walledale fine sand *
13	Boca fine sand
14	Valkaria fine sand *
26	Pineda fine sand *
33	Oldsmar sand
34	Malabar fine sand *
40	Anclote sand, depressional *
42	Wabasso Sand
44	Malabar Fine Sand, Depressional*
45	Copeland sandy loam, depressional *
49	Felda fine sand, depressional *
51	Floridana sand, depressional *
69	Matlacha gravelly fine sand
73	Pineda fine sand, depressional *
99	Water

* = Hydric soil unit

SOILS MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

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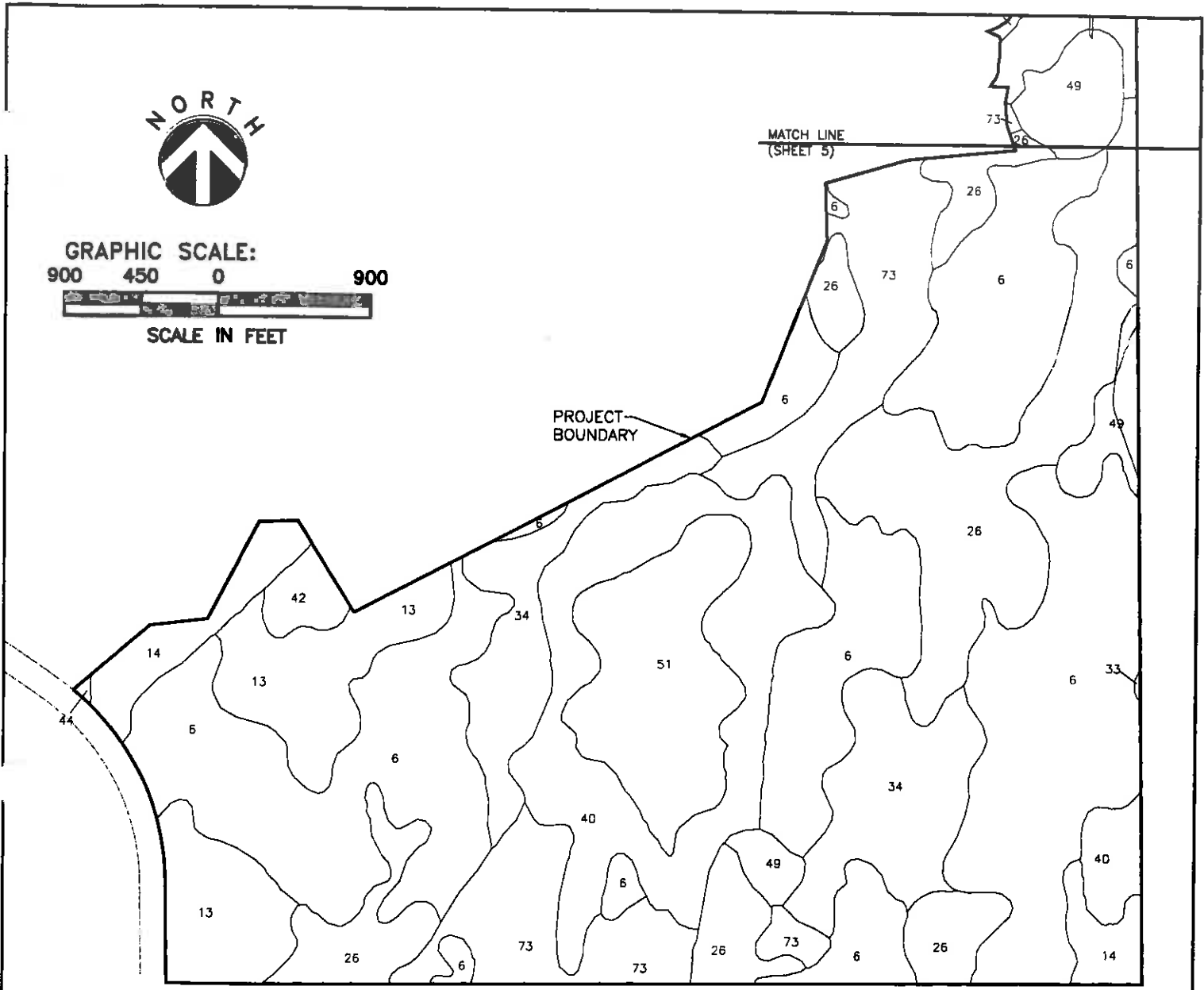
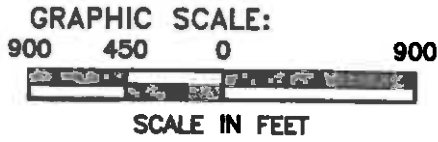
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SCALE:	SEE SCALE BAR	DATE:	DEC. 2006
SEC: 12,13	TWP: 23,24	RGE: 46S	REV NO. 4
PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP. NO.	S.W.P./1078	SHEET NO.:	5 of 18



SYMBOL	NAME
6	Hallendale fine sand *
13	Boca fine sand
14	Valkaria fine sand *
26	Pineda fine sand *
33	Oldsmar sand
34	Malabar fine sand *
40	Anclote sand, depressional *
42	Wabasso Sand
44	Malabar Fine Sand, Depressional*
45	Copeland sandy loam, depressional *
49	Felda fine sand, depressional *
51	Floridana sand, depressional *
69	Matalcha gravelly fine sand
73	Pineda fine sand, depressional *
99	Water

* = Hydric soil unit

SOILS MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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SCALE:	SEE SCALE BAR	DATE:	DEC. 2006
SEC. 12,13	TWP: 46S	RGE:	25E
PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	6 of 18

FLUCCS Code	FLUCCS Description	WETLAND ACRES	SURFACE WATER ACRES	UPLAND ACRES	TOTAL ACRES
160	Extractive - Area disturbed by mining	----	----	19.18	19.18
163	Rock quarry/Mine lake	----	1.55	----	1.55
321	Palmetto Prairie	----	----	1.79	1.79
321E2	Palmetto Prairie, 25-49% exotic cover	----	----	3.37	3.37
321E3	Palmetto Prairie, 50-75% exotic cover	----	----	0.84	0.84
411	Pine flatwoods, saw palmetto understory	----	----	9.96	9.96
411E1	Pine flatwoods, saw palmetto understory, 10-24% exotic cover	----	----	44.78	44.78
411E2	Pine flatwoods, saw palmetto understory, 25-49% exotic cover	----	----	152.7	152.7
411E3	Pine flatwoods, saw palmetto understory, 50-75% exotic cover	----	----	28.62	28.62
411E4	Pine flatwoods, saw palmetto understory, >75% exotic cover	----	----	3.27	3.27
416E3	Pine flatwoods, graminoid understory, 25-49% exotic cover	----	----	1.56	1.56
416E4	Pine flatwoods, graminoid understory, 50-75% exotic cover	----	----	5.8	5.8
416H	Pine flatwoods, graminoid understory, hydric	1.15	----	----	1.15
416HE1	Pine flatwoods, graminoid understory, hydric, 10-24% exotic cover	4.94	----	----	4.94
416HE2	Pine flatwoods, graminoid understory, hydric, 25-49% exotic cover	22.82	----	----	22.82
416HE3	Pine flatwoods, graminoid understory, hydric, 50-75% exotic cover	27.37	----	----	27.37
416HE4	Pine flatwoods, graminoid understory, hydric, >75% exotic cover	11.78	----	----	11.78
422	Brazilian pepper	----	----	5.77	5.77
424	Melaleuca, non-hydric	----	----	5.61	5.61
424H	Melaleuca, hydric	27.72	----	----	27.72
427H	Live Oak Hammock, hydric	3.76	----	----	3.76
428H	Cabbage Palm, hydric	1.4	----	----	1.4
513H	Ditches, hydric	2.89	----	----	2.89
513HE4	Ditches, hydric, >75% exotic cover	1.4	----	----	1.4
513U	Ditches, non-hydric	----	----	1.13	1.13
616	Willow Pond	0.94	----	----	0.94
621	Cypress	7.21	----	----	7.21
621E1	Cypress, 10-24% exotic cover	35.37	----	----	35.37
621E2	Cypress, 25-49% exotic cover	14.61	----	----	14.61
621E3	Cypress, 50-75% exotic cover	13.73	----	----	13.73
621E4	Cypress, >75% exotic cover	13.64	----	----	13.64
624E2	Cypress-Pine-Cabbage Palm, 25-49% exotic cover	6.06	----	----	6.06
624E3	Cypress-Pine-Cabbage Palm, >75% exotic cover	1.95	----	----	1.95
641	Freshwater marsh	28.62	----	----	28.62
641E2	Freshwater marsh, 25-49% exotic cover	1.16	----	----	1.16
641E3	Freshwater marsh, 50-75% exotic cover	0.63	----	----	0.63
643DE1	Wet Prairie	2.46	----	----	2.46
740H	Disturbed Areas, hydric	1.88	----	----	1.88
743	Spoil Areas	----	----	0.75	0.75
743E3	Spoil Areas, 50-75% exotic cover	----	----	2.19	2.19
748	Previously Cleared Areas, non-hydric	----	----	5.61	5.61
748H	Previously Cleared Areas, hydric	3.18	----	----	3.18
8147	Mine Haul Road	----	----	3.92	3.92
TOTAL		236.67	1.55	296.85	535.07

**FLUCCS DESCRIPTIONS
AND ACREAGES**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.



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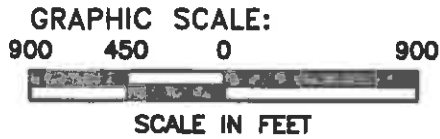
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SEC: 12,13 23,24	TWP: 46S	RGE: 25E	REV NO: 4
PROJECT NO: F0253-018-030 FPCIA	INDEX NO: A-F0253-238		
DRWN BY/EMP NO: S.W.P./1078	SHEET NO: 7 of 18		

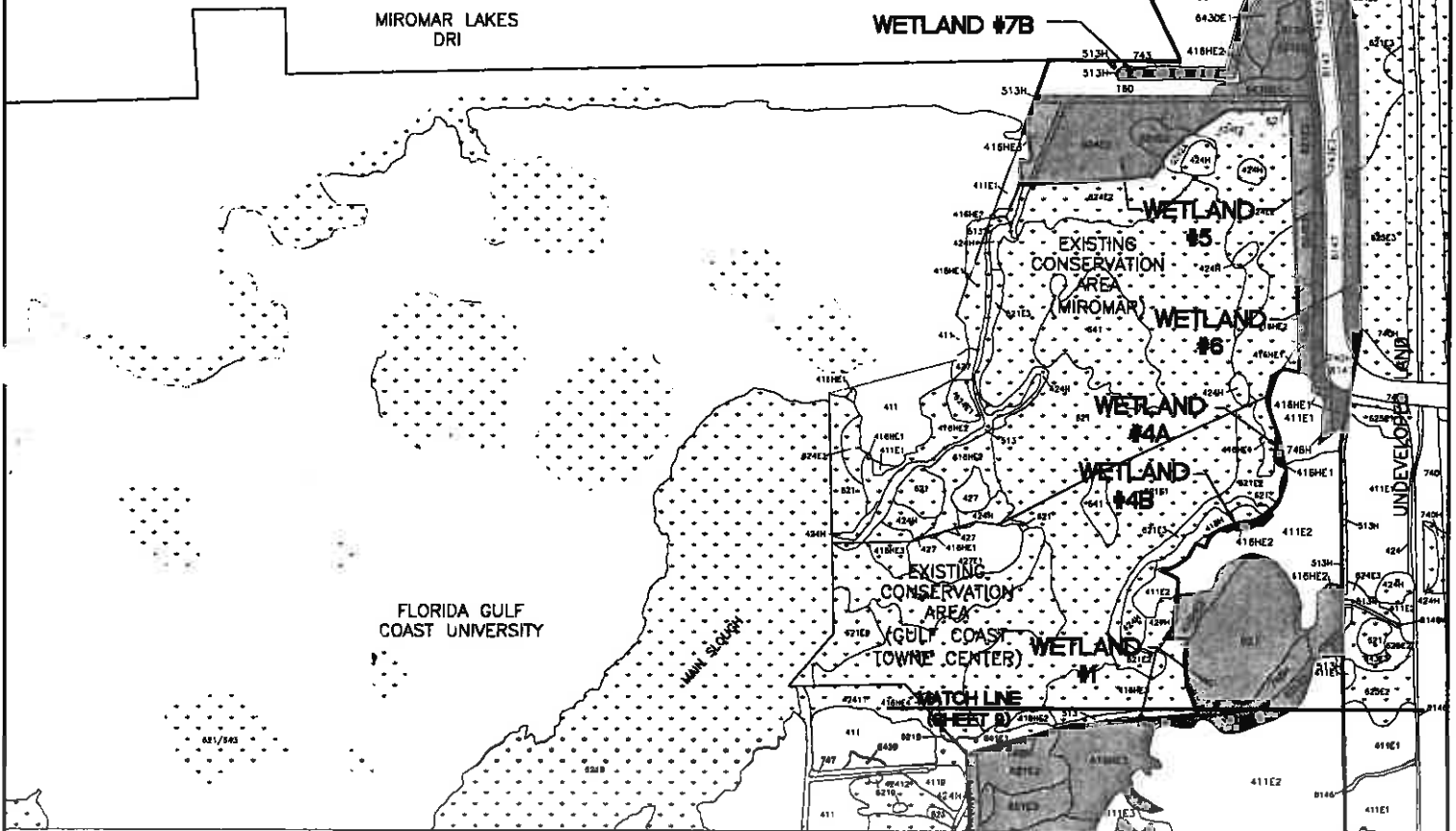


LEGEND

ON-SITE CORPS JURISDICTIONAL WETLANDS

EXISTING OFF-SITE WETLANDS

SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES



**EXISTING CONDITIONS/
FLUCCS MAP**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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SEC: 12.13	TWP. RGE:	REV NO.:	4
23.24	46S 25E	INDEX NO.:	A-F0253-23B
PROJECT NO.:	F0253-018-030 FPCIA	SHEET NO.:	8 OF 18
DRWN BY/EMP NO.:	S.W.P./1078		



GRAPHIC SCALE:
900 450 0 900



SCALE IN FEET

FLORIDA GULF
COAST UNIVERSITY
4119

PROJECT
BOUNDARY

MATCH LINE
SHEET 8

WETLAND
#3B

WETLAND
#10

WETLAND
#9

WETLAND
#8

WETLAND
#1

WETLAND
#3A

WETLAND
#2

UNDEVELOPED LAND

BEN HILL GRIFFIN PARKWAY

TIMBERLAND & TIBURON DRI (UNDER CONSTRUCTION)

LEGEND

ON-SITE CORPS JURISDICTIONAL WETLANDS

EXISTING OFF-SITE WETLANDS

SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

**EXISTING CONDITIONS/
FLUCCS MAP**

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CLIENT: MIROMAR LAKES, L.L.C.

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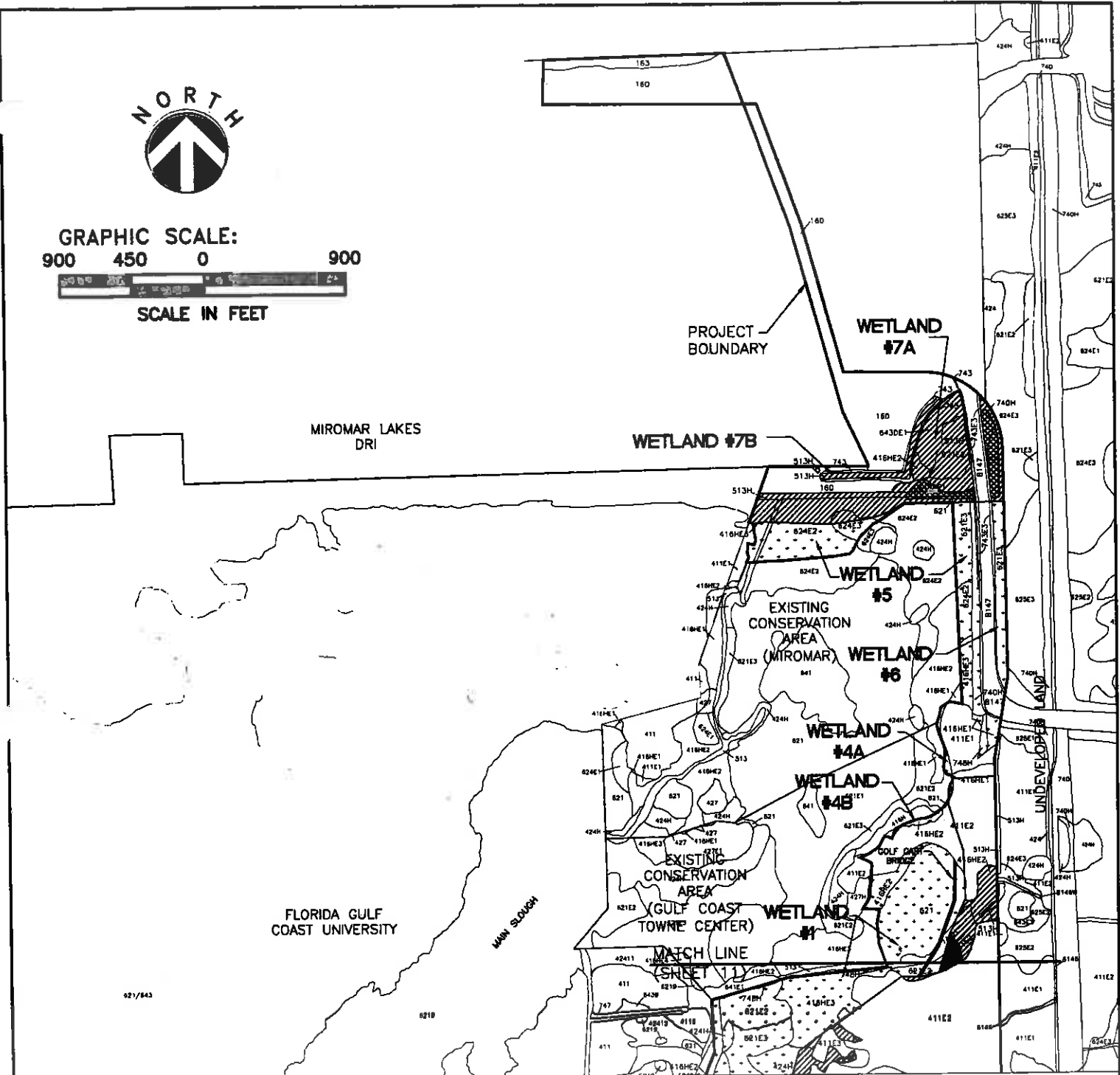
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PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	9 OF 18



LEGEND

- FILL (73.31 AC., 283,870 CY)
 - EXCAVATION (13.50 AC., 435,600 CY)
 - SELECTIVE TRIMMING IN WETLANDS (1.69 AC.)
 - WETLAND PRESERVATION OR ENHANCEMENT AREA (153.05 AC.)
- SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

WETLAND IMPACTS

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT# SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.



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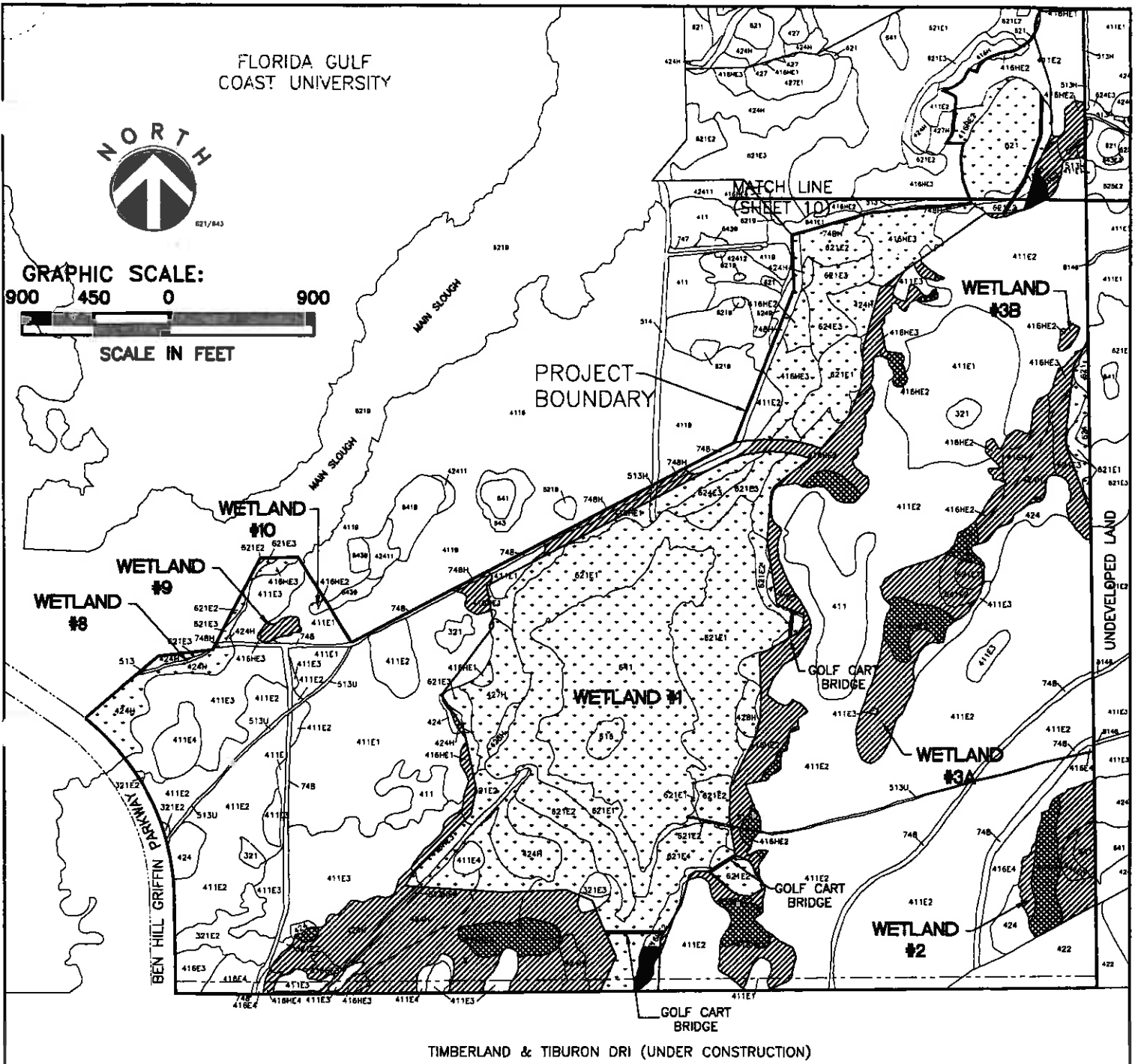
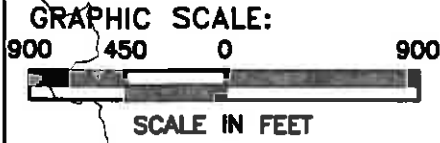
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PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 10 of 18

FLORIDA GULF
COAST UNIVERSITY



LEGEND

- FILL (73.31 AC., 283,870 CY)
 - EXCAVATION (13.50 AC., 435,600 CY)
 - SELECTIVE TRIMMING IN WETLANDS (1.69 AC.)
 - WETLAND PRESERVATION OR ENHANCEMENT AREA (153.05 AC.)
- SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

WETLAND IMPACTS

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483(IP-MN)

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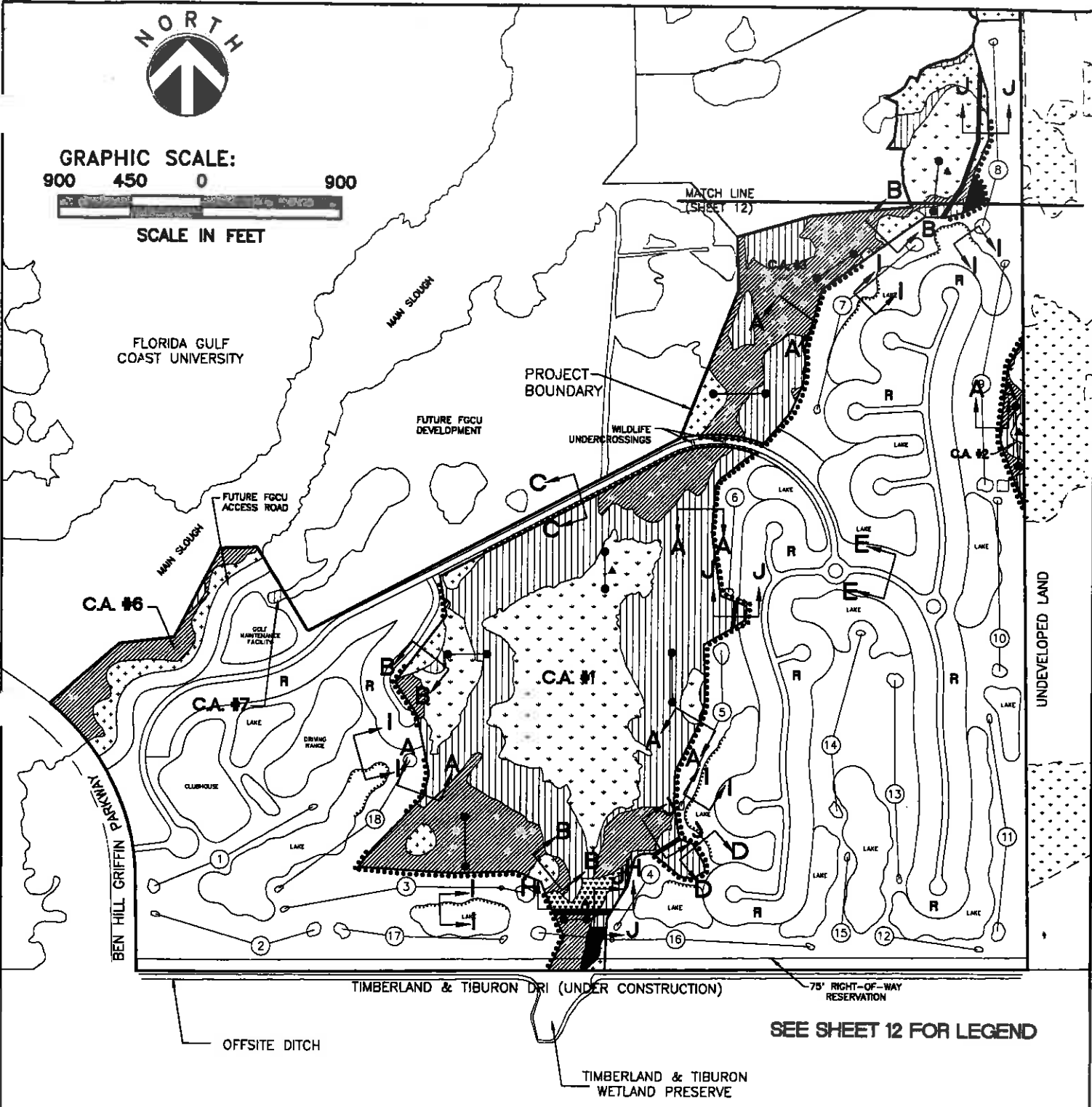
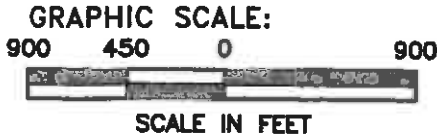
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23.24	46S 25E	INDEX NO.:	A-F0253-238
PROJECT NO.	F0253-018-030 FPCIA	SHEET NO.:	11 OF 18
DRWN BY/EMP NO.	S.W.P./1078		



SEE SHEET 12 FOR LEGEND

MITIGATION & CONSERVATION PLAN

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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PROJECT NO.	F0253-018-030	FPCIA	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	13 of 18

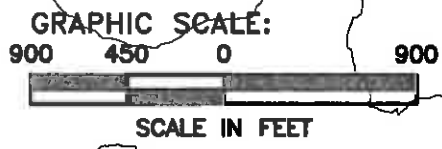
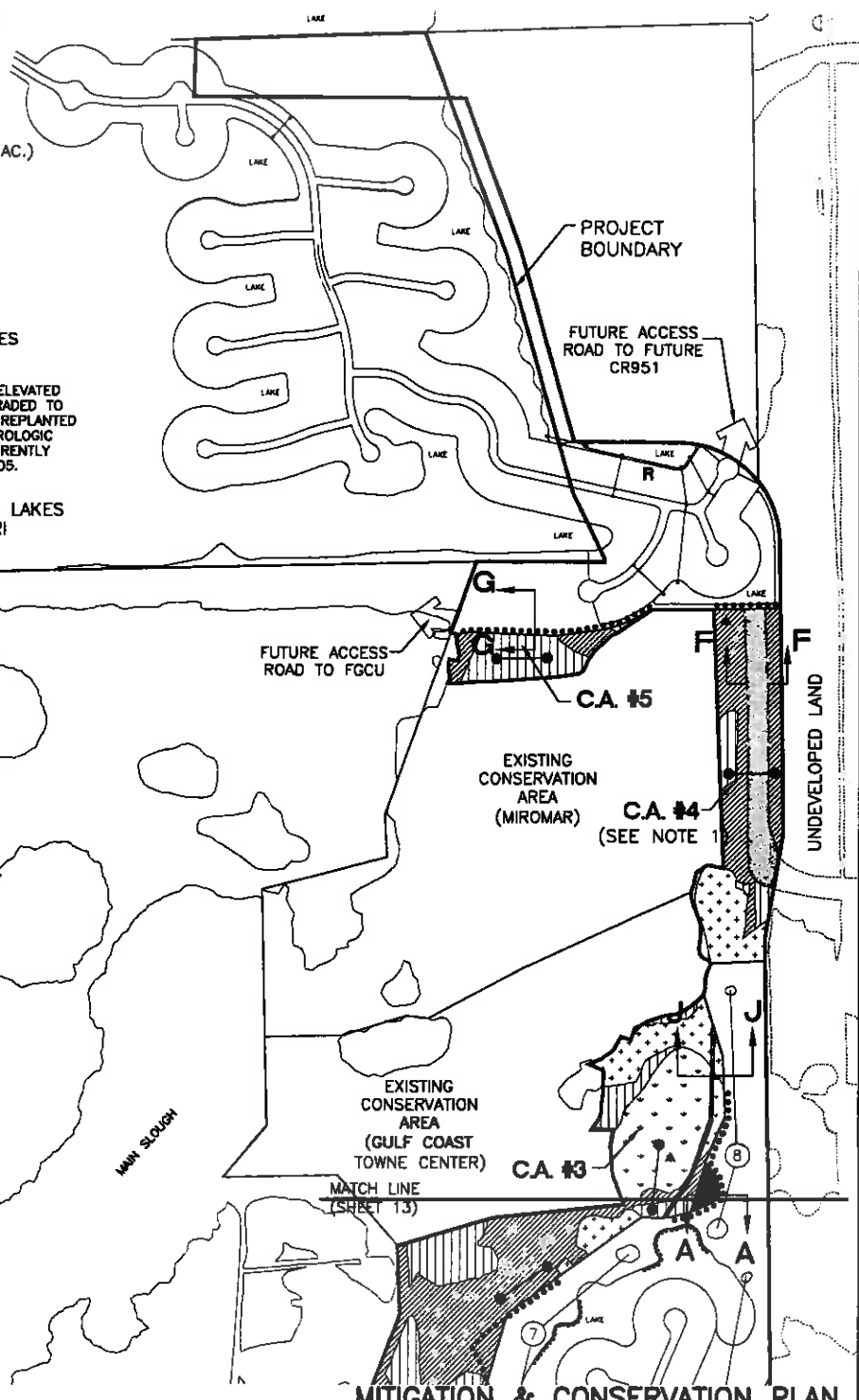
LEGEND

-  WETLAND PRESERVED WITHOUT ENHANCEMENT (40.83 AC.)
-  WETLAND ENHANCEMENT - LEVEL 1 (59.82 AC.)
-  WETLAND ENHANCEMENT - LEVEL 2 (45.90 AC.)
 WE-L2-CY (REPLANT TO CYPRESS) (5.33 AC.)
 WE-L2-FW (REPLANT TO FLATWOODS) (13.27 AC.)
 WE-L2-MF (REPLANT TO MIXED FOREST) (25.74 AC.)
 WE-L2-S (REPLANT TO SHRUB WETLAND) (1.56 AC.)
-  WETLAND ENHANCEMENT - LEVEL 2 - MARSH / WADING BIRD FORAGING AREA (1.42 AC.)
-  WETLAND RESTORATION (3.39 AC.)
-  WETLAND PRESERVED WITH SELECTIVE TRIMMING (1.69 AC.)
-  UPLANDS PRESERVED/ ENHANCED (14.29 AC.)

- STRUCTURAL BUFFER
- MONITORING TRANSECT
- ▲ STAFF GAGE
- WADING BIRD DRAWDOWN POOL IN LAKE LITTORAL ZONES

NOTE:

1. RESTORATION AREA WITHIN CONSERVATION AREA #4 IS CURRENTLY AN ELEVATED MINE HAUL ROAD THROUGH HISTORIC WETLANDS. THE AREA WILL BE GRADED TO AN ELEVATION APPROXIMATING ADJACENT UNDISTURBED WETLANDS AND REPLANTED WITH NATIVE WETLAND PLANT SPECIES. THUS RESTORING HISTORIC HYDROLOGIC AND VEGETATIVE CHARACTER- SEE MITIGATION PLAN. THIS AREA IS CURRENTLY ENCUMBERED BY A MINE LEASE ANTICIPATED TO BE TERMINATED IN 2005.



FLORIDA GULF COAST UNIVERSITY

MITIGATION & CONSERVATION PLAN

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

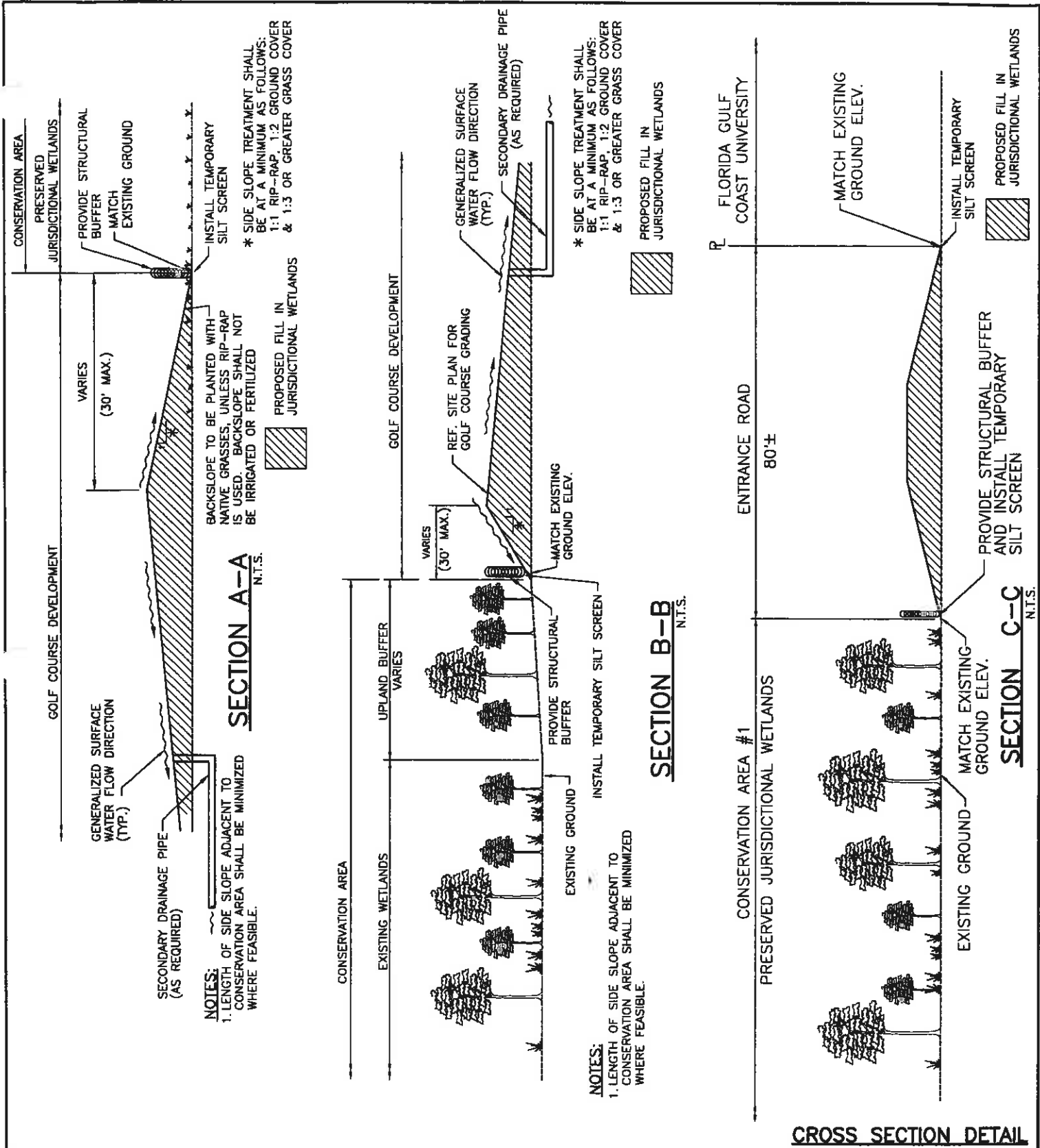
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PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	12 OF 18



PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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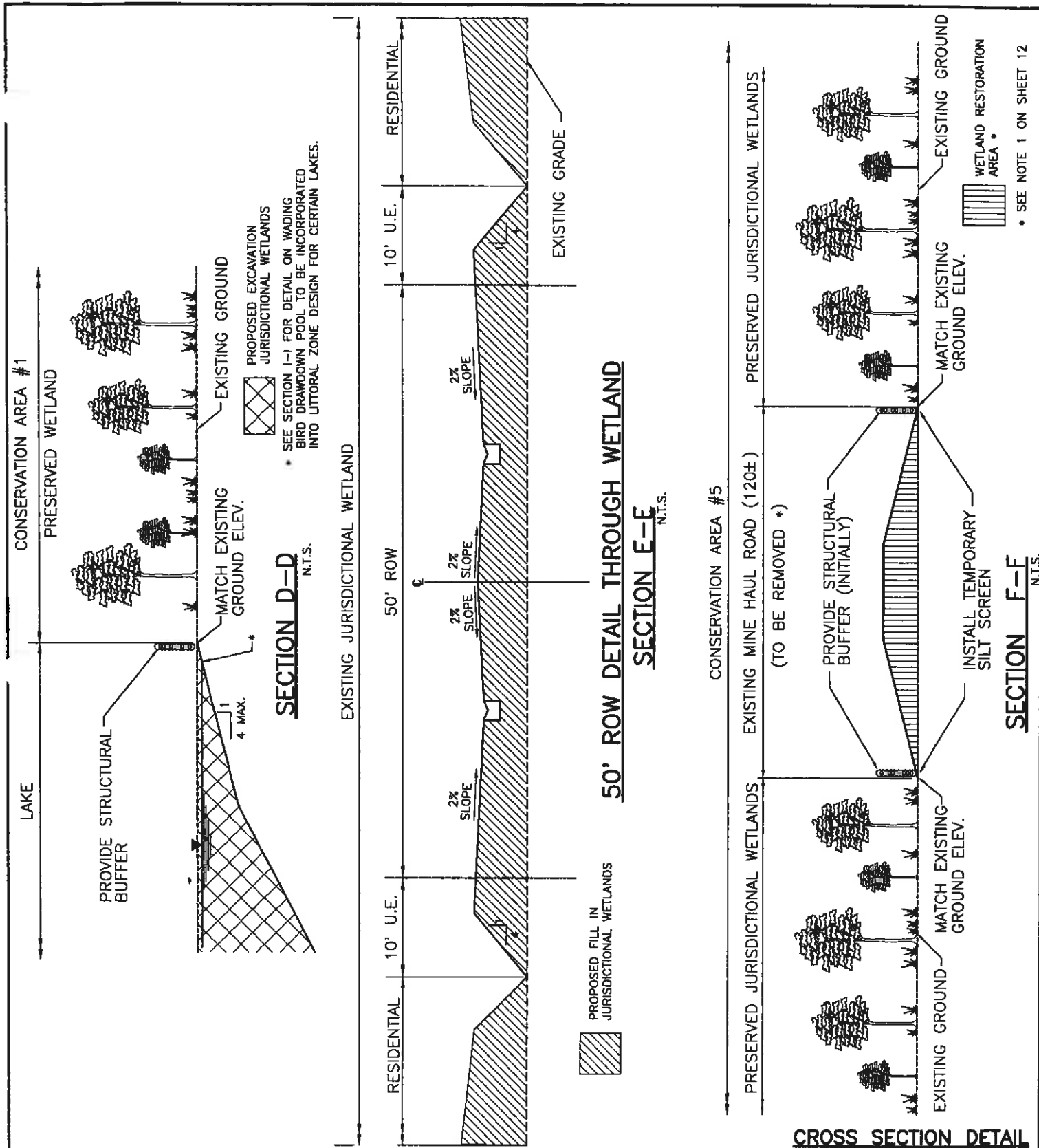
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SEC 12,13	TWP 23,24	RGE:	46S 25E
PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	14 of 18



CROSS SECTION DETAIL

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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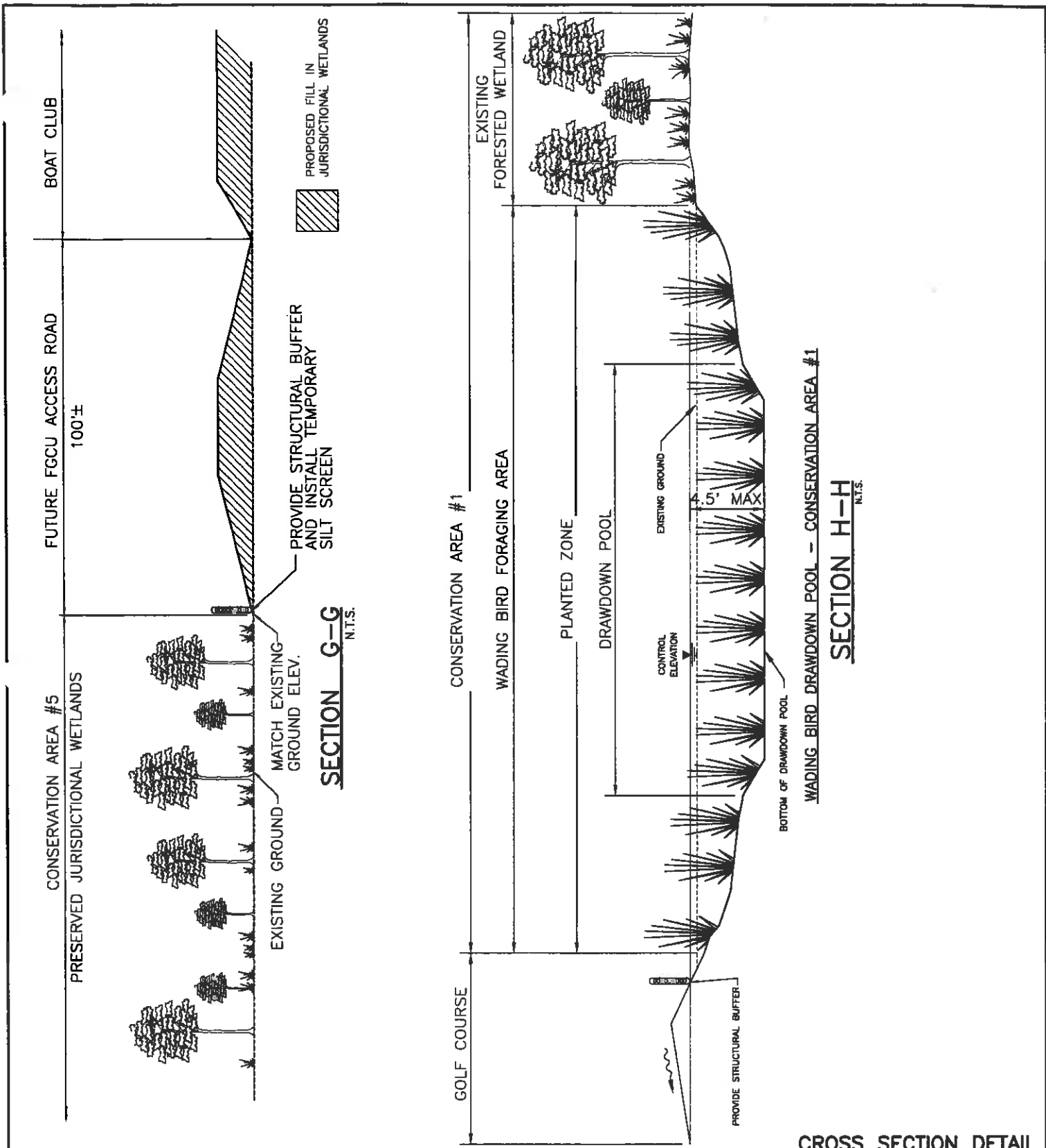
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PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238		
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 15		OF 18



CROSS SECTION DETAIL

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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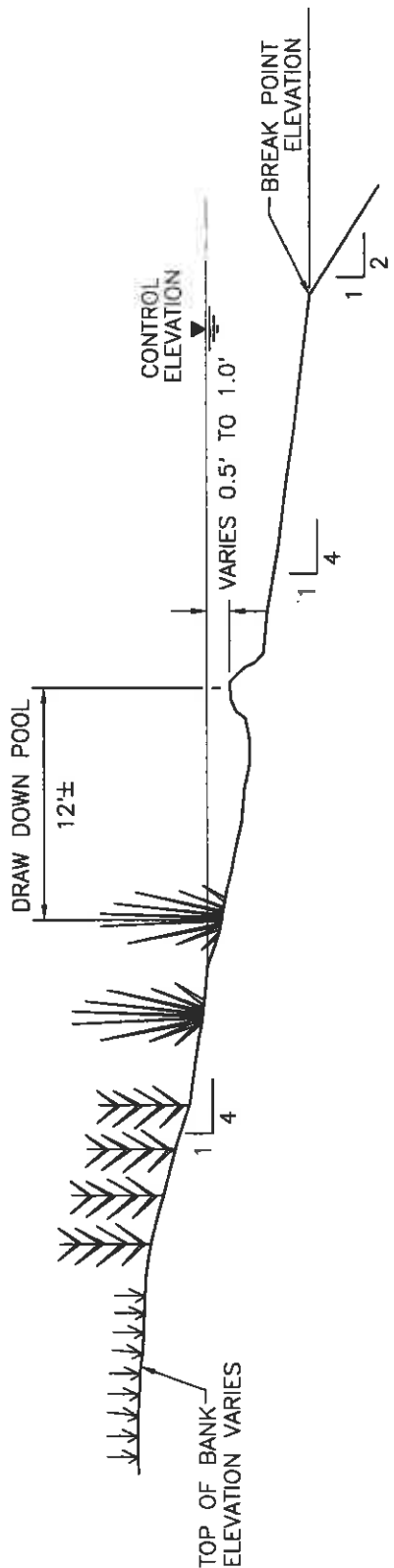
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SEC. 12,13	TWP. 46S	RGE:	25E
PROJECT NO.	F0253-018-030 FPCIA		INDEX NO.
DRWN BY/EMP NO.	S.W.P./1078		SHEET NO.
			16 OF 18



**TYPICAL LITTORAL ZONE
WITH DRAW DOWN POOLS**

**SECTION I-I
N.T.S.**

CROSS SECTION DETAIL

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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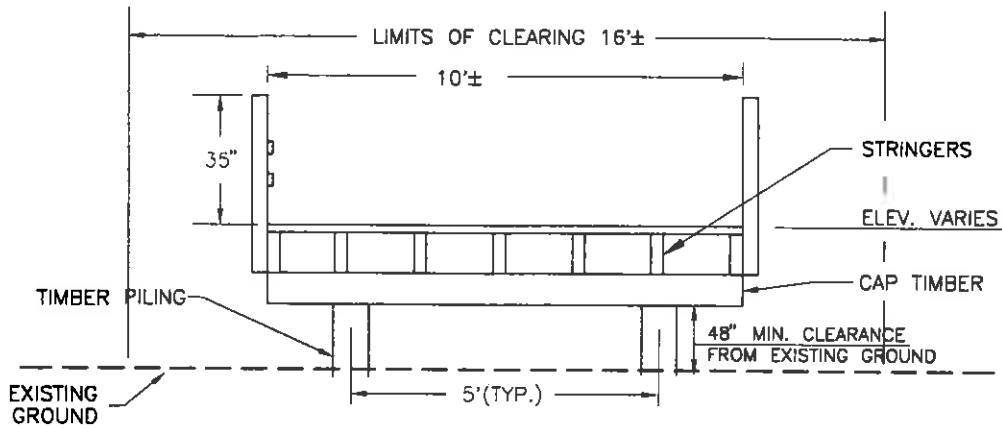
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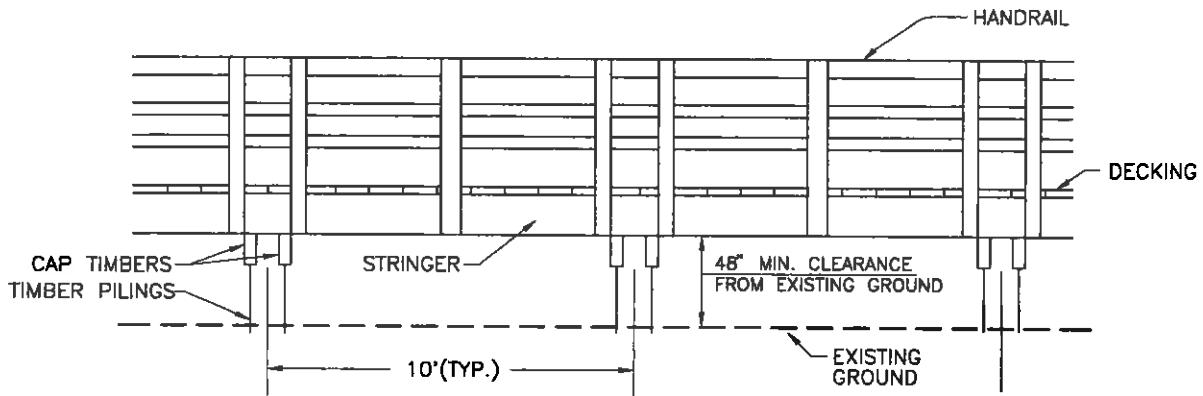
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SEC. 12,13 23,24	TWP. 46S	RGE. 25E	REV NO. 4
PROJECT NO. F0253-018-030 FPCIA			INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078			SHEET NO. 17 of 18

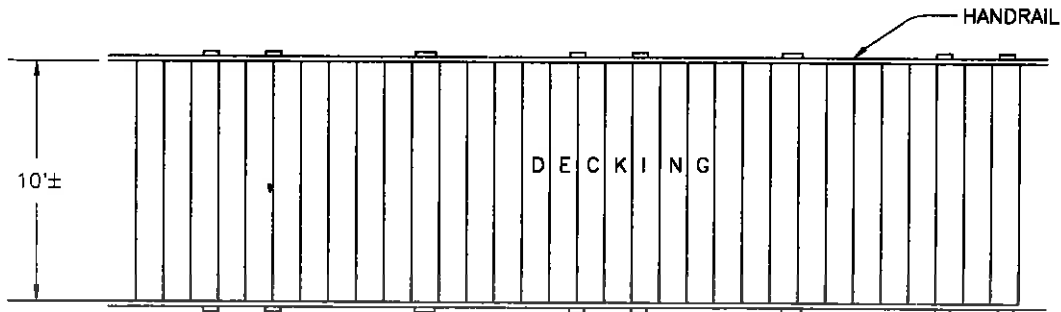


TYPICAL SECTION

N.T.S.



END ELEVATION



PLAN

GOLF CART BRIDGE / BOARDWALK THROUGH WETLANDS

SECTION J-J

N.T.S.

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

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SEC. 12.13	TWP. 46S	RGE:	25E
PROJECT NO.	F0253-018-030 FPCIA	INDEX NO:	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	18 of 18

ATTACHMENT "A"
REVISED

**ON-SITE MITIGATION PLAN
for the
MIROMAR LAKES DRI
ADDITION PARCEL**

**Submitted in Support of a
Modification to U.S. Army Corps of Engineers Section 404
Permit No. SAJ-1995-7483 (IP-MN)**

PREPARED FOR:

**MIROMAR LAKES, LLC
10801 Corkscrew Road
Suite 305
Estero, FL 33928-9430
239.390.5147**

PREPARED BY:

**WILSONMILLER INC.
4571 Colonial Blvd. Suite #100
Naples, Florida 33912
239.939.1020**

SUBMITTED TO:

**U.S. ARMY CORPS OF ENGINEERS
Jacksonville District
Regulatory Division, West Branch
701 San Marco Boulevard
Room 372
Jacksonville, FL 32207
904.232.2171**

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1.0 INTRODUCTION

This document serves to detail the proposed components of the mitigation plan for the Miromar Lakes DRI Addition Parcel, including methods of initial exotic eradication, exotic species maintenance, planting of restoration areas and areas containing high levels of exotics, monitoring methods, and success criteria. The Miromar Lakes DRI addition parcel is a 535± acre planned residential and golf community located in Sections 13, 23, and 24, Township 46 South, Range 25 East; and Section 18, Township 46 South, Range 26 East; Lee County, Florida. The site is bordered on the north by the original Miromar Lakes DRI, the CSR/Rinker Mine, and Florida Gulf Coast University (FGCU); to the east by the CSR/Rinker Mine and other undeveloped land; to the west by Ben Hill Griffin Parkway and the original Miromar Lakes DRI; and to the south by the Timberland and Tiburon DRI.

The project site was previously the southeastern portion of the University Village site. Local government approvals have been secured to remove the site from the University Village project area and add it to the Miromar Lakes DRI.

Presently, the property consists of a combination of upland pine flatwoods, forested and herbaceous wetlands, and previously mined lands. Habitats on the property are of varying quality depending the proximity to mining activities, adjacent development, and the degree of infestation by exotic plant species. The northern region of the project site has been extensively affected either directly or indirectly by mining activities. Direct mining impacts include the excavation of quarry lakes, the removal of native vegetation in areas where overburden was stockpiled, and the excavation of drainage ditches and construction of water management berms. Additionally, a mine haul road bisects a major slough system (Stewart Cypress Slough) in the vicinity of the project.

Descriptions of the wetlands present on the project site, as well as other pertinent environmental information (e.g., listed species), can be found in the main body of the Environmental Supplement of which this Mitigation Plan is an appendix.

2.0 WETLAND IMPACTS

Avoidance of impacts to wetlands on the property was determined not to be possible based on the available upland area and facility/amenity needs. Considerable efforts were undertaken during design stages to minimize impacts to jurisdictional wetlands. To accommodate the proposed use of the property, and to maintain the natural character of the site where feasible, the land plan was designed such that permanent wetland impacts have been limited to the lower quality wetlands of the site to the extent practicable in order to preserve those wetland systems that currently have a sufficient degree of functional value and thus a relatively high probability of mitigation success.

Development of the project will result in the loss of a total of 86.81 acres of Corps-jurisdictional wetlands, including 73.31 acres of fill and 13.50 acres of excavation. The locations of proposed wetland preserve and impact areas are depicted in the Permit Exhibits included in the Environmental Supplement.

Approximately 70% (61.3 acres) of the total impact acreage wetlands of relatively low quality (i.e., wetlands with >50% invasion by exotics species, wetlands disturbed by mining activities or ditching). An additional 25% (22.1 acres) of the proposed impacts are to wetlands with 25-50% invasion by exotic species. Only 5% (4.6 acres) of the proposed impacts are to wetlands of relatively high quality as compared to the overall quality of wetland habitats of the site.

In addition to the direct wetland impacts described above, a total of 1.69 acres of selective trimming will occur in preserved wetlands. 1.05 of the 1.69 acres involves removal of canopy trees at three locations to enable unobstructed golf play over the wetlands. 0.64 of the 1.69 acres involves

trimming that will occur at the locations of golf cart bridges where trimming of canopy and understory vegetation will be required in order to construct and maintain the bridges. The above-referenced selective trimming areas will be placed under conservation easement as part of the proposed mitigation plan.

Detailed information regarding wetland impacts is provided in Section 5.1 of the Environmental Supplement of which this document is a part.

Proposed mitigation for impacts to Corps-jurisdictional wetlands will occur on-site in 153.05 acres of existing and restored wetlands. These wetlands represent the majority of the higher quality areas of an on-site flow-way. Preservation and enhancement of 14.29 acres of uplands is also included in the mitigation plan. Thus, a total of 167.34 acres of wetland and upland preservation has been provided within the development plan.

3.0 PROPOSED MITIGATION

3.1 General Summary

Proposed mitigation for impacts to Corps-jurisdictional wetlands includes the following:

- 40.83 acres of straight wetland preservation (minimal exotic removal/enhancement needed). These areas will be placed under conservation easement and perpetually maintained.
- 1.69 acres of wetland preservation in areas that will undergo selective trimming of vegetation at golf play-over and golf cart bridge areas. These areas will be placed under conservation easement and perpetually maintained.
- 59.77 acres of "Level 1" wetland enhancement in areas containing <50% exotics. Exotics to be hand-removed (no heavy equipment). To be placed under conservation easement and perpetually maintained.
- 47.37 acres of "Level 2" wetland enhancement in areas containing >50% exotics. Exotics to be removed with heavy equipment, followed by replanting. To be placed under conservation easement and perpetually maintained. Level 2 enhancement areas can be further divided into the following types:
 - 25.79 acres planted to mixed forest
 - 13.27 acres replanted to pine flatwoods
 - 5.33 acre planted to cypress
 - 1.56 acres planted to shrub wetland
 - 1.42 acres to be graded in order to create a wading bird foraging area
- 3.39 acres of wetland restoration. An existing mine haul road that has bisected and altered the Stewart Cypress Slough will be graded and returned to natural grade, thus restoring the historic hydrologic and vegetative character of the slough. The restoration is anticipated to take place in 2006.
- 14.29 acres of upland preservation and enhancement located both adjacent and internal to wetland preservation areas. The overall acreage is divided into 8.87 acres of areas where existing exotics will be hand-removed and 5.42 acres where mechanical removal of exotics followed by replanting will occur.

The locations of each of the above on-site mitigation types/activities listed above can be found in the Permit Exhibits submitted as part of this permit application.

An additional amount of off-site mitigation will be required to fully compensate for impacts to Corps-jurisdictional wetlands. Since the primary purpose of this document is to provide details for on-site

mitigation activities, the reader is referred to the permit documents for specific information regarding off-site mitigation requirements for this project.

3.2 Initial Eradication of Exotics

The initial eradication of exotics in wetlands has two levels of effort:

- Level 1: Hand-removal of exotics in areas containing <50% exotics - no mechanized clearing (59.77 acres).
- Level 2: Mechanical removal, using heavy equipment, of exotics in areas containing >50% exotics with subsequent planting (47.37 acres).

For the purpose of the following discussion, exotic species include Brazilian pepper, ear-leaf acacia, Chinese climbing fern, downy-rose myrtle, soda apple, Australian pine, and melaleuca. Nuisance species include cattail, dog fennel, caesar weed, primrose willow, and grapevine. Of these species, melaleuca and Brazilian pepper are the dominant species present on the property.

Level 1 Enhancement (WE-L1) Areas: Level 1 enhancement will occur in areas with <50% cover by exotic or nuisance species. The locations of Level 1 enhancement areas are depicted on the Permit Exhibits. Exotic eradication (primarily melaleuca with some Brazilian pepper) will be accomplished via hand removal; no mechanized clearing or use of heavy equipment will occur within conservation areas. Hand removal exotic clearing methods will include the use of implements such as chainsaws, axes, and machetes to cut down exotic vegetation. This method allows for use of vehicles such as trucks and trailers, and chippers to process the debris.

Plants that are visible for 50 feet from the conservation area perimeter will be cut down and removed from the mitigation area. Stumps of cut plants will be chemically treated with an approved herbicide containing dye within 15 minutes of cutting. All herbicides will be applied in accordance with label specifications and will be conducted by or under the direction of an appropriately licensed applicator. Debris generated during this phase of removal will be temporarily stockpiled for later burning, chipping/spreading, or transport off-site for disposal. Where chipping is utilized, any large mounds of chipped materials would either be removed or spread out so as to not inhibit development of desirable groundcover.

Interior plants (>50' from conservation area perimeter) will primarily be eradicated by chemical treatment of standing trees in order to minimize disruption and impacts to existing native wetland vegetation. Smaller individuals will be eradicated through complete removal, cut and treat (per the above guidelines for herbicide treatment of areas within 50' of the perimeter of conservation areas), or foliar herbicidal treatment. Only EPA-approved herbicides will be utilized and a visual tracer dye will be added if not already contained in the specific herbicide mixture. All herbicides will be applied in accordance with label specifications and will be conducted by or under the direction of an appropriately licensed applicator. Felled material that is not removed from the interior of conservation areas will be handled in general accordance with the SFWMD publication "*Draft Guidelines for Melaleuca Removal*" dated 9/14/98.

Although plantings will not be required, and are not anticipated to be needed in Level 1 enhancement areas under the proposed mitigation plan, the Applicant reserves the right to plant suitable native tree, shrub, or groundcover plant species in Level 1 enhancement areas in order to improve visual aesthetics and/or enhance habitat quality.

Level 2 Enhancement (WE-L2) Areas: Level 2 enhancement will occur in areas with substantial (>50%) invasion by exotic or nuisance species (primarily melaleuca). The locations of Level 2 enhancement areas are depicted on the Permit Exhibits. Due to the relatively high degree of exotic

infestation in these areas, initial exotic eradication will occur via mechanized clearing and the use of heavy machinery (e.g., bulldozers, feller-bunchers, etc.).

Prior to initial exotic eradication, the limits of areas to be mechanically cleared will be marked with ropes, stakes, survey flagging, silt screens, enviro-fencing or a combination of these to avoid intrusion into adjacent areas. Machinery/vehicle ingress and egress routes (corridors) will be similarly marked. The protective barriers will remain in place and will be appropriately maintained until the use of mechanized equipment is completed.

Wetland and Upland Selective Trimming (WP-ST/UP-ST) Areas: Initial eradication of exotics in areas identified as selective trimming areas on the Permit Exhibits will occur according to the methods identified above for Level 1 enhancement areas. Exotic removal will be by hand only and will not involve mechanized clearing or the use of heavy machinery.

3.3 Replanting Efforts

Level 2 Enhancement (WE-L2) Areas: Level 2 enhancement areas will require planting following initial exotic eradication. Attachment A provides a list potential species to be planted in wetland forest, upland forest, and marsh habitats. Planting densities are expecting to vary depending on the degree of exotic infestation, the amount of viable native vegetation remaining following initial eradication of exotics. In worse-case situations (little remaining native vegetation), it is anticipated that trees will be planted on an average of 17 foot centers, subcanopy/shrub species on average 20-foot centers, and ground cover on 4-foot centers. Planted tree individuals will be a minimum of 4 to 6 feet in height, with approximately 50% of the trees being 6 to 8 feet in height and 3 gallons in size. Shrub specimens will be a minimum of 24 inches in height and 1-gallon in size. Ground cover will be bare-root or containerized stock, as available. Although not required, larger stock than specified above, to be planted at a reduced density, may be used to accelerate the enhancement process.

Follow-up plantings of previously planted areas will be conducted as necessary when and where survivorship, density, and/or percent cover goals specified in the permit are not achieved. The need for such re-plantings will typically be assessed on an annual basis. Conservation Area management/maintenance activities will include removal of dead, dying, or diseased plants (both planted and existing plants) as deemed necessary.

Slough Restoration (WR) Area: The slough restoration area will be planted in accordance with the criteria for Level 2 Enhancement Areas as specified above.

Wading Bird Foraging (WE-L2-M) Area: Planting of littoral zone vegetation will occur in the 1.42 acres of wading bird foraging areas identified on the Permit Exhibits. Species to be planted will be in accordance with the planting list in Attachment A.

The remaining sections of this document provide a detailed summary of the on-site monitoring, maintenance, and success protocol for the Miromar Lakes DRI Addition Parcel.

4.0 MITIGATION AREA MAINTENANCE

4.1 Wetland Areas Under Conservation Easement

Wetland areas to be placed under conservation easement are identified on the Permit Exhibits and include straight preservation areas, Level 1/Level 2 enhancement areas, and the 3.39-acre slough restoration area in the northern region of the site.

Wetland preservation areas will be maintained to suppress growth of exotic/nuisance species and maintain their abundance at low levels. Exotic species to be controlled include Brazilian pepper, ear-leaf acacia, Chinese climbing fern, downy-rose myrtle, soda apple, Australian pine, and melaleuca. Nuisance species include cattail, dog fennel, caesar weed, primrose willow, and grapevine.

Ongoing control of undesirable species will be via directed herbicide applications, physical uprooting, or a combination of these methods. Ongoing maintenance will consist solely of hand-removal and comparable activities; no heavy equipment will be operated within conservation areas. The management goals will be to control exotic/nuisance plants such that mitigation areas are: (a) exotic-free immediately following maintenance activities, and (b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined.

Exotic plant control is likely to occur on at least a semi-annual basis for the first 2 to 3 years following initial eradication efforts. Maintenance events may be conducted more frequently if needed. The anticipated schedule for maintenance events is provided in Section 7 below.

4.2 Upland Areas Under Conservation Easement

Upland areas to be preserved and placed under conservation easement will undergo exotic maintenance identical to that described above in Section 4.1.

4.3 Wading Bird Foraging Area

The area designated as a "Wading Bird Foraging Area" on Sheet 13 of 18 of the Permit Exhibits will undergo exotic maintenance identical to that described above in Section 4.1.

5.0 MITIGATION AREA MONITORING

5.1 Field Monitoring Methodology

Monitoring transects will be established throughout the preserved wetlands to monitor the development and success of mitigation. The majority of each transect's length will be located in wetland areas and generally a small portion will overlap the adjacent upland buffer. Sheet 13 of 18 of the Permit Exhibits shows the approximate locations of the monitoring transects. At the time of baseline monitoring, the specific location and length of qualitative and quantitative transects will be established such that they maximize the collection of pertinent data.

Qualitative data regarding the success of the wetland enhancement efforts will be collected from at least two observation stations along each transect. Qualitative data to be collected will include plant species composition in each vegetative stratum, estimated percent cover by exotic/nuisance species, and general condition of native vegetation. General information on wetland hydrology (e.g., water depth, areal extent of inundation, degree of soil saturation, etc.) will also be recorded during each monitoring event. At least two (2) photo stations will be established along each transect. The photo stations, the ends of each transect, and at least two diagonal corners of sampling plots will be adequately marked in the field for reliable location from one monitoring event to another.

Approximately 50% of the transects will serve as quantitative transects at which data is collected on planting survivorship and percent cover by exotic/nuisance species. Quantitative transects will be situated at permanent locations and will be employed to gather the following data:

- (1) For transects in Level 1 enhancement areas, sampling plots will be established at roughly equally spaced increments along each transect (minimum 4 plots per transect). Each sampling plot will be approximately 5 meters by 5 meters or larger in size. Parameters measured in each plot will include average percent cover by exotic species and average percent cover by nuisance species. Data from all sampling plots along a transect will be averaged for reporting.
- (2) For transects in Level 2 enhancement areas, additional sampling quadrats will be established (minimum of 3). Each sampling quadrat will be approximately 2 meters by 2 meters in size. Parameters measured in each quadrat will include average percent cover in the groundcover stratum by non-nuisance native species, by exotic species, and by nuisance species. Data from these sampling quadrats will be averaged for reporting.
- (3) For transects in Level 2 enhancement areas that pass through intensive exotic eradication areas that have been replanted with native trees and shrubs, estimates of the average percent survival of planted trees and shrubs will be made. These data will be gathered from a "belt" established along a given transect where it passes through the planted area (e.g., belt transect sampling method). A belt will have a minimum width of approximately 30 feet along the transect's length. If the belt transect sampling approach does not appear viable in a given area, estimates of tree and shrub survival will be made by taking a random sample of the planted area.

Hydrologic monitoring will be conducted via collection of rainfall data and monitoring of wetland water levels at staff gauges depicted on Sheet 13 of 18 of the Permit Exhibits. The rain gauge at the existing golf course maintenance facility within the original Miromar Lakes project will be used to collect total daily rainfall data for the project area. This rain gauge is located approximately 2 miles from the project site. To establish a consistent frequency for wetland water level monitoring, water levels at staff gauges will be monitored on a weekly basis during the wet season and on a monthly basis during the dry season.

5.2 Monitoring Events and Reports

The monitoring of the success of mitigation area enhancement will consist of one (1) baseline monitoring event, one (1) time-zero monitoring event, and five (5) annual monitoring events. Baseline monitoring will document existing conditions on the property prior to the initial exotic plant species eradication effort. Time-zero monitoring will be conducted immediately after the initial eradication of exotics and planting of Level 2 enhancement areas is complete. The annual monitoring event will document changes from the baseline conditions as well as the success of the exotic eradication program at annual intervals following the completion of initial eradication. The proposed schedule for monitoring events is provided in Section 7 below.

Monitoring reports will be submitted within 45 days following the completion of monitoring and will provide the following information:

- (1) Brief description of maintenance work performed since the previous report along with discussion of any other significant occurrences.
- (2) Brief description of anticipated maintenance work to be conducted prior to the next monitoring event.
- (3) A summary of the results of qualitative and/or quantitative vegetative and hydrologic monitoring.
- (4) Photographs documenting conditions in mitigation areas at the time of monitoring.
- (5) A plan view drawing of the mitigation area showing monitoring stations and photo stations.

- (6) A summary assessment of data/observations along with recommendations as to actions necessary to achieve mitigation success.

6.0 MITIGATION SUCCESS CRITERIA

6.1 Level 1 Enhancement (WE-L1) Areas

The following success criteria will apply to the Level 1 enhancement areas depicted on Sheet 13 of 18 of the Permit Exhibits:

- (1) Recording of a Conservation Easement.
- (2) Completion of initial eradication of exotic and nuisance plant species.
- (3) Completion of necessary maintenance such that: a) the mitigation area is exotic-free immediately following maintenance activities, and b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined at the end of the fifth year following the completion of initial exotic eradication.

6.2 Level 2 Enhancement (WE-L2) Areas

The following success criteria will apply to the Level 2 enhancement areas depicted on Sheet 13 of 18 of the Permit Exhibits:

- (1) Recording of a Conservation Easement.
- (2) Completion of initial eradication of exotic and nuisance plant species.
- (3) Completion of initial planting of native trees, shrubs and ground cover in areas with minimal native vegetation following initial exotic eradication.
- (4) Completion of necessary maintenance such that: a) the mitigation area is exotic-free immediately following maintenance activities, and b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined at the end of the fifth year following the completion of initial exotic eradication.
- (5) Within approximately 3 years of the completion of initial plantings, at least an average 60% ground cover by desirable native plant species (e.g., non-nuisance plants). Thereafter, maintain at least this much cover by desirable native plants.
- (6) One year following initial planting of trees and shrubs or replanting of trees and shrubs, maintain a minimum average survival rate of 80 percent for these plantings.

6.3 Slough Restoration (WR) Area

Success criteria for the slough restoration area depicted on Sheet 13 of 18 of the Permit Exhibits will be identical to those for Level 2 Enhancement Areas.

7.0 MONITORING AND MAINTENANCE SCHEDULE

The following is the proposed work schedule for The Miromar Lakes DRI Addition Parcel. The permittee shall retain the ability to modify this monitoring program and monitoring schedule should it become necessary to make the program/schedule consistent with the progression of development, with monitoring requirements of other government agencies, or to improve the information provided by the monitoring program. Any modification must first be approved by the Corps.

Work Schedule for Miromar Lakes DRI Addition Parcel

Task	Date
Baseline Monitoring ¹	Oct. 2007
Initiate Construction	Nov. 2007
Exotic Eradication in Level 1 & 2 Enhancement Areas	Jan.-Mar. 2008
Planting of Level 2 Enhancement Areas	Jul.-Aug. 2008
Exotic/Nuisance Species Maintenance	Aug. 2008
Time Zero Monitoring ¹	Sep. 2008
Exotic/Nuisance Species Maintenance	Feb. 2009
Wetland Restoration Area Grading	May. 2009
SFWMD Inspection of Wetland Restoration Grading Area	Jun. 2009
Planting of Slough Restoration Area	Jul. 2009
Exotic/Nuisance Species Maintenance	Aug. 2009
1 st Annual Monitoring ¹	Sep. 2009
Exotic/Nuisance Species Maintenance	Feb. 2010
Exotic/Nuisance Species Maintenance	Aug. 2010
2 nd Annual Monitoring ¹	Sep. 2010
Exotic/Nuisance Species Maintenance	Aug. 2011
3 rd Annual Monitoring ¹	Sep. 2011
4 th Annual Monitoring ¹	Sep. 2011
5 th Annual Monitoring ¹	Sep. 2012
NOTES:	
¹ Reports will be submitted within 45 days of completion of field monitoring.	

ATTACHMENT A				
Potential Species Planting List for Level 2 Enhancement Areas and Wetland Restoration Area				
COMMON NAME	SCIENTIFIC NAME	Wetland Forest*	Upland Forest	Marsh
Canopy Species				
Red maple	<i>Acer rubrum</i>	X		
Strangler fig	<i>Ficus aurea</i>	X		
Sweetgum	<i>Liquidambar styraciflua</i>	X		
Black gum	<i>Nyssa sylvatica</i>	X		
Slash pine	<i>Pinus elliotii</i>	X	X	
Laurel oak	<i>Quercus laurifolia</i>	X		
Live oak	<i>Quercus virginiana</i>		X	
Cabbage palm	<i>Sabal palmetto</i>	X	X	
Bald cypress	<i>Taxodium distichum</i>	X		
Florida elm	<i>Ulmus americana floridana</i>	X		
Subcanopy/Shrub Species				
Saltbush	<i>Baccharis spp.</i>	X		
Buttonbush	<i>Cephalanthus occidentalis</i>	X		
Coco plum	<i>Chrysobalanus icaco</i>	X	X	
Florida privet	<i>Forestiera segregata</i>	X		
Pop ash	<i>Fraxinus caroliniana</i>	X		
Dahoon holly	<i>Ilex cassine</i>	X	X	
Gallberry	<i>Ilex glabra</i>	X	X	
Red bay	<i>Persea borbonia</i>	X		
Cabbage palm	<i>Sabal palmetto</i>	X		
Wax myrtle	<i>Myrica cerifera</i>	X	X	
Myrsine	<i>Rapanea punctata</i>	X	X	
Tarflower	<i>Befaria racemosa</i>		X	
Buckthorn	<i>Bumelia tenax</i>		X	
Beauty berry	<i>Callicarpa americana</i>		X	
Persimmon	<i>Diospyros virginiana</i>		X	
Rusty lyonia	<i>Lyonia ferruginea</i>		X	
Staggerbush	<i>Lyonia fruticosa</i>		X	
Winged sumac	<i>Rhus copallina</i>		X	
Saw palmetto	<i>Serenoa repens</i>		X	
Ground Cover Species				
Goobergrass	<i>Amphicarpum muhlenbergianum</i>	X		
Bluestems	<i>Andropogon spp.</i>	X	X	
Three-awn grass	<i>Aristida spp.</i>	X	X	
Swamp fern	<i>Blechnum serrulatum</i>	X		
Saw grass	<i>Cladium jamaicense</i>	X		X
Flatsedge	<i>Cyperus spp.</i>	X		X
Wild cocoa	<i>Eulophia alta</i>	X		
Saltmarsh fingergrass	<i>Eustachys spp.</i>	X		
Rush fuirena	<i>Fuirena scirpoides</i>	X		
St. John's-wort	<i>Hypericum spp.</i>	X		
Soft rush	<i>Juncus effusus</i>	X		X
Red root	<i>Lachnanthes caroliniana</i>	X		
Gulfdune paspalum	<i>Paspalum monostachyum</i>	X		

ATTACHMENT A				
Potential Species Planting List for Level 2 Enhancement Areas and Wetland Restoration Area				
COMMON NAME	SCIENTIFIC NAME	Wetland Forest*	Upland Forest	Marsh
Gulf muhly	<i>Muhlenbergia capillaris</i>	X	X	
Cinnamon fern	<i>Osmunda cinnamomea</i>	X		
Maidencane	<i>Panicum hemitomon</i>	X		X
Beakrush	<i>Rhynchospora</i> spp.	X		X
Creeping bluestem	<i>Schizachyrium stoloniferum</i>	X		
Sand cordgrass	<i>Spartina bakeri</i>	X		X
Eastern grama grass	<i>Tripsacum dactyloides</i>	X		
Yellow-eyed grass	<i>Xyris</i> spp.	X	X	
Carpet grass	<i>Axonopus compressus</i>		X	
Lovegrass	<i>Eragrostis</i> spp.		X	
Muhly grass	<i>Muhlenbergia filipes</i>		X	
Panicum grasses	<i>Panicum</i> spp.		X	
Paspalums	<i>Paspalum</i> spp.		X	
Knotroot bristle grass	<i>Setaria geniculata</i>		X	
Goldenrod	<i>Solidago</i> spp.		X	
Leather fern	<i>Acrostichum aureum</i>			X
Bacopa	<i>Bacopa monnieri</i>			X
Golden canna	<i>Canna flaccida</i>			X
Southern swamp lily	<i>Crinum americanum</i>			X
Virginia buttonweed	<i>Diodia virginiana</i>			X
Spikerush	<i>Eleocharis</i> spp.			X
Fringe-rush	<i>Fimbristylis</i> spp.			X
Blue flag iris	<i>Iris virginica</i>			X
Big-head rush	<i>Juncus megacephalus</i>			X
Frog's bit	<i>Limnobiium spongia</i>			X
Red ludwigia	<i>Ludwigia repens</i>			X
Spatter dock	<i>Nuphar luteum</i>			X
Fragrant water-lily	<i>Nymphaea odorata</i>			X
Arrow arum	<i>Peltandra cordata</i>			X
Pickerelweed	<i>Pontederia cordata</i>			X
Arrowhead	<i>Sagittaria lancifolia</i>			X
Duck potato	<i>Sagittaria latifolia</i>			X
Soft-stem bulrush	<i>Scirpus</i> spp.			X
Fireflag	<i>Thalia geniculata</i>			X
NOTES:				
Exact species installed may deviate from this list depending on property conditions and stock availability.				
* For Level 2 enhancement area to be planted to shrub wetland, potential plant species are same as for wetland forest except that canopy species will not be planted.				

ATTACHMENT "B"

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

1. The requestor shall coordinate with the Fish and Wildlife Service's (FWS) South Florida Field Office during the establishment and implementation of an eastern indigo snake protection/education plan.
2. A qualified observer shall be present on site to watch for eastern indigo snakes during all construction and clearing phases of the project. The name(s) and qualifications of the proposed observer shall be submitted to our office for review and approval. The information submitted for approval should indicate what experience the individual has that would qualify him to act as an eastern indigo snake observer.
3. An eastern indigo snake protection/education plan shall be developed for all construction crews to follow. The plan shall be provided to the FWS for review and approval at least 30 days prior to any construction or clearing activities. The educational materials for the plan could consist of a combination of posters or videos, pamphlets, and lectures and should include the following information:
 - a. a description of the eastern indigo snake, its habits, and protection under Federal law;
 - b. instructions not to injure, harm, harass or kill the species;
 - c. directions to notify the qualified observer(s) if an eastern indigo snake is sighted;
 - d. directions to cease construction activity, notify the qualified observer(s), and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction (only a qualified individual, who has been either authorized by a section 10(a)(1)(A) permit issued by the FWS, or designated as an agent of the Florida Fish and Wildlife Conservation Commission (FWC) for such activities, is permitted to come in contact with an eastern indigo snake; and
 - e. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered.

4. If gopher tortoise burrows are present, the requester should coordinate with the FWC for information on the relocation program for gopher tortoises. As a part of the relocation program, the FWC reviews and approves preserve areas for gopher tortoises. These same areas may be used for the release of eastern indigo snakes. Therefore, prior to any construction or clearing activities in areas where gopher tortoise burrows have been identified, the following measures should be incorporated into the eastern indigo snake plan:
 - a. A qualified individual should map and flag the locations of all gopher tortoise burrows on the site. Prior to actual clearing, the qualified individual should update that initial survey no more than two weeks prior to clearing. These maps should be made available to all construction crews.
 - b. In some circumstances, an underground camera may be needed to investigate gopher tortoise burrows for eastern indigo snakes. If an eastern indigo snake is found, and the burrow will be destroyed by construction activity, then the burrow should be carefully excavated with a backhoe while monitoring the snake's position and condition with the underground camera. In burrows that are unsuitable for camera use, the burrow will be carefully excavated with a combination of backhoe and hand excavation. Before excavating any burrow, it is recommended that a strong, flexible tube or hose be inserted into the burrow to the end to mark the course of the entire burrow in case it collapses during excavation. If a backhoe is used, the bucket should be equipped with a straight blade, not a blade with teeth. The excavation must be done with caution to prevent potential injury to an eastern indigo snake.
 - c. An eastern indigo snake found in a burrow may be captured and released (by a qualified individual who has been either authorized by a section 10(a)(1)(A) permit issued by the FWS, or designated as an agent of the State of Florida by the GWC for such activities) immediately into a GWC approved preserve area for gopher tortoises near a marked inactive or abandoned gopher tortoise burrow. Eastern indigo snakes shall be held in captivity only long enough to transport them to the release site; at no time shall two snakes be kept in the same container during transportation. A map of marked inactive or abandoned

burrows should be made available to the qualified individual. This will allow for prompt release of an eastern indigo snake.

5. An eastern indigo snake monitoring report must be submitted to the South Florida Field Office within 60 days of the conclusion of clearing and construction phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
 - a. any sightings of eastern indigo snakes;
 - b. summaries of any relocated snakes if relocation was approved for the project (e.g., locations of where and when they were found and relocated);
 - c. thorough description of the preserve area for eastern indigo snakes if a preserve area was approved (e.g., types of habitats, percent cover of dominant species); and
 - d. summaries of maintenance activities and schedules for the preserve area.

September 18, 2015 SFWMD Comment Letter



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

September 18, 2015

Mr. James Ward
Miromar Lakes Community Development District
513 NE 13th Avenue
Fort Lauderdale, FL 33301

**Subject: Notice of Inspection – Non Compliance
Miromar Lakes
Permit No. 36-03568-P, Application No. 991101-14, 020617-12, 021203-5,
030128-2, 040326-26, 040826-18, 070209-10, 080625-6, 080912-9, and
090903-26
Lee County, S10-15 & 23/T46S/R25E**

Dear Mr. Ward:

This letter is to provide notification that a site inspection for the above-referenced project was conducted on June 17, 2015. This site inspection revealed that the subject permit is not in compliance with the special conditions of the permit. Specifically, those issues in need of resolution are as follows:

Application 951122-7 – Miromar Lakes:

- This authorization is conceptual approval, therefore no issues were noted

Application 991101-14 – Miromar Lakes Phase 1:

- The lake shoreline appears to be steeper than permitted. Please restore the lake shoreline to substantial compliance with Special Condition 8 of the Permit. Please see Picture 1 for reference.
- Unpermitted rip-rap was installed along the recreational lake shoreline. Please apply for a permit modification to include the subject rip rap in the permit to comply with Special Condition 9 of the Permit. Please see Picture 1 for reference.
- Filter fabric, placed on top of the catch basins/bubble ups, is covered by debris and sod clippings. Please remove the filter fabric from the catch basins/bubble ups to comply with Special Condition 5 of the Permit. Please see Picture 2 for reference.

DISTRICT HEADQUARTERS: 3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • (800) 432-2045

Mailing Address: PO BOX 24680 West Palm Beach FL, 33416-4680

LOWER WEST COAST SERVICE CENTER: 2301 McGregor Boulevard, Fort Myers, FL 33901 • (239) 338-2929 • (800) 248-1201

OKEECHOBEE SERVICE CENTER: 3800 N.W. 16th Blvd, Suite A, Okeechobee, FL 34972 • (863) 462-5260 • (800) 250-4200

ORLANDO SERVICE CENTER: 1707 Orlando Central Parkway, Suite 200, Orlando FL 32809 • (407) 858-6100 • (800) 250-4250

IR

9/18/15

sfwmd.gov

- An unpermitted boat ramp was constructed within the vacant lot for the future Peninsula Phase IV. Upon resolution of the petition for Application No. 140620-1, Please remove the subject boat ramp to comply with Special Condition 9 of the Permit. Please see Picture 3 for reference.

Application 020617-12 – Miromar Lakes Mediterranean Village Phases 1 & 2:

- The south detention areas are heavily vegetated, preventing maintenance and access to the stormwater structures. Please clear and maintain a pathway to these structures to comply with Special Condition 4 of the Permit.
- Erosion to the lake shoreline has occurred in some areas on Lakes 6H, 6I, and 6J. Lake 6I has a drop of approximately four (4) feet between lots. In addition, erosion has occurred near control structure CS#1. Please restore the lake shorelines to substantial compliance with Special Condition 7 of the Permit. Please see Picture 4 for reference.
- It appears that a retaining wall was constructed on Lake 6I within the lake easement. Please restore the lake slope to within substantial compliance with Special Condition 8 of the Permit or apply for a permit modification to include the subject retaining wall.

Application 021203-5 – Miromar Lakes - Mediterranean Village Phase 3:

- The culvert located on the southwest corner of the detention area is covered by overgrown vegetation and rip-rap. Please clear and maintain a pathway to comply with Special Condition 4 of the Permit.

Application 030128-2 – Mediterranean Village Phase 4 Vivaldi:

- Erosion to the lake shoreline has occurred in some areas on Lakes 6H. Please restore the lake shoreline to substantial compliance with Special Condition 4 of the Permit.
- A number of yard drains appear to be mostly covered by grass. Please perform maintenance to the yard drains to comply with Special Condition 9 of the Permit.

Application 040326-26 – Mirasol Beach Residences:

- No non-compliance issues were noted.

Application 040826-18 – Miromar Lakes Castelli and Anacapri:

- Washout to the lake shoreline has occurred on Lot one (1). Please restore the lake shoreline to substantial compliance with Special Condition 6 of the Permit.

Application 070209-10 – East 100 Acres at Miromar Lakes:

- No non-compliance issues were noted.

Application 080625-6 – East 100 Acres at Miromar Lakes:

- No non-compliance issues were noted.

Application 080912-9 – Miromar Lakes Tract at Beach Cottages:

- Superseded by Application 090903-26, therefore no non-compliance issues were noted.

Application 090903-26 – Miromar Lakes Tract F-F Beach Cottages:

- Washout to the lake shoreline (beach easement) has occurred, due to the concentration of roof runoff. Upon construction completion and restoration of the lake slope, please restore the lake shoreline to substantial compliance with Special Condition 8 of the Permit. Please see Picture 5 for reference.

Please submit all information necessary to address the items indicated above or notify District staff of your intentions within thirty (30) days of the date of this letter.

The District now has the capability of receiving certifications, as-built plans and AGI inspection reports, conversion/transfer forms and other documents electronically via the District's ePermitting website at www.sfwmd.gov/ePermitting. For first-time users, an account will need to be created. Reports can be submitted through eCompliance/Environmental Resource.

Should you have any questions or require additional assistance, please contact Angelica S. Hoffert at (239) 338-2929 ext. 7731, or via e-mail at ahoffert@sfwmd.gov, in the Lower West Coast Service Center.

Sincerely,

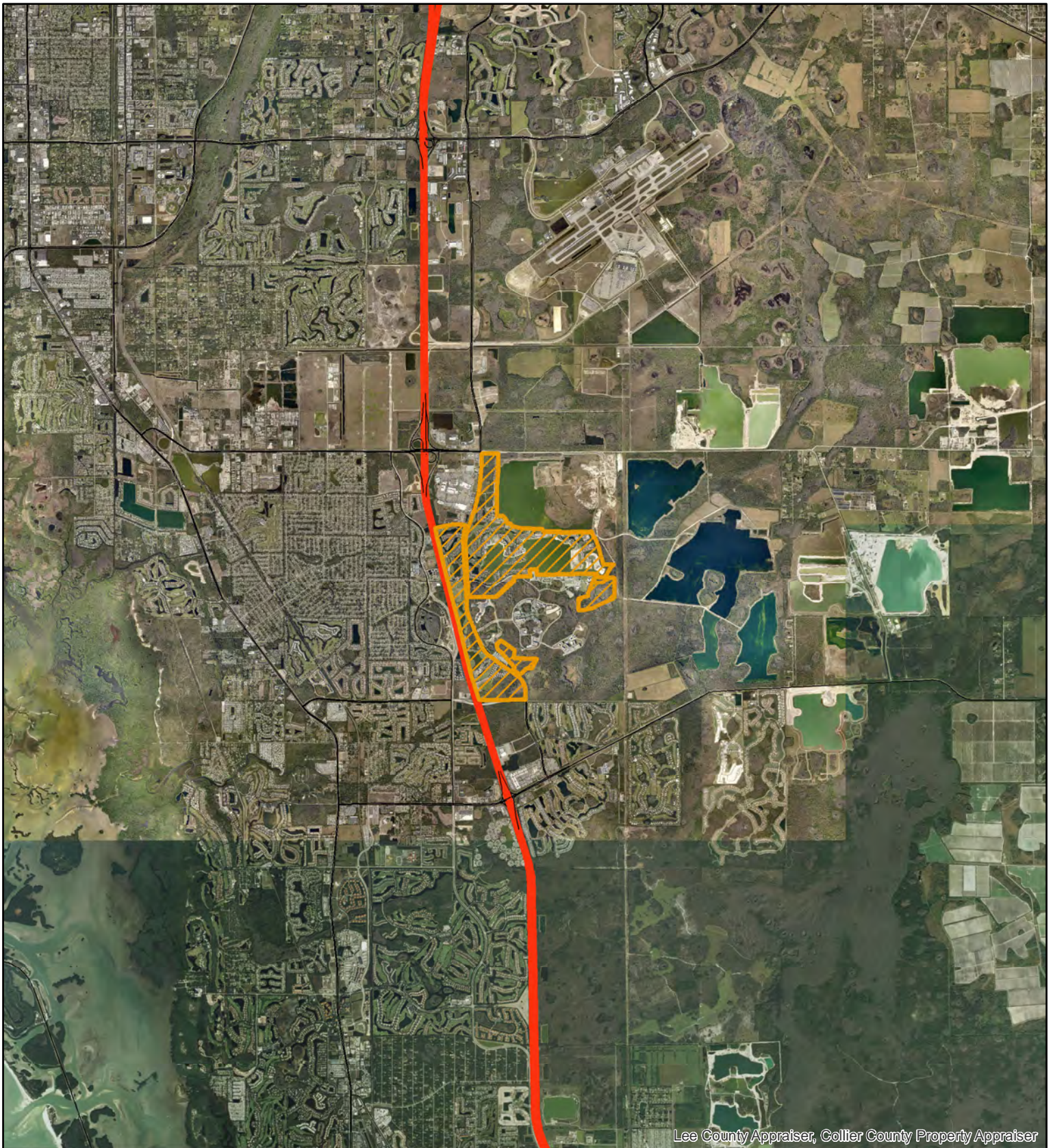


Melissa M. Roberts, PE, Administrator
Environmental Resource Compliance Bureau
Lower West Coast Service Center
South Florida Water Management District







Enclosure(s): Location Map
Exhibit - Pictures

c: Charles L. Krebs, Hole Montes, Inc. (via Email)
Howard Nelson, Bilzin Sumberg Baena Price & Axelrod LLP (via Email)
Carly Grimm, Bilzin Sumberg Baena Price & Axelrod LLP (via Email)
Michael B. Elgin, Miromar Development Corporation (via Email)

This document is filed in the ePermitting system under Application Number 991101-14 via the Application/Permit Section on the Records Search home page



Lee County Appraiser, Collier County Property Appraiser

<p>Exhibit No: 1</p>	<p>Exhibit Created On: 2015-09-16</p>	<p>LEE COUNTY, FL</p>	<p> Application</p> <p>Permit No: 36-03568-P</p> <p>Application Number: 991101-14</p> 
<p align="center">REGULATION DIVISION</p> <p align="center">Project Name: MIROMAR LAKES PHASE 1</p>			
 <p>0 1.25 2.5</p> <p> Miles</p>			<p align="center">N</p>  <p>Created by</p>  <p>South Florida Water Management District</p>

South Florida Water Management District

Environmental Resource Compliance Bureau
Supporting Photo Exhibit - Picture 1



Prepared by: Angelica Hoffert Date of this Exhibit: Jul 29, 2015

Project Name: Miromar Lakes Phase 1

Permit Number: 36-03568-P Application Number: 991101-14 Cost Code Number: _____

County: Lee Service Center: FTM Photo taken on: Jun 17, 2015

Photographer: Angelica Hoffert Purpose: Addressing a Complaint

Direction of View: North Northeast East Southeast South Southwest West Northwest



Notes & Comments:

The lake shoreline appears to be steeper than permitted. Rip-rap was installed along the recreational lake shoreline.

South Florida Water Management District

Environmental Resource Compliance Bureau
Supporting Photo Exhibit - Picture 2



Prepared by: Angelica Hoffert Date of this Exhibit: Jul 29, 2015
Project Name: Miromar Lakes Phase 1
Permit Number: 36-03568-P Application Number: 991101-14 Cost Code Number: _____
County: Lee Service Center: FTM Photo taken on: Jun 17, 2015
Photographer: Angelica Hoffert Purpose: Addressing a Complaint
Direction of View: North Northeast East Southeast South Southwest West Northwest



Notes & Comments:

Filter fabric, placed on top of the catch basins/bubble ups, is covered by debris and sod clippings.

South Florida Water Management District

Environmental Resource Compliance Bureau
Supporting Photo Exhibit - Picture 3



Prepared by: Angelica Hoffert Date of this Exhibit: Jul 29, 2015

Project Name: Miromar Lakes Phase 1

Permit Number: 36-03568-P Application Number: 991101-14 Cost Code Number: _____

County: Lee Service Center: FTM Photo taken on: Jun 17, 2015

Photographer: Angelica Hoffert Purpose: Addressing a Complaint

Direction of View: North Northeast East Southeast South Southwest West Northwest



Notes & Comments:

Unpermitted boat ramp - constructed within the vacant lot for the future Peninsula Phase IV

South Florida Water Management District

Environmental Resource Compliance Bureau
Supporting Photo Exhibit - Picture 4



Prepared by: Angelica Hoffert Date of this Exhibit: Jul 29, 2015

Project Name: Miromar Lakes Mediterranean Village Phases 1 & 2

Permit Number: 36-03568-P Application Number: 020617-12 Cost Code Number: _____

County: Lee Service Center: FTM Photo taken on: Jun 17, 2015

Photographer: Angelica Hoffert Purpose: Addressing a Complaint

Direction of View: North Northeast East Southeast South Southwest West Northwest



Notes & Comments:

Lake 6I - Erosion to the lake shoreline. Drop of approximately four (4) feet between lots.

South Florida Water Management District

Environmental Resource Compliance Bureau
Supporting Photo Exhibit - Picture 5



Prepared by: Angelica Hoffert Date of this Exhibit: Jul 29, 2015

Project Name: Miromar Lakes Tract F-F Beach Cottages

Permit Number: 36-03568-P Application Number: 090903-26 Cost Code Number: _____

County: Lee Service Center: FTM Photo taken on: Jun 17, 2015

Photographer: Angelica Hoffert Purpose: Addressing a Complaint

Direction of View: North Northeast East Southeast South Southwest West Northwest



Notes & Comments:

Washout to the lake shoreline (beach easement) - due to the concentration of roof runoff.

June 30, 2017 ACOE Letter

CERTIFIED MAIL – RETURN RECEIPT REQUESTED



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
FORT MYERS REGULATORY OFFICE
1520 ROYAL PALM SQUARE BLVD, SUITE 310
FORT MYERS, FL 33919

30 June 2017

Regulatory Division
West Permits Branch
Ft. Myers Permits Section
SAJ-1995-07483-(SP-RMT)

Miromar Development Corporation
c/o Robert B. Roop, Executive VP
10801 Corkscrew Road, Suite 305
Estero, Florida 33928

Dear Mr. Roop:

This is in reference to your Department of the Army (DA) application [No. SAJ-1995-07483-(SP-RMT)] received on 17 September 2015, requesting a time extension (TE) for an expired Corps of Engineers (Corps) authorization. The project site is located east of I-75, south of Alico Road, and north of Corkscrew Road in Sections 11, 12, 13, 14, 23, and 24, Township 46 South, Range 25 East and Sections 18 and 19, Township 46 South, Range 26 East, Estero, Lee County, Florida.

During the review of your TE application we received an after the fact (ATF) joint application you submitted on 21 June 2017, to the South Florida Water Management District (SFWMD) requesting authorization for work that has been already completed (installation of rip-rap) in waters regulated by the Corps under Section 404 of the Clean Water Act (CWA). A review of that ATF application indicates that the installation of the rip-rap is unauthorized with respect to the rules and regulations of Section 404 of the CWA. Your file has been forwarded to our Enforcement Section for further investigation in accordance with 33 CFR 326.4(d). Further review of your DA application No. SAJ-1995-07483, (for a TE) will be held in abeyance until a resolution with the Enforcement Section has been achieved. In order to continue with the evaluation of your TE request, your full cooperation is appreciated in resolving any outstanding issues.

If you have any questions concerning this application, you may contact Ms. Cynthia Ovdenk at the letterhead address, by electronic mail at cynthia.d.ovdenk@usace.army.mil, or by telephone at 239-334-1975 X-0010.

Thank you for your cooperation with the permit program.

Sincerely,

Muriel M. Blaisdell, Chief
Fort Myers Permits Section

August 22, 2007 ACOE Letter

CERTIFIED MAIL – RETURN RECEIPT REQUESTED



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
FORT MYERS REGULATORY OFFICE
1520 ROYAL PALM SQUARE BOULEVARD, SUITE 310
FORT MYERS, FLORIDA 33919

August 22, 2017

Regulatory Division
Enforcement Section
SAJ-1995-07483 (CDO)

Miromar Development Corporation, MGRM
c/o Robert B. Roop, Executive Vice President
Miromar Lakes, LLC
10801 Corkscrew Road, Suite 305
Estero, Florida 33928

NOTICE OF NONCOMPLIANCE

Dear Mr. Roop:

An administrative review by U.S. Army Corps of Engineers (Corps) staff indicates that you have not complied with the terms and/or conditions of your Department of the Army (DA) permit number SAJ-1995-07483, issued on July 10, 2000. The Corps authorized the discharge of fill into 237.35 acres of wetlands and 5.5 acres of borrow pits, excavation of 13.58 acres of wetlands, and onsite and offsite compensatory mitigation to offset the impacts of a 1,323-acre residential community (north of Florida Gulf Coast University (FGCU)). A second permit was issued under the same DA permit number on March 26, 2007, which authorized the discharge of fill into 73.31 acres of wetlands, excavation of 13.5 acres of wetlands, and additional compensatory mitigation for a 525-acre expansion of residential community (referred in the application and permit as the Miromar Lakes DRI "Addition Parcel"). A subsequent permit modification was issued on September 17, 2012 which authorized a two-year time extension to the construction window until March 26, 2014. Miromar Lakes, LLC is currently listed as the Permittee for all the permits discussed above.

The project is located east of I-75, south of Alico Road, and north of Corkscrew Road, in Sections 11, 12, 13, 14, 23 and 24, Township 46 south, Range 25 east; and Sections 18 and 19, Township 46 south, Range 26 east, Estero, Lee County, Florida.

On September 17, 2015, Miromar Lakes LLC submitted an application to renew the expired 2007 authorization which would allow the Permittee to continue unfinished development. On June 21, 2017, the Corps received a joint application from Miromar Lakes CDD requesting an after-the-fact and new authorization for placement of riprap within a jurisdictional lake. The original 2000 application did not include the riprap construction along the lake. Therefore, the Corps did not consider or authorize the structure.

The following General Conditions require your attention in order to resolve the noncompliant issues of your DA permit:

General Condition 2: *You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.* On June 21, 2017, the Corps received an application from Miromar Lakes CDD requesting after-the-fact authorization for the placement of approximately 10,000 linear feet of riprap and proposing to place additional riprap in waters regulated by the Corps of Engineers under Section 404 of the Clean Water Act. The unauthorized riprap and location of proposed new riprap is located within the previously-authorized project site and appears to benefit the development regulated under the original 2000 permit for which Miromar Lakes LLC is the Permittee.

The Clean Water Act, 33 U.S.C. § 1344, prohibits discharges of dredged or fill material into waters of the United States unless the work has been authorized by a Department of the Army permit. In consideration of the request for after-the-fact authorization and because the existing permit does not authorize the referenced riprap, we determined you have not maintained the regulated activity in conformance with the terms and conditions of the permit.

General Condition 4: *If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.*

Review of the Lee County Property Appraiser's website determined there are several entities, including Miromar Lakes, LLC and Miromar Lakes CDD, that now own the parcels located within the authorized project site. The Permittee(s) must possess the requisite property interest to comply with all terms and conditions of the DA permit. To date, the Corps has not received a request to either transfer the permit or to add any other entity(ies) as Co-Permittee(s).

Therefore, you are not in compliance with this condition of the permit.

A recommended resolution to the noncompliance described above would be for you to submit a request that the new owner(s) of the property associated with this permit (e.g., Miromar Lakes CDD) be added as Co-Permittees on DA Permit SAJ-1995-07483, and that these Co-Permittee(s) then submit a request that both pending applications be combined, or submit a new application requesting authorization for the riprap proposed in the CDD's June 16, 2017 application and the work proposed in your September 17, 2015 application.

It is my responsibility, as District Engineer, to issue this Notice of Noncompliance. My staff is conducting an investigation to determine the most appropriate enforcement action to address the alleged violation.

Among the enforcement options available are actions in Federal District Court for fines and injunctions requiring work cessation and/or restoration. The Court may also require that the restoration be performed by a third-party contract and be funded through a money judgment against the Permittee.

On an administrative level, the permit may be suspended, revoked, or modified and administrative penalties may be assessed in accordance with the Corps' regulations. The administrative penalty process requires the Corps give actual notice to the appropriate state agency and give public notice and provide an opportunity for public comment. The U.S. Army Corps of Engineers (Corps) may levy a Class I Administrative penalty in an amount not exceeding \$32,500.

You are advised to acknowledge receipt of this letter within **15 days**. At that time, please also provide any information concerning why you may not have complied with the terms and conditions of your Department of the Army permit, and any other information that the District Engineer may need to determine what course of action to pursue in resolving the alleged noncompliance.

If you have any questions, please contact Cynthia Ovdenk at the letterhead address, by electronic email at Cynthia.D.Ovdenk@usace.army.mil or by telephone at 239-334-1975.

Sincerely,



for Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

cc:
Miromar Lakes CDD
513 NE 13TH Avenue
Fort Lauderdale, Florida 33301

Rafe Petersen
Holland & Knight LLP
800 17th Street N.W., Suite 1100
Washington, DC 20006

CESAJ-RD-WF

SFWMD, Ft. Myers, FL

ACOE Transfer Request Form

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: 1995-07483 (IP-MN)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

10150 Miromar Lakes Blvd. East
Miromar Lakes, Fl. 33919

PROJECT LOCATION: (Street Address)

Miromar Lake Beach and Golf Club

(SUBDIVISION)

See attached *

(LOT)

(BLOCK)

(TRANSFEREE - SIGNATURE)

(DATE)

Miromar Lakes Community Development District

(NAME - PRINTED)

c/o JPWard & Associates, LLC
2041 NE 6th Terrace

(MAILING ADDRESS)

Wilton Manors, Florida 33305

(CITY, STATE, AND ZIP CODE)

* Miromar Lakes Community Development District is responsible for the maintenance of the lake shorelines, the stormwater infrastructure and retention ponds. The CDD owns the underlying property, has easements or has retain rights to maintain the shoreline of the lakes.

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT

September 6, 2017

Department of the Army
Jacksonville District Corps of Engineers
Fort Myers Regulatory Office
1520 Royal Palm Square Boulevard, Suite 310
Fort Myers, FL 33919

Re: Department of the Army Permit Transfer Request

Dear Ladies and Gentlemen:

Attached is the Department of the Army Permit Transfer Request for permit number 1995-07483 (IP-MN) (the "Permit") issued to Miromar Lakes, LLC ("ML LLC") on July 10, 2000. Miromar Lakes Community Development District ("Miromar Lakes CDD"), an independent special district formed under Chapter 190, Florida Statutes pursuant to Ordinance No. 00-17 adopted by the Board of County Commissioners of Lee County, Florida on September 12, 2000, as amended by Ordinance 10-22 adopted by the Board of County Commissioners of Lee County, Florida on April 17, 2010, is accepting transfer of the Permit from ML LLC and assuming maintenance and compliance responsibilities under the Permit. For purposes of clarity, Miromar Lakes CDD is not accepting the transfer of the 2007 Department of the Army Permit bearing number SAJ-1995-7843(IP-MN)-Addn.

Miromar Lakes CDD is a governmental entity managed by a Board of Supervisors elected by the qualified electors living within the boundaries of Miromar Lakes CDD (i.e. the community known as Miromar Lakes Beach and Golf Club). Miromar Lakes CDD is responsible for the oversight and management of the lakes and mitigation areas encompassed within the Permit and currently maintains the various lakes, shorelines and master stormwater infrastructure within the boundaries of Miromar Lakes CDD.

In addition, the Miromar Lakes CDD owns and maintains the mitigation parcels set aside under the permit ("M-1", "M-2", "M-3" and "M-4"). In 2014, the CDD accepted transfer and responsibility for the South Florida Water Management District


www.miromarlakescdd.org

James P. Ward
District Manager

2900 NORTHEAST 12TH TERRACE, SUITE 1
OAKLAND PARK, FLORIDA 33334
PHONE (954) 658-4900
E-MAIL ward9490@comcast.net

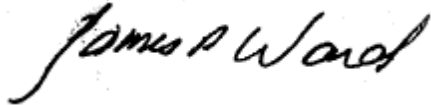
Miromar Lakes Community Development District

("SFWMD") permits issued in conjunction with the 2000 permit, and is currently seeking an after-the-fact permit from the SFWMD to address the rip-rap installation.

Please contact Charlie Krebs, the CDD Engineer, at 239-985-1200 or charliekrebbs@hmeng.com with any questions with respect to this correspondence.

Yours sincerely,

Miromar Lakes Community Development District



James P. Ward
District Manager
Enclosures



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

RECEIVED
JUL 13 2000
BY:

REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

FULL
ACOE

7/19/00
C'd t
Permi
US Mail
to

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

TCR
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L
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Ber

- a. The date of commencement of the work.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

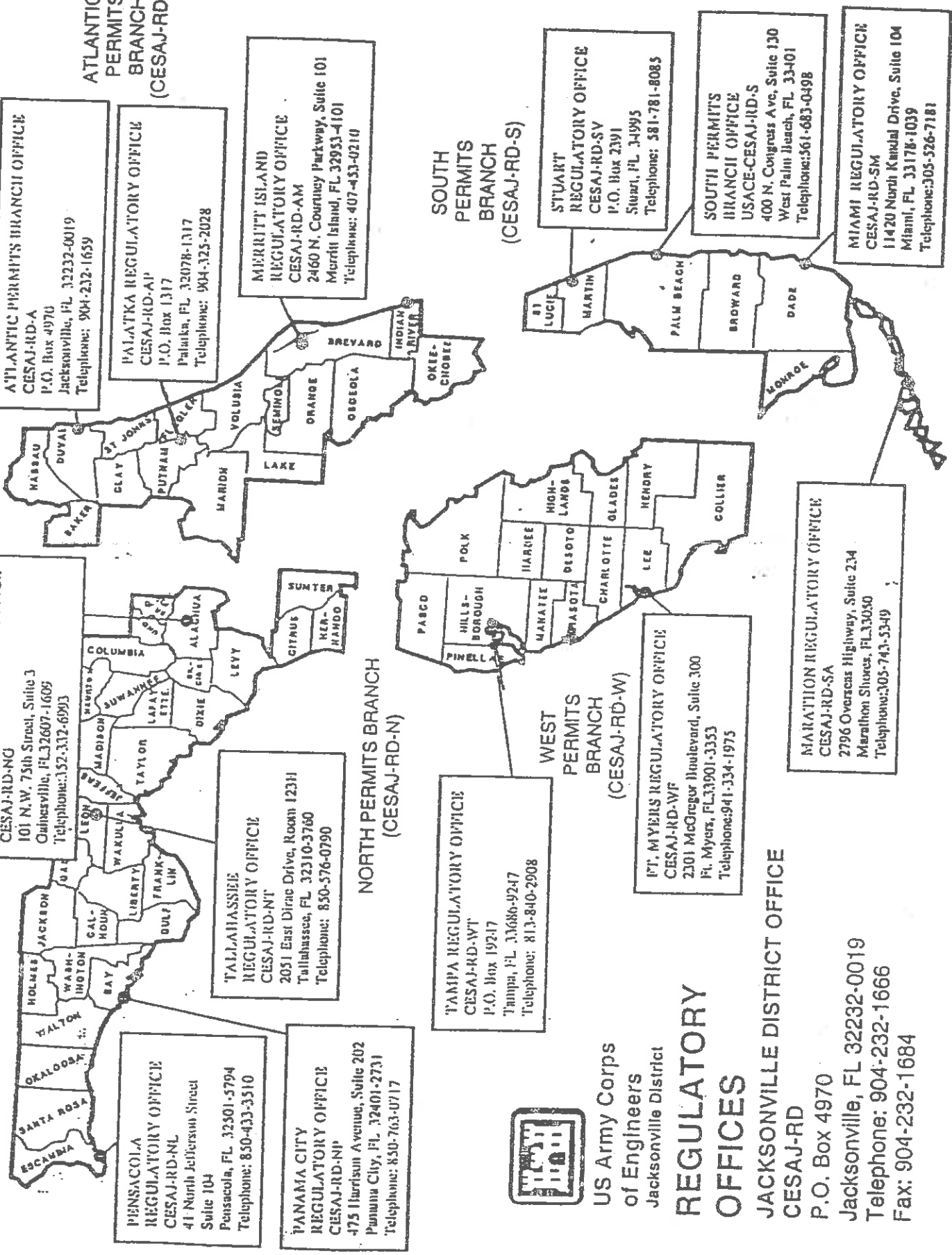
Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



**Joe R. Miller
Colonel, U.S. Army
District Engineer**

JAN 1999



ATLANTIC PERMITS BRANCH OFFICE
 CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32078-1317
 Telephone: 904-325-2028

MERRITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

SOUTH PERMITS BRANCH (CESAJ-RD-S)

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 888-781-8085

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1605
 Telephone: 352-332-6993

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dixie Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

NORTH PERMITS BRANCH (CESAJ-RD-N)

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19217
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

WEST PERMITS BRANCH (CESAJ-RD-W)

Pt. MYERS REGULATORY OFFICE
 CESAJ-RD-WP
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

MARATHON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overseas Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

PENSACOLA REGULATORY OFFICE
 CESAJ-RD-NL
 41 North Jefferson Street
 Suite 104
 Pensacola, FL 32501-5794
 Telephone: 850-433-3310

PANAMA CITY REGULATORY OFFICE
 CESAJ-RD-NP
 475 Harrison Avenue, Suite 202
 Panama City, FL 32401-2731
 Telephone: 850-763-0717



US Army Corps of Engineers
 Jacksonville District

REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
 CESAJ-RD
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666
 Fax: 904-232-1684

DEPARTMENT OF THE ARMY PERMIT
(DUPLICATE)

Permittee: MIROMAR LAKES, LLC.

Permit No. 199507483 (IP-MN)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To place approximately 688,000 cubic yards of clean fill material into 217.18 acres of wetlands and 6.50 acres of borrow pits; and to excavate approximately 248,000 cubic yards from 13.58 acres of wetlands to develop a large scale master planned development to be known as Miromar Lakes. All work is to be completed in accordance with the attached plans numbered 199507483 (IP-MN) in 9 sheets dated March 6, 1998, Attachment "A" entitled "Wetland Mitigation Plan Miromar Lakes" in 22 sheets dated April 27, 2000 including mitigation drawings, Attachment "B" entitled "Mitigation Area Management, Monitoring and Maintenance Program Miromar Lakes" in 6 sheets dated April 27, 2000, and Attachment "C" entitled "Eastern Indigo Snake Management Plan" in 3 sheets dated March 21, 2000.

Project Location: The project is located in the Estero River Watershed south of Alice Road within the University Village area, north of Corkscrew Road, east of Interstate 75 (I-75), and west of Florida Gulf Coast University (FGCU), in Sections 11, 12, 13, 14, 12, and 24, Township 46 South, Range 25 East; and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on JUL 10 2005. If you find that you need more time to complete the authorized activity, you must request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. For the protection of the eastern indigo snake, the permittee shall adhere to the provisions of Attachment "C" entitled "Eastern Indigo Snake Management Plan.
2. The permittee shall construct the mitigation in accordance with Attachments "A and B". The permittee shall submit all monitoring reports to the Corps, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.
3. The permittee shall commence construction of the mitigation areas no later than 60 days following commencement of the construction authorized by this permit instrument.
4. The permittee shall contribute \$175,000 to an escrow account for acquisition and management of 194 acres of Priority 1 panther habitat adjacent to existing public lands, as identified in the Florida Panther Habitat Preservation Plan (Logan et al. 1993).
5. The permittee shall set up an escrow account and deposit monies within 15 days from the issuance of the Corps permit and notify the Corps and the U.S. Fish and Wildlife Service (FWS) of the location and escrow agent of the escrow account. The escrow account will allow for the transfer of these funds only for the purchase of Priority 1 habitat.
6. The permittee shall provide a copy of the escrow agreement to the Corps and the FWS within 30 days of issuance of the Corps permit.
7. The permittee shall provide the location for the Priority 1 panther habitat purchase within 180 days from the issuance of the Corps permit. The Priority 1 lands proposed for purchase shall be approved by the Corps and the FWS prior to the transfer of any funds to purchase the property.
8. The information requested in special conditions 5, 6, and 7 above shall be submitted to the Corps of Engineers at the address shown in special condition 2 above and to the FWS, P.O. Box 2676, Veró Beach, FL 32961-2676.

9. If the permittee fails to provide the location for Priority 1 panther habitat purchase within 180 days of permit issuance, then all work within Corps jurisdictional areas shall cease until the location is provided.

10. The permittee shall place the purchased Priority 1 habitat lands in a conservation easement (CE) approved by the Corps, the FWS, and the SFWMD. The CE language shall be submitted with the information required in special condition 7 above.

11. Upon locating a dead, injured, or sick panther specimen, the permittee shall make the initial notification to the nearest FWS Law Enforcement Office (Vance M. Eaddy; FWS; 9549 Koger Blvd., Suite 111; St. Petersburg, Florida 33702; 727-570-5398). The permittee shall make a secondary notification to the Florida Fish and Wildlife Conservation Commission (FWC); South Region, 3900 Drane Field Road, Lakeland, Florida, 33811-1299; 1-800-282-8002. Care should be taken in handling sick or injured specimens to ensure effective treatment and care, or in the handling of dead specimens to preserve biological material in the best possible state for later analysis as to the cause of death. In conjunction with the care of sick or injured panthers or preservation of biological materials from a dead animal, the permittee has the responsibility to carry out instructions provided by Law Enforcement to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

12. The permittee shall develop and provide homeowners with an information pamphlet(s) on the eastern indigo snake, the Florida panther, and the Florida Panther Habitat Preservation Plan. The information pamphlet(s) shall be developed in cooperation with the FWC, the FWS, and the Florida Gulf Coast University. The pamphlets shall be submitted along with the information required in special condition 7 above.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

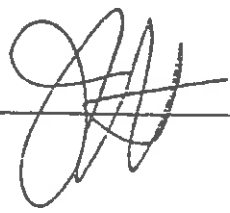
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE)

7/10/00
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER)
Joe R. Miller
Colonel, U.S. Army

JUL 10 2000
(DATE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: _____

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

TRANSFeree-SIGNATURE

DATE

(NAME-PRINTED)

(NAME OF SUBDIVISION)

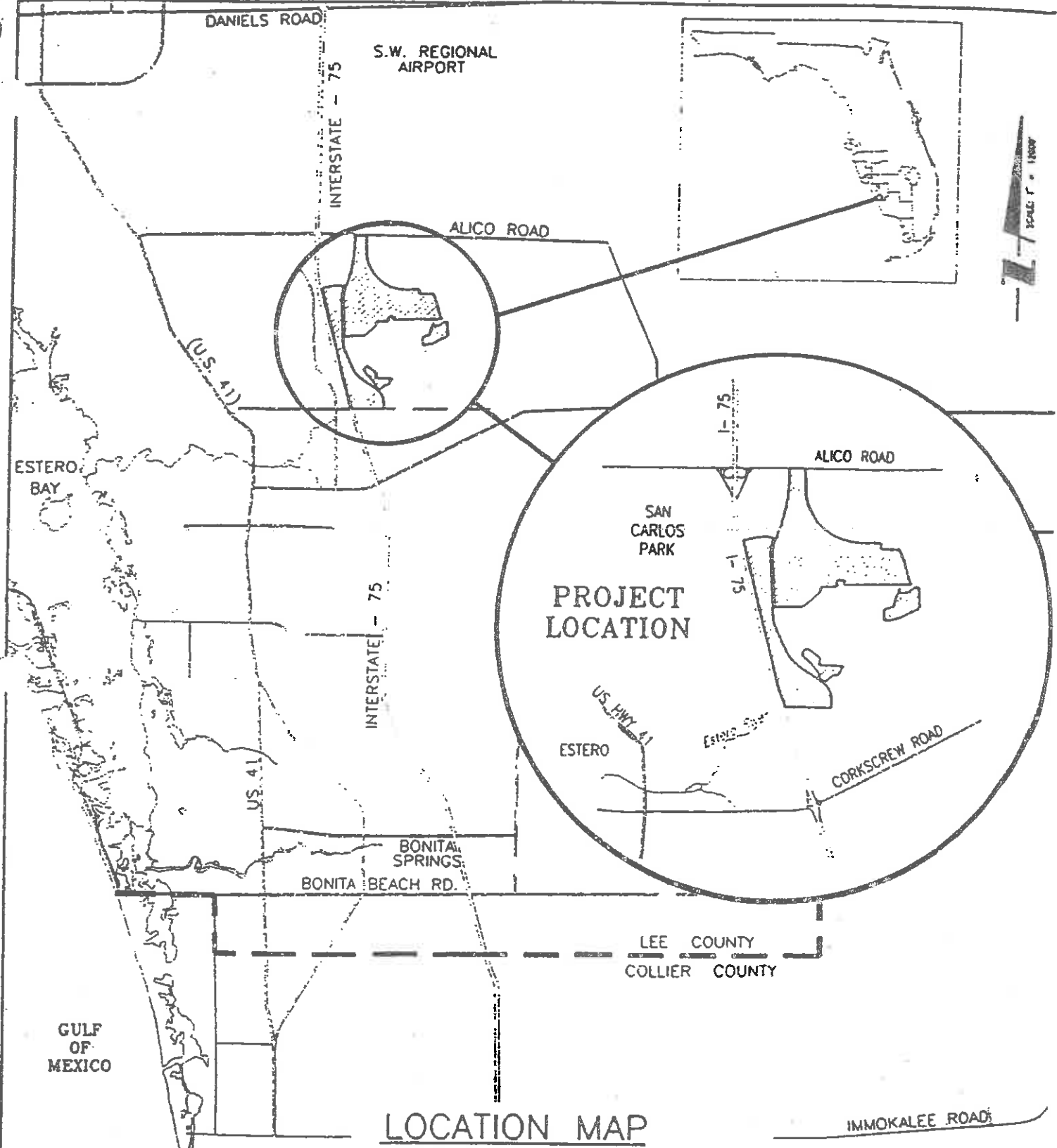
(ADDRESS)

(Lot #)

(Block #)

(CITY, STATE, AND ZIP CODE)

(TELEPHONE NUMBER W/AREA CODE)



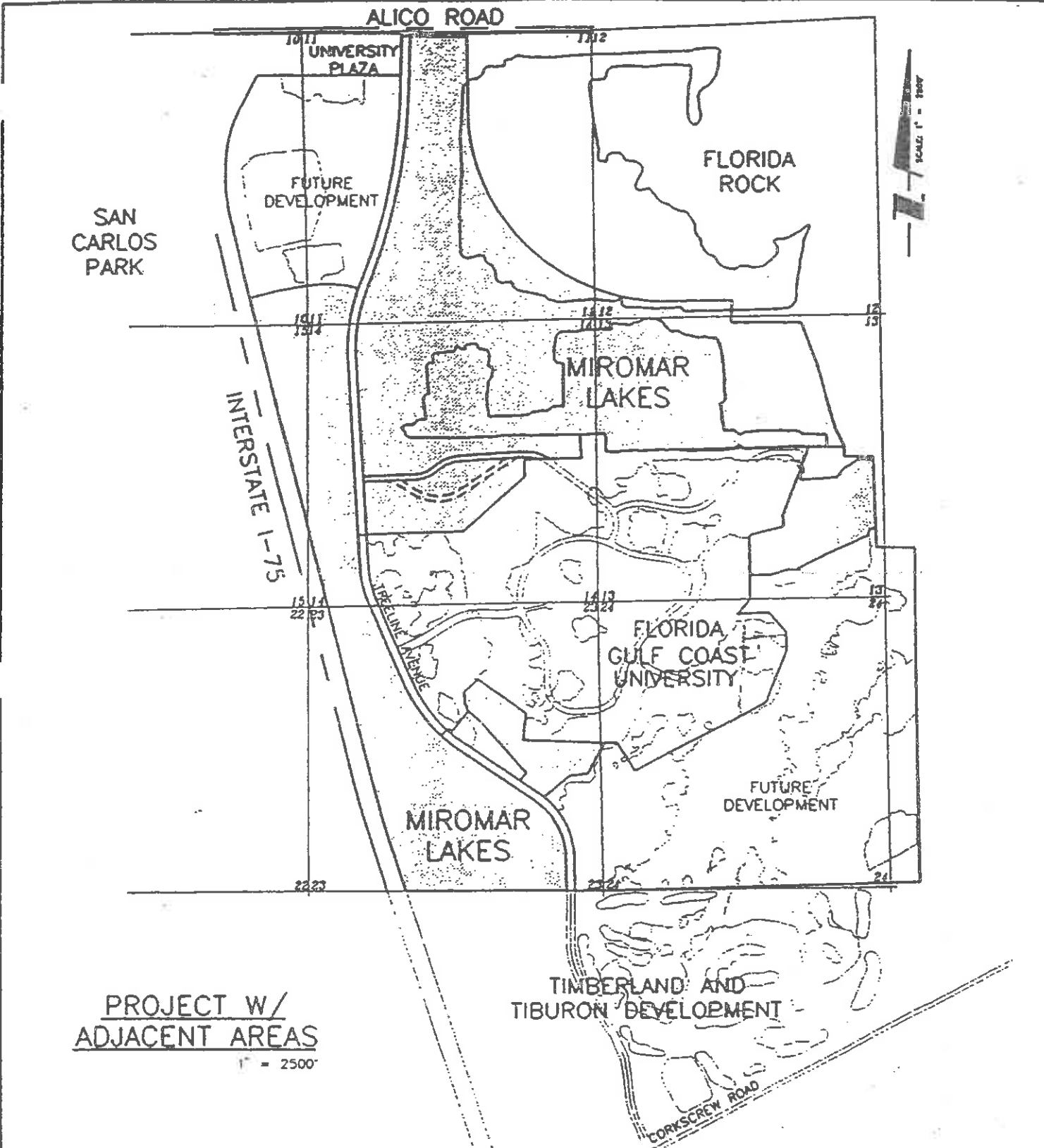
PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

US ARMY CORPS OF ENGINEERS
APPLICATION #199507433 (IP-MN)
SHEET 1 of 9



PROJECT W/
ADJACENT AREAS
1" = 2500'

PROJECT: **MIROMAR LAKES**

APPLICANT: **MIROMAR DEVELOPMENT, INC.**

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

WILSON, MILLER, BARTON & PECK, INC.
3200 Bailey Lane, Suite 200, Naples, Florida 34105-8507 Phone (811) 649-4040 Fax (811) 643-5716

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 2 of 9
MARCH 6, 1998

ALICO ROAD

FUTURE MITIGATION

FUTURE MIXED USE

- RETAIL
- OFFICE
- RESIDENTIAL
- RESEARCH & HIGH TECH

NOTE: THIS DRAWING IS PROVIDED AS MIROMAR DEVELOPMENT, INC.'S BEST UNDERSTANDING OF THE PREPARED DEVELOPMENT UPON CONSULTATION WITH ALICO, INC., THE OWNER OF THE REMAINING LANDS. THE PROPOSED FUTURE LAND USES ARE CONSISTENT WITH THE UNIVERSITY VILLAGE LAND USE DESIGNATION APPROVED BY THE COUNTY. ANY DEVELOPMENT OF THE REMAINING SITES WILL REQUIRE ADDITIONAL LOCAL GOVERNMENT APPROVAL, INCLUDING A DRI REGARDLESS OF SIZE OF THE PARCEL. THESE WERE RESTRICTIONS PLACED ON THE DEVELOPMENT BY THE LEE COUNTY COMMISSION AT THE TIME THE UNIVERSITY LOCATION WAS APPROVED.

MIROMAR DEVELOPMENT, INC., HAS NO SPECIFIC KNOWLEDGE OF THE LOCATION OF WETLANDS AND OTHER FEATURES OF CONCERN ON THE SITE, OTHER THAN WHAT WAS SUBMITTED IN THE ORIGINAL APPLICATION OF THE UNIVERSITY VILLAGE.

MIROMAR LAKES

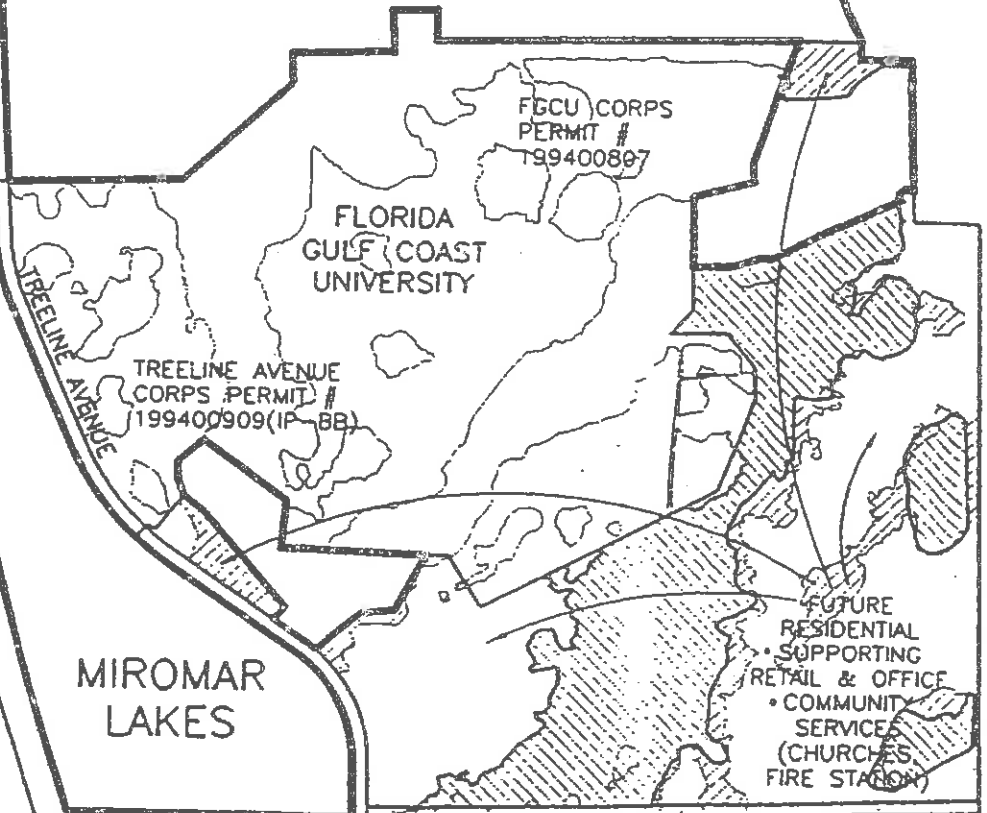
INTERSTATE 1-75

-  FUTURE MITIGATION
-  FUTURE IMPACTS

NOTE: THESE AREAS ARE NOT PART OF THIS PROJECT AND WILL NOT BE PERMITTED UNDER THIS APPLICATION.

CONCEPTUAL MASTER UNIVERSITY VILLAGE AREA

1" = 2000'



PROJECT: **MIROMAR LAKES**
 APPLICANT: **MIROMAR DEVELOPMENT, INC.**

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS, SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

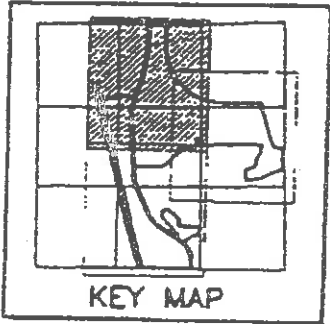
WILSON, MILLER, BARTON & PEER, INC.

3206 Bailey Lane, Suite 206, Naples, Florida 34105-8507 Phone (941) 648-7840 Fax (941) 643-5718

US ARMY CORPS OF ENGINEERS
 APPLICATION #139507483 (IP-MN)
 SHEET 3 of 9
 MARCH 6, 1998

Feb 25 1995 - 14:34:01 D:\DWG\2255\95025512.dwg

ALICO ROAD



PROPOSED CORPS JURISDICTIONAL WETLAND IMPACTS

1" = 1000'

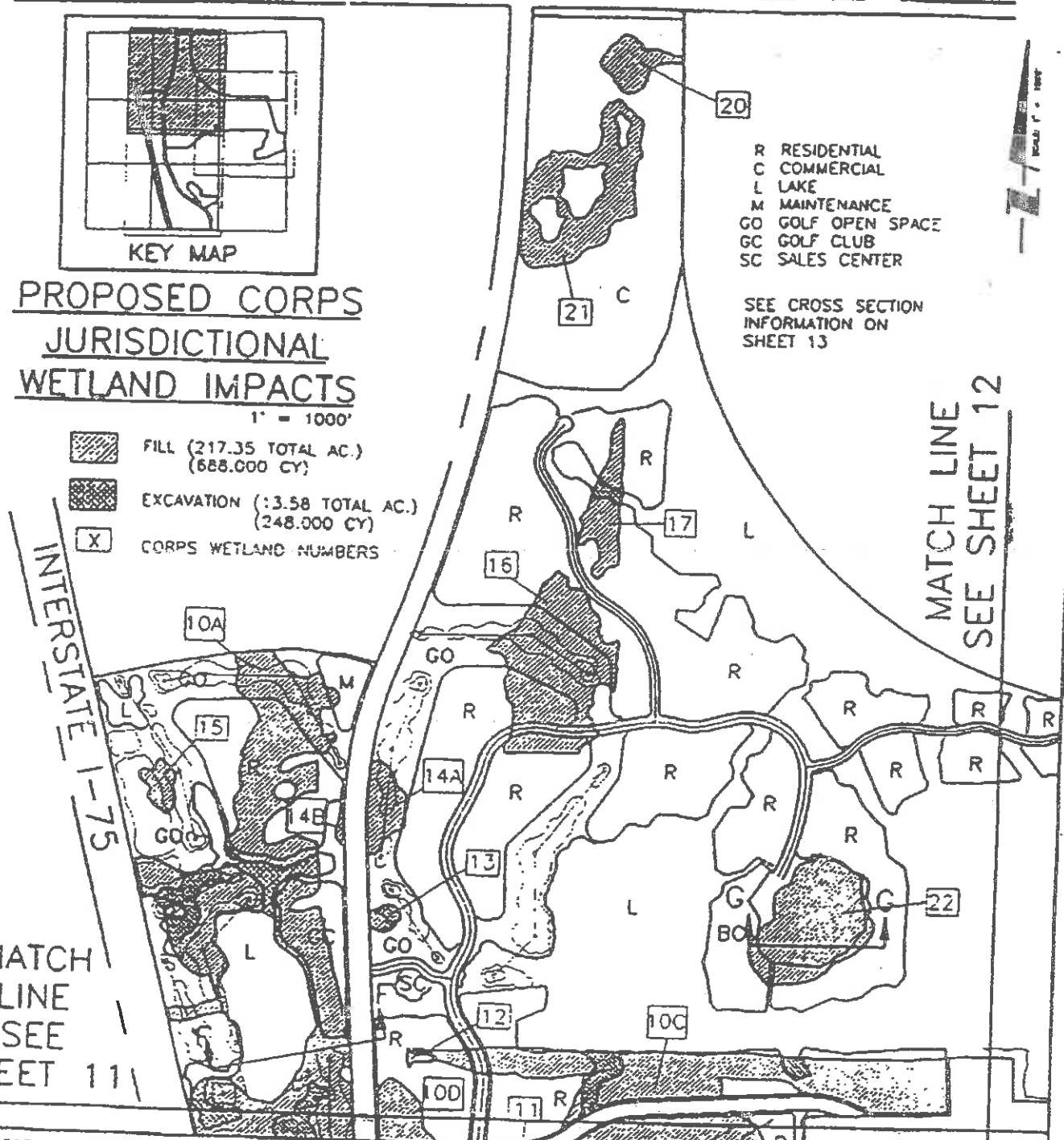
- FILL (217.35 TOTAL AC.) (688,000 CY)
- EXCAVATION (:3.58 TOTAL AC.) (248,000 CY)
- CORPS WETLAND NUMBERS

- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER

SEE CROSS SECTION INFORMATION ON SHEET 13

MATCH LINE SEE SHEET 12

INTERSTATE 1-75
MATCH LINE SEE SHEET 11



PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

WILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

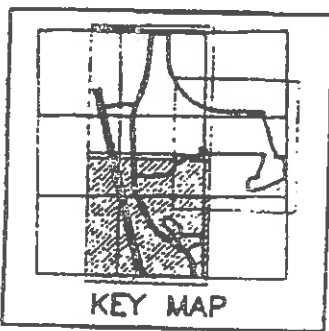
WILSON MILLER, BOSTON & PEEL, INC.
3200 Bailey Lane, Suite 300 Naples, Florida 34105-0507 Phone (813) 642-6600 Fax (813) 642-5710

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (TP-MN)
SHEET 4 of 9
MARCH 6, 1995

4-20 1998 - 04 45 03 01.DWG.02531.PROJ85:11.dwg

MATCH LINE
SEE SHEET 10

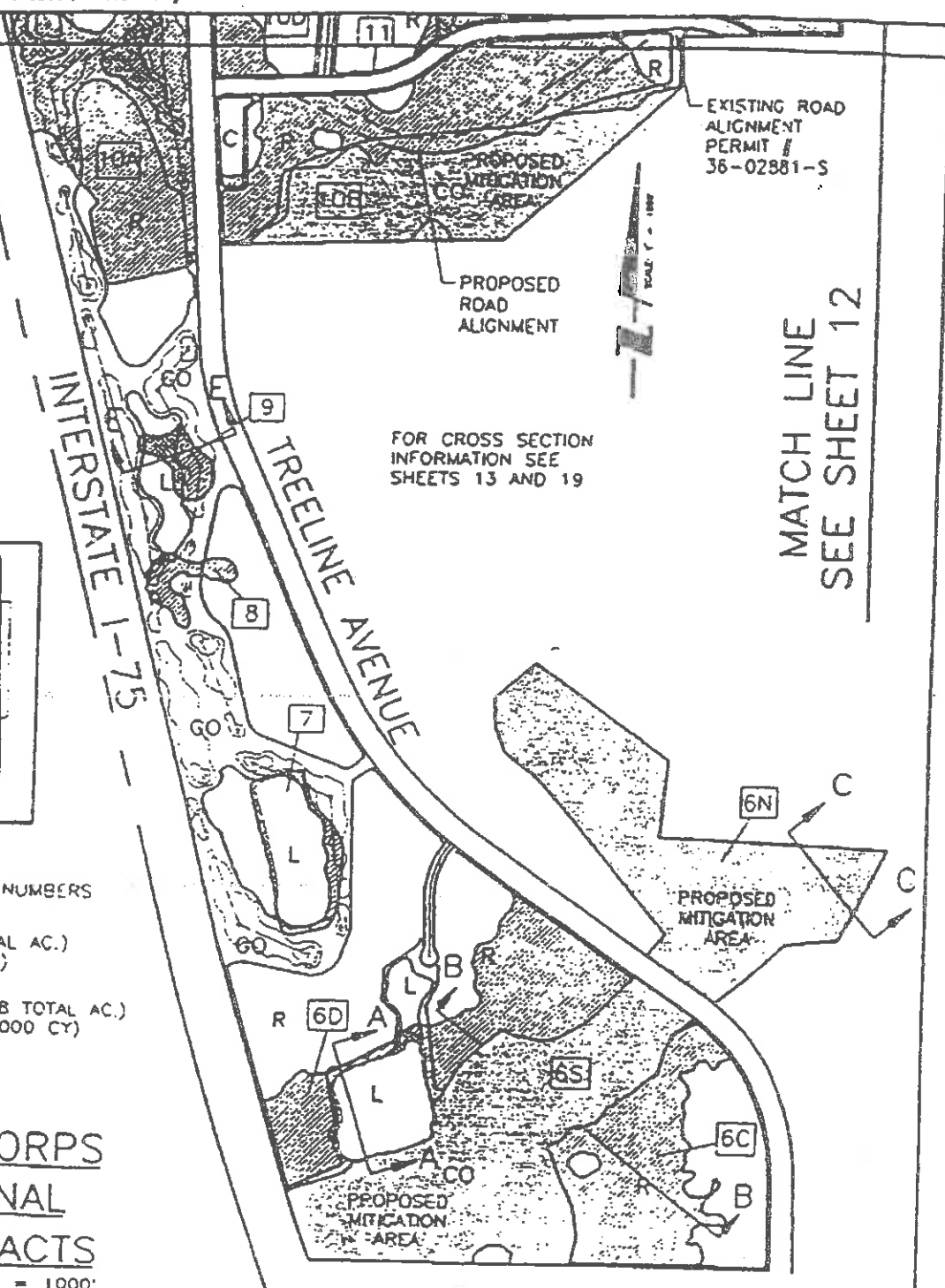
- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER



- XX CORPS WETLAND NUMBERS
- FILL (217.35 TOTAL AC.)
(688,000 CY)
- EXCAVATION (13.58 TOTAL AC.)
(248,000 CY)

**PROPOSED CORPS
JURISDICTIONAL
WETLAND IMPACTS**

1" = 1000'



EXISTING ROAD ALIGNMENT PERMIT # 36-02881-S

PROPOSED ROAD ALIGNMENT

FOR CROSS SECTION INFORMATION SEE SHEETS 13 AND 19

MATCH LINE
SEE SHEET 12

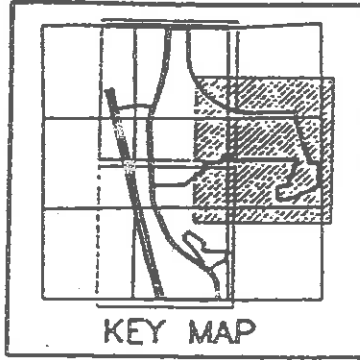
PROJECT: **MIROMAR LAKES**
 APPLICANT: **MIROMAR DEVELOPMENT, INC.**

WILSON MILLER

PLANNERS, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
 SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

WILSON, MILLER, BAXTON & PERE, INC.
 3290 Duffer Lane, Suite 200, Naples, Florida 34103-4597 Phone (813) 449-6600 Fax (813) 443-3714

US ARMY CORPS OF ENGINEERS
 APPLICATION #195507483 (IP-MN)
 SHEET 5 OF 9
 MARCH 6, 1998



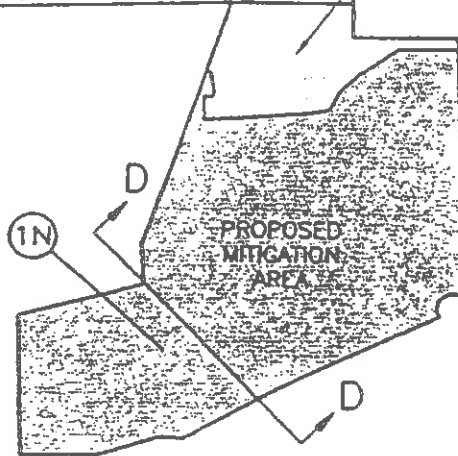
CORPS WETLAND NUMBERS

- R RESIDENTIAL
- C COMMERCIAL
- L LAKE
- M MAINTENANCE
- GO GOLF OPEN SPACE
- GC GOLF CLUB
- SC SALES CENTER

NOTE: EASEMENT TO BE PROVIDED FOR MITIGATION AREA ACCESS.

MATCH LINE
SEE SHEET 10

MATCH LINE
SEE SHEET 11



PROPOSED CORPS
JURISDICTIONAL
WETLAND IMPACTS

FOR CROSS SECTION
INFORMATION SEE
SHEET 18

1" = 1000'

PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

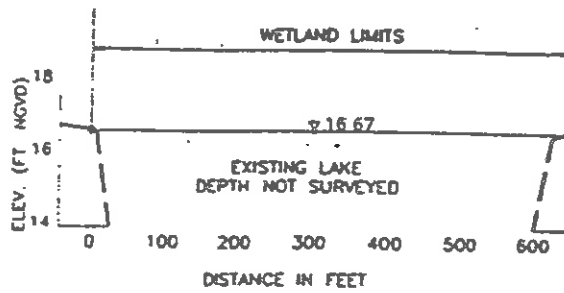
WILSON MILLER

PLANNERS, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

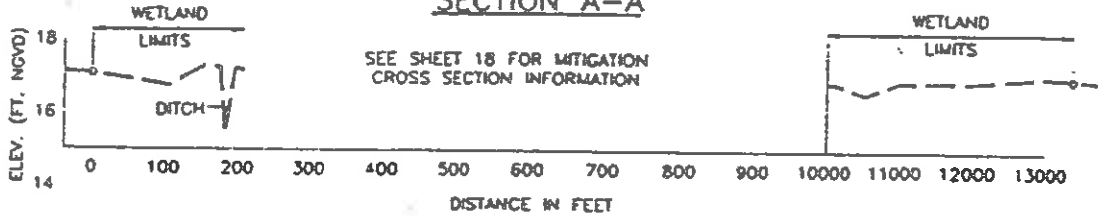
WILSON, MILLER, BARTON & PECK, INC.

3200 Bailey Lane, Suite 200, Naples, Florida 34105-8507 Phone (941) 649-4040 Fax (941) 643-5716

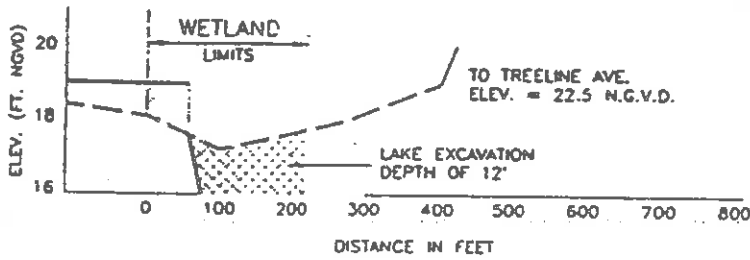
US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 6 of 9
MARCH 6, 1998



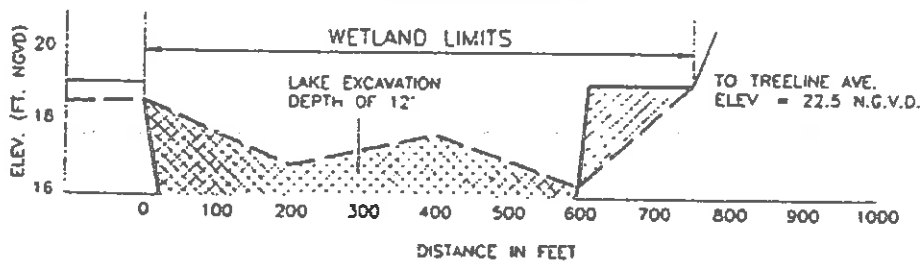
SECTION A-A



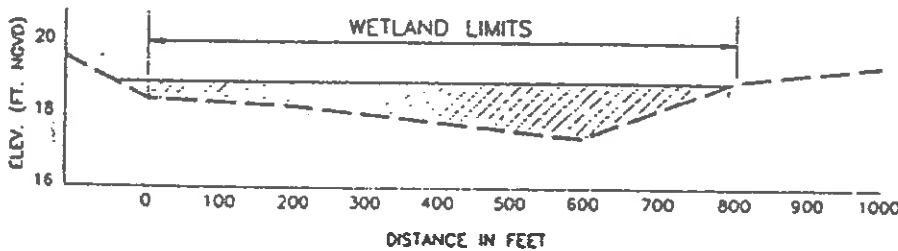
SECTION B-B



SECTION E-E



SECTION F-F



SECTION G-G

- PROPOSED ELEVATION
- - - EXISTING ELEVATION
- ▨ PROPOSED FILL
- ▩ PROPOSED EXCAVATION

WETLAND IMPACT SECTIONS

PROJECT: MIROMAR LAKES

APPLICANT: MIROMAR DEVELOPMENT, INC.

VILSON MILLER

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS

VILSON, MILLER, BARTON & PECK, INC.

3208 Bailey Lane, Suite 200, Naples, Florida 34105-6507 Phone (813) 849-4040 Fax (813) 843-3716

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)

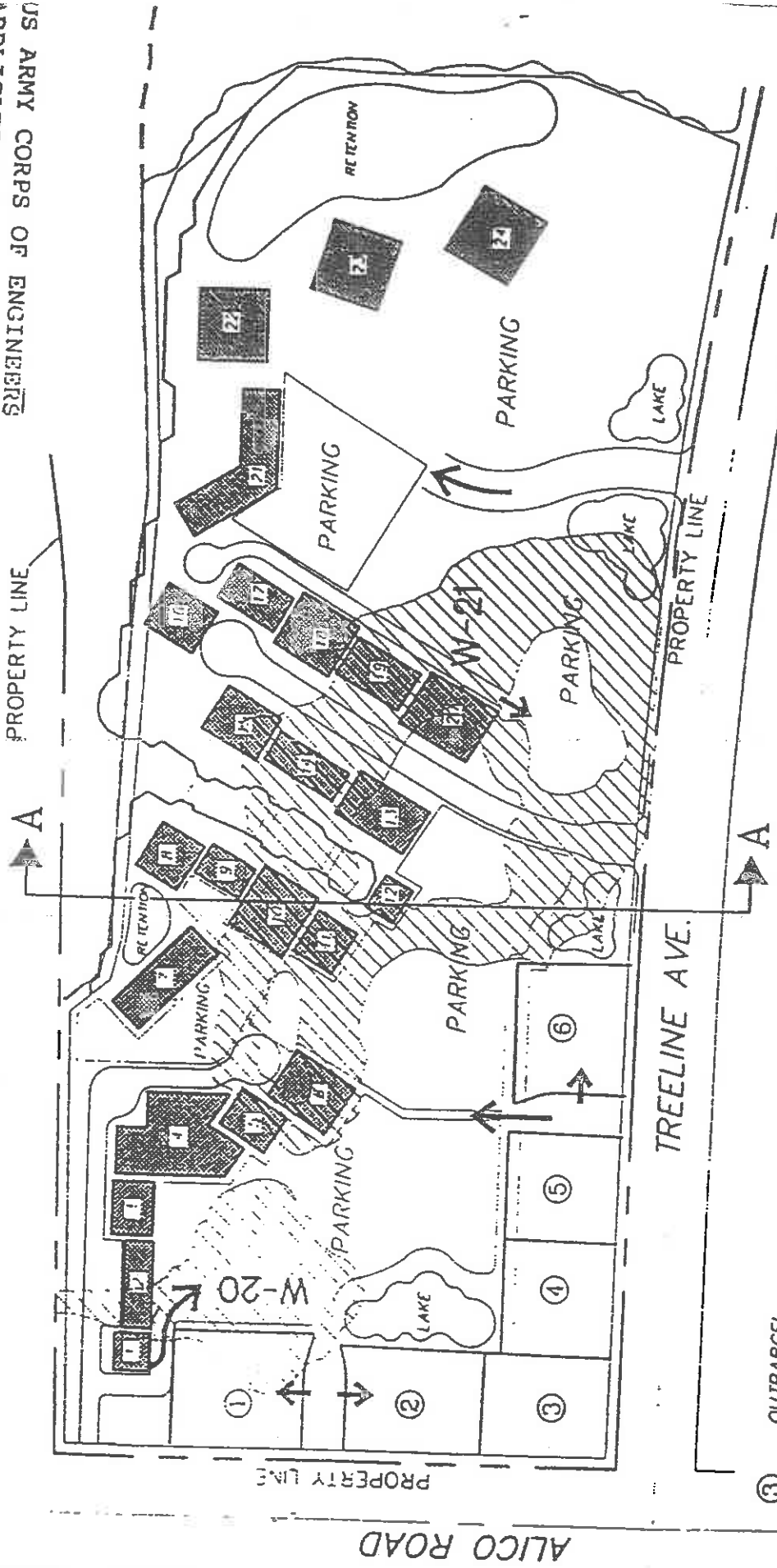
SHEET 7 of 9

MARCH 6, 1998

MIROMAR LAKES PRELIMINARY COMMERCIAL SITE PLAN

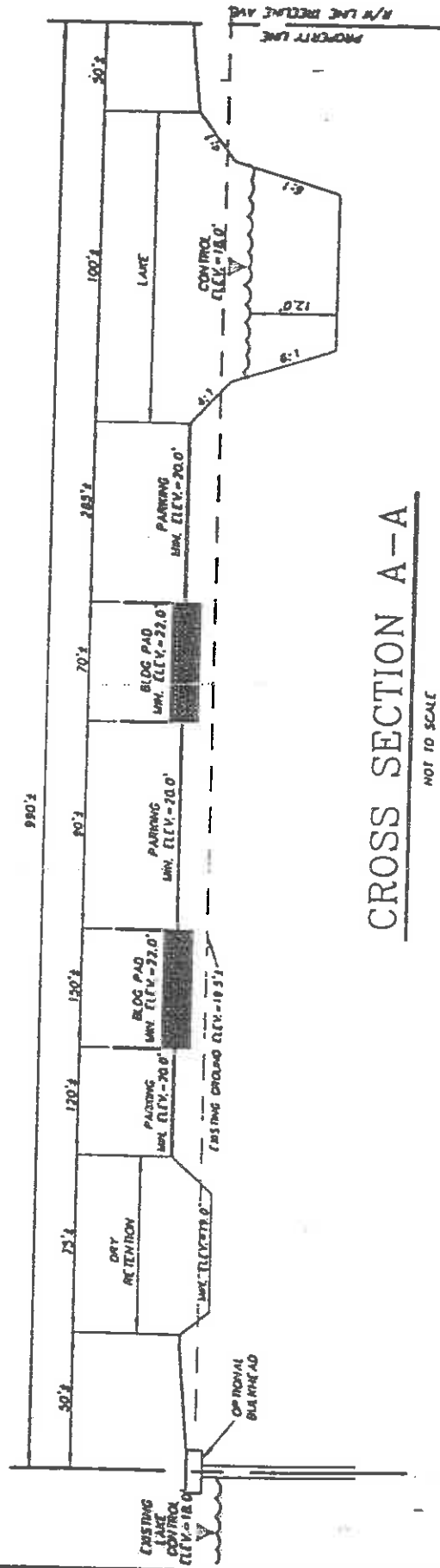
MIROMAR LAKES COMMERCIAL SITE PLAN
MIROMAR LAKES
LEE COUNTY, FLORIDA

Woods Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
10300 SW 101 STREET, MIAMI - SUITE 101
FORT MYERS, FLORIDA 33912



- ③ OUTPARCEL
- BUILDING PAD
- ▨ WETLANDS

US ARMY CORPS OF ENGINEERS
APPLICATION #199507483 (IP-MN)
SHEET 8 of 9
MARCH 6, 1998



CROSS SECTION A-A

NOT TO SCALE

US ARMY CORPS OF ENGINEERS
 APPLICATION #199507483 (IP-MN)

SHEET 9 of 9
 MARCH 6, 1998

**MIROMAR LAKES PRELIMINARY
 COMMERCIAL SITE PLAN**

MIROMAR LAKES COMMERCIAL SITE PLAN
MIROMAR LAKES
 LEI COUNTY, FLORIDA

Hanks Engineering, Inc.
 Professional Engineers, Planners & Land Surveyors

10501 SW 10th STREET, SUITE 104
 MIAMI GARDENS, FLORIDA 33057

WETLAND MITIGATION PLAN
MIROMAR LAKES
PERMIT APPLICATION NO. 199507483 I(IP-MN)

INTRODUCTION

The proposed Wetland Mitigation Program for the Miromar Lakes project consists of several elements which have been designed to coordinate with and augment the wetland mitigation proposed under the existing permits for Florida Gulf Coast University (Corps Permit No. 199400807) and Traeline Avenue (Corps Permit No 199400808), now known as Ben Hill Griffin Parkway. The elements include eradication of exotic vegetation, topographic alterations, wetland plantings, hydrologic improvements, as well as long term protection, through conservation easements, and long term maintenance and management of the site.

There are ± 255 acres of wetlands associated with the Miromar Lakes development areas including open water (less the large mining lakes). About 205 acres are vegetated wetlands and 50 acres or other waters. WilsonMiller, Inc. staff initially surveyed these areas in 1993. FLUCCS codes by wetland proposed for development and mitigation areas were re-surveyed for melaleuca by Dex Bender and Associates during August of 1997. The Florida Land Use, Cover and Forms Classification System (FLUCCS) map of the site developed by WilsonMiller, Inc. was used for the updated estimates of each wetland. A recent series aerial color photograph (20"x30") was also used to help confirm evaluations of the larger wetlands. Table 1 provides a summary of the wetlands by number, acres, impacted areas, other waters and 1997 estimated melaleuca coverage.

The code 424 was used for > 90% coverage. In 1997 melaleuca coverage estimates were made according to FAC 40E-4.3.2.4(c) of 50-75% and 76-100%. Additional categories of 1-24%, 25-49%, and >90% were to further determine the status of each wetland area. A comparison of rate of change between 1993 and 1997 can be made, if needed. These changes, even without estimated rates, show pervasive increases. There is no evidence that melaleuca will cease its exploitation of these native wetlands. For this reason, the August 1997 data estimate the minimum likelihood for melaleuca infestation in all but the areas with >90% melaleuca.

WETLAND IMPACTS

Approximately 168.47 acres of individual FLUCCS in identified wetlands have >50% melaleuca coverage. Table 1 lists the various wetlands and their degree of melaleuca infestation, while Table 3 provides a summary of wetlands to be impacted by FLUCCS and the melaleuca coverage.

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 1 of 32
APRIL 27, 2000

WETLAND MITIGATION

Table 2 provides the existing and proposed FLUCCS of the proposed mitigation areas by wetland and acreage. The FLUCCS types being proposed include more marsh systems than may have been represented in the past. Some of these marsh areas will be colonized by tree species with time increasing the forested areas.

Plan views of the proposed mitigation areas are provided and labeled as areas M1, M2, M3 and M4, which correspond to a portion of wetland 10B and wetlands W01N, W06N and W06S respectively.

All of these areas exhibit impacted hydrologic characteristics. Re-establishing better hydrology involves increasing duration at the surface. The introduction of more water (not greater than 42 cubic feet/second/square mile (CSM)) from the eastern end of the south lake will provide water to the northeastern portion of the main slough, a portion of M-2. This water will flow through two other mitigation sites, M-3 and M-4. Minor regrading in mitigation areas M-3 and M4 (lower by 1-2 feet) is proposed to assist regaining the hydrologic characteristics in this downstream area, along with some contouring to slow and hold water temporarily. Ditching leading from mitigation area M-1, through a portion of the University mitigation area has been filled in on the University site. This ditch will be filled in on the adjacent Miromar sites. Other ditching will be eliminated where it exists on M1, M-3 and MA.

Melaleuca dominance has been a major factor in decreasing the ecological values of the slough system that is proposed to be rehabilitated. Melaleuca could not have invaded these systems to such a severe degree except for the altered hydroperiod and subsequent fires. Additional water loss will be slowed by the removal of the existing ditch and additional water provided to the slough at the northeastern corner near the northeastern boundary of the University.

Mitigation area M-4 is formed by wetland 6S, a +49.29 acre parcel. A small upland area of ± 0.62 acres of palmetto is present within this wetland. About 48.49 acres have greater than 50% melaleuca present. The wetlands consist of ± 18.92 acres of melaleuca, the cypress (± 26.92 acres) is 76-90% melaleuca, the cypress, pine cabbage palm (± 2.65) is 50-74% melaleuca and the ditch (± 0.18 acres) is less than 10% melaleuca. All of this mitigation area will be cleared, elevation lowered (to bring the groundwater table closer to the surface), replanted and receive an additional extended hydroperiod. Table 3 provides the types of wetland vegetation to be replanted. The intense activity is clearly equivalent to the level needed for restoration work category.

Mitigation area M-1 contains wetland 10B1, a ± 27.52 acre parcel just north and contiguous with a large University mitigation site. A ± 0.36 acre live oak hammock uplands is within this parcel. About 22 acres have greater than 50% melaleuca present. The wetland consists of ± 0.09 acre graminoid understory with pine and a 50-74% melaleuca coverage, a ± 4.00 acre cypress area with a 10-24% melaleuca coverage, a ± 18.99 acre cypress area with 50-74% melaleuca coverage and a ± 3.54 acre cypress area with 75-90% melaleuca coverage. The ± 4 acre cypress area and the live oak upland will be enhanced by removing the exotics. The upland will be preserved. The remaining wetlands will be subject to either complete clearing and replanting (± 3 acres) or selective clearing and replanting (± 19 acres).

Mitigation area M-3, containing wetland 6N (± 43.96), is just west of BHG Parkway at the southern end of the slough, just south of the University mitigation area. This wetland was not surveyed by GPS so the observations are based on biologist's site visits and aerial interpretation. With selective clearing and an improved water table we expect the 411 pine flatwoods (± 0.72 acres) to revert to a wetland 416 FLUCCS. A small area of palmetto (± 0.48 acres) will be enhanced by selective clearing. Melaleuca, at $>90\%$, is present over ± 19.02 acres. The rest of the wetland consists of cypress with 10-24% melaleuca (± 2.71 acres), cypress with 50-74% melaleuca (± 1.05 acres) and cypress with 75-90% melaleuca (± 19.80 acres). Except for the palmetto and pine uplands, and ± 2.71 acres of cypress, all of the remaining area will be completely cleared and replanted (± 39.5 acres). About 6.7 acres may be selectively cleared and replanted if conditions are appropriate.

Mitigation area M-2, containing wetland 1N (± 65.90 acres), is in the slough northeast of the University and just south of the far eastern end of Miromar Lakes. This wetland is in better shape because less melaleuca has invaded this area. About 5.88 acres have greater than 50% melaleuca and another ± 18.94 acres with $<50\%$ melaleuca. These melaleuca area will be cleared or selectively removed depending on access characteristics and density patterns. All 424 FLUCCS and FLUCCS in the E4 category will be completely cleared, regraded and replanted. The E1-E3 categories will be selectively cleared. The hydroperiod to the western and southern part of this site will be increased in duration to aid in recovery of this area and to downstream mitigation sites on the University and for Miromar Lakes. This water will come from the large southern mining lake via a control structure, not to exceed 42 CSM, at the lake and a swale extending down the eastern side of the University conservation area. The existing ditches will be blocked or filled in to slow runoff from the northwestern and southern parts of this site.

SEDIMENT PROFILE

ASG Geosciences Inc., provided sediment profile information for various areas of the Miromar Development site. Stations SB26-29 which are located in the southern part of the site show poorly graded sand to 10 feet or greater below surface elevations. These stations are near (SB26, 27 and 29) or within the mitigation site M4 (SB28). There appears to be enough sandy soil to allow the lowering of ground elevations up to 4 feet without encountering rock and have enough soil remaining for plants to re-grow.

GRADING PLANS - HYDROLOGIC RESTORATION

The attached plan and cross section views are provided for mitigation areas 3 and 4. These plans take in to account South Florida Water Management District (SFWMD) approved pool elevations, existing information developed by Hole Montes for the University and the original plans by Wilson Miller. Discussions with FWC about the Ben Hill Griffin Crossing and the open deeper water aquatic were taken in to account as well as aquatic birds flying across the road. Miromar has elected to leave the system in its present constructed configuration. A buffer of trees will force birds to fly higher over vehicular traffic. No small animal path is apparent in the box culverts. Miromar does not propose to add any as part of its activities.

FOREST ENHANCEMENT

Some forested areas are being retained and/or replanted in mitigation areas 2, 3 and 4. Much of these areas will be replanted as marsh and grass systems with widely spaced cypress or hydric pine. Twenty trees per acre is the goal for these widely spaced trees to aid in a long-term gradual conversion to more forested systems. Approximately 48 acres are proposed for marsh systems with widely spaced trees. The total number of trees to be planted will depend on the survival rates at the end of the growing seasons. The first planting will be at a density of 25 trees per acre. These areas are identified on the proposed mitigation FLUCCS maps and in Table 2 as 641/621/411 H as in Table 2 "Proposed FLUCCS" column.

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 4 of 22
APRIL 27, 2000

Table 1 Wetlands On the Development Site *

Wetland Number	Total Acres of Wetlands	Wetland Impact Acres by Wetland	Impact to Other Surface Waters	> 50% Melaleuca by FLUCCS	< 50% Melaleuca by FLUCCS
20*	2.60	2.10	.50	2.10	0.00
21*	10.37	10.37	0.00	10.37	0.00
17*	3.95	3.76	0.19	2.66	1.10
16*	16.29	16.29	0.00	12.50	3.79
22	12.44	12.44	0.00	0.00	12.44
15	1.48	1.28	0.20	0.37	0.91
14A*	2.88	2.88	0.00	2.88	0.00
14B*	0.36	0.36	0.00	0.36	0.00
13*	0.90	0.90	0.00	0.90	0.00
12*	0.30	0.20	0.10	0.20	0.00
10A*	83.68	49.47	34.21	41.90	7.57
10B2*	29.80	29.80	0.00	29.50	0.30
10C*	23.97	21.07	2.90	20.97	0.10
10D*	3.27	3.27	0.00	3.27	0.00
9	2.60	2.60	0.00	0.40	2.20
8	2.20	2.20	0.00	0.20	2.00
7	9.60	0.80	8.80	0.30	0.50
6C*	22.89	22.89	0.00	21.39	1.20
6D*	30.93	22.10	8.83	17.90	4.20
Totals:**	= 260.51	= 204.78	= 55.73 **	168.47	36.31

** - Not including the two mining lakes

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 5 of 22
 APRIL 27, 2000

TABLE 2 Mitigation Areas Existing FLUCCS with Melaleuca Density and Proposed FLUCCS

Mitigation Area	Wetland	FLUCCS	Total Acres (Existing)	Proposed FLUCCS	Total Acres (Proposed)
M4	6S	321E1	.62	321	.62
		424	18.92	616	1.85
		513	.18	621	14.63
		621E3	2.65	641/621	4.70
		621E4	26.92	641/621/411H	17.24
					643
			6445	4.14	
Subtotal			49.29		49.29
M3	6N	321E1	.48	321	.48
		411E2	.72	416	6.03
		424	19.02	616	.56
		513	.18	621	6.93
		621E1	2.71	624	4.22
		621E3	1.05	641/621/411H	20.46
		621E4	19.80	643	3.72
				6445	1.56
Subtotal			43.96		43.96
M2	1N	411	3.48	411	4.02
		411E1	.89	416	13.37
		411E2	.06	427	.95
		416E1	.10	438	.09
		416E2	11.17	621	29.29
		416E3	2.43	624	6.61
		24	3.45	641/621/411H	5.74
		427	.95	643	5.83
		513	1.73		
		621	29.20		
		621E2	.63		
		624E1	1.15		
		624E2	4.94		
		641	5.72		
		Subtotal			65.90
M1	10B1	321	.54	321	.54
		416E3	.09	416	.14
		427	.36	427	.36
		621E1	4.00	621	4.00
		621E3	18.99	624	18.88
		624E4	3.54	641	2.88
		643	.72		
Subtotal			27.52		27.52
Grand Totals			186.67		186.67

Table 3 Wetland Impacts by FLUCCS and Melaleuca Coverage.

FLUCCS	Melaleuca Coverage					Total
	0 %	E1 (1-24%)	E2 (25-49%)	E3 (50 - 74%)	E4 (≥75%)	
310	0.00	0.00	2.3	.75	0.00	3.05
321	0.00	0.00	0.00	.20	0.00	.20
416	0.00	2.73	6.60	25.54	8.73	43.65
424	0.00	0.00	0.00	0.00	94.67	94.67
438	1.49	0.00	0.00	0.00	0.00	1.49
621	2.80	.20	.70	22.97	9.31	35.98
624	0.00	0.00	0.00	0.00	4.06	4.06
641	.46	4.02	0.00	0.00	2.19	6.67
643	0.00	12.81	2.20	0.00	0.00	15.01
Totals	4.75	19.76	11.80	49.46	119.01	204.78

Table 4 Summary of Existing FLUCCS and Melaleuca Coverage for the Mitigation Areas

FLUCCS	Melaleuca Coverage					Total
	0 %	E1 (1-24%)	E2 (25-49%)	E3 (50 - 74%)	E4 (≥75%)	
321	0.54	1.10	0.00	0.00	0.00	1.64
411	3.48	0.89	0.78	0.00	0.00	5.15
416	0.00	0.10	11.17	2.52	0.00	13.79
424	0.00	0.00	0.00	0.00	41.39	41.39
427	1.31	0.00	0.00	0.00	0.00	1.31
513	2.09	0.00	0.00	0.00	0.00	2.09
621	29.20	6.71	.63	22.69	46.72	105.95
624	0.00	1.15	4.94	0.00	3.54	9.63
641	5.72	0.00	0.00	0.00	0.00	5.72
Totals	42.34	9.95	17.52	25.21	91.65	186.67

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 7 of 20
 APRIL 27, 2005

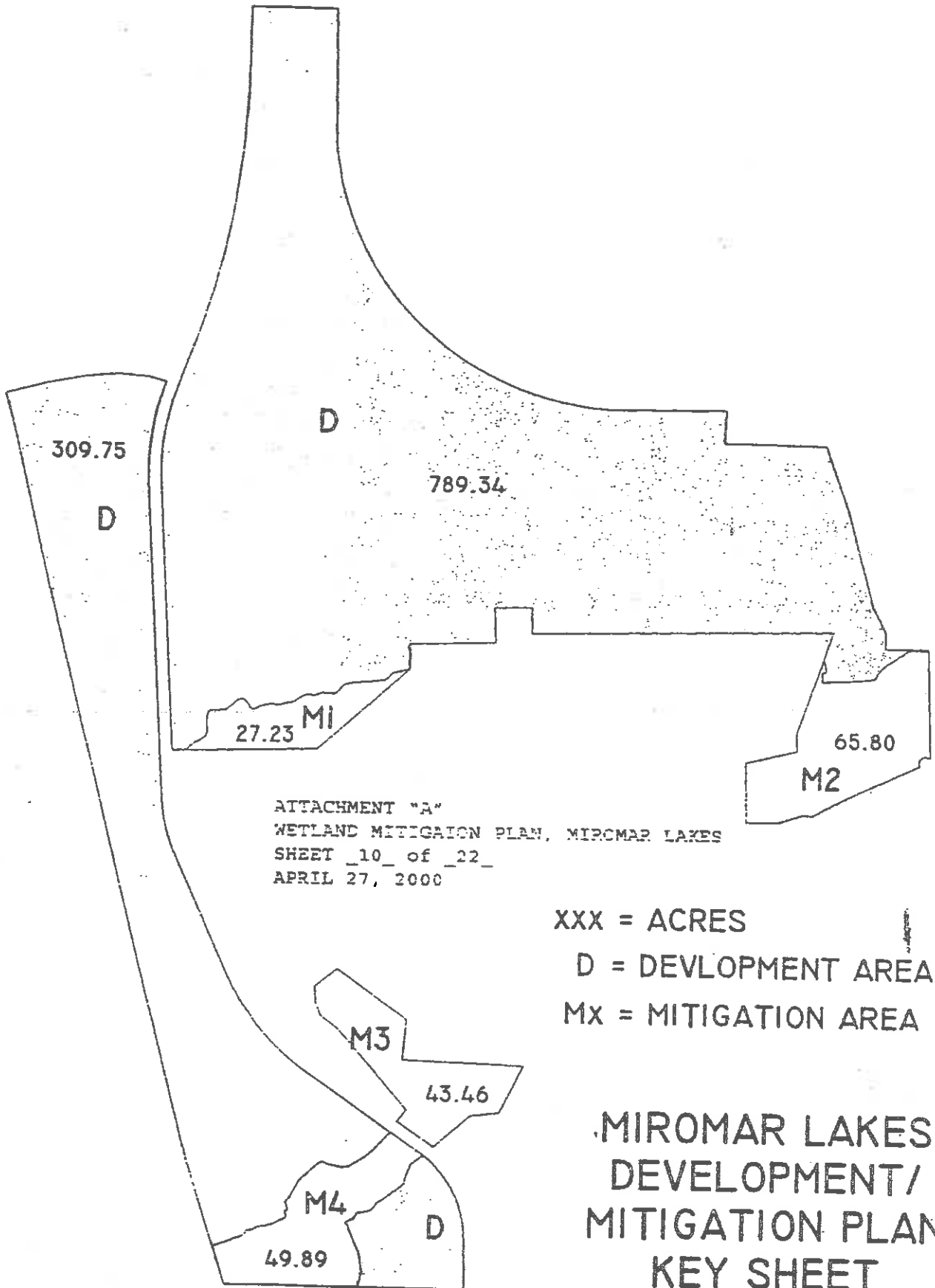
Table 5 Mitigation Activities Table

Mitigation Area Activity	Acres
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >75% melaleuca	
M4 (424 + 621E4)	45.84
M3 (424)	8.74
Sub-Total	54.58
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >75% melaleuca	
M3 (424+621E4)	30.08
Sub-Total	30.08
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >50% melaleuca	
M4 (621E3)	2.65
Sub-Total	2.65
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, >50% melaleuca	
M3 (621E3)	1.05
M2 (424)	3.45
M1 (624E4)	3.54
M1 (621E3 + 416E3)	19.08
Sub-Total I	27.12
Complete clearing, lower elevation, regrading, 100% replanting, hydrology, <50% melaleuca	
M3 (411E2 + 513+ 621E1)	3.61
Sub-Total	3.61
Total	118.04

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 8 of 30
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Table 6 Melaleuca Credits - Basis of Review 4.3.2.4

Activity for Mitigation Area	Credits Earned
Exotic removal, some replanting, hydrology, <50% melaleuca	
M1 (621E1)	4.00
M2 (411E1 + 411E2)	0.95
M2 (416E1 + 416E2)	2.84
M2 (621E2 + 624E1)	1.78
M2 (513)	1.73
M4 (513)	0.18
Sub-Total	11.48
Exotic removal, hydrology, > 50% melaleuca	
M2 (416E3)	2.04
Sub-Total	2.04
Exotic removal, < 50% melaleuca	
M2 (416E3)	0.39
Sub-Total	0.39
Exotic removal < 50% melaleuca	
M2 (416E2 + 624E2)	13.37
Sub-Total	13.37
Hydrology, <10% melaleuca	
M2 (621)	2.79
Sub-Total	2.79
Wetland Preservation	
M2 (621)	26.41
M2 (641)	5.72
Sub-Total	32.13
Upland preservation, exotic removal	
M1 (321 + 427)	0.90
M2 (411 + 427)	4.43
M4 (321E1)	0.621
Sub-Total	5.95
Total:	68.15
Grand Total for Table 5 and Table 6	186.19



ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 10 of 22
 APRIL 27, 2000

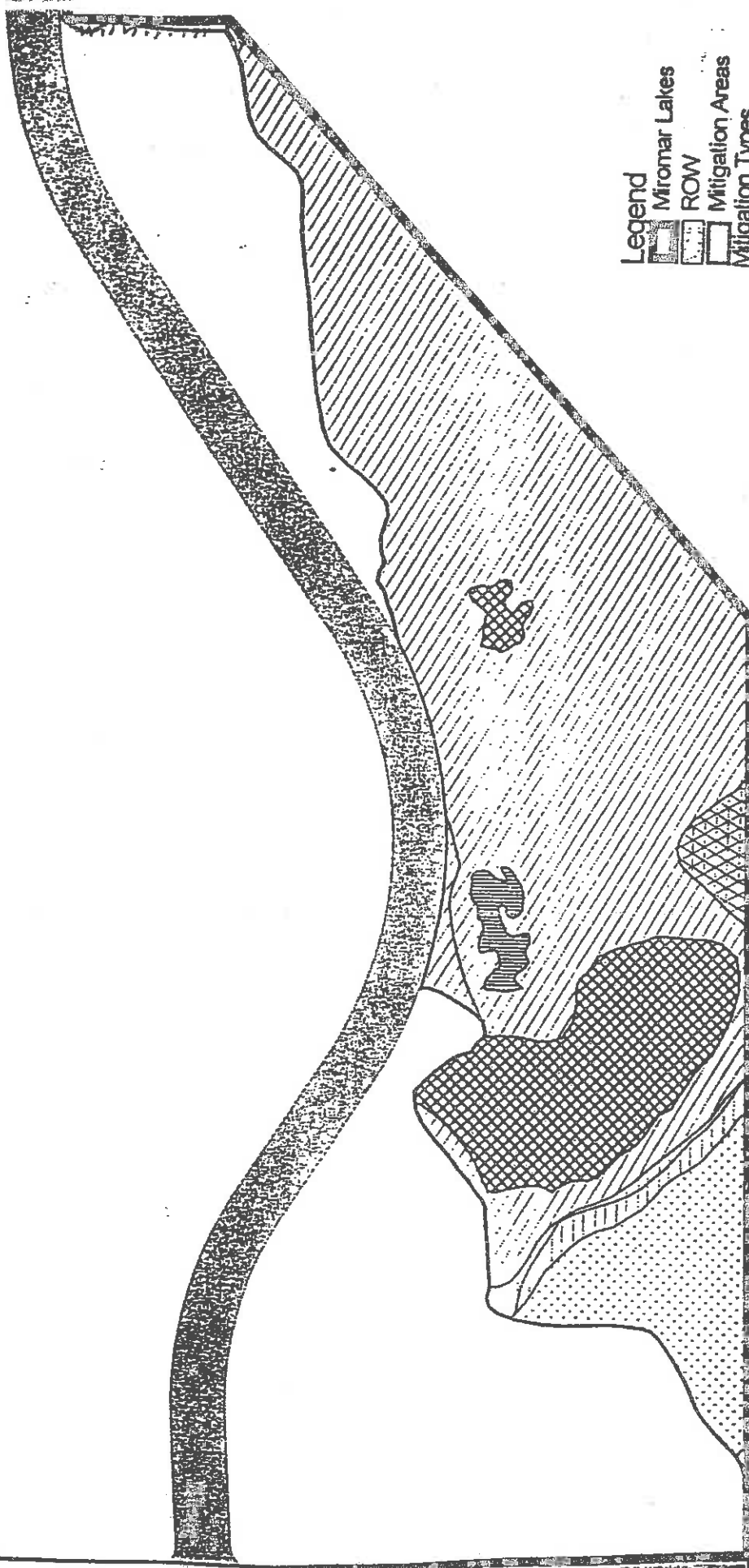
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 D = DEVELOPMENT AREA
 MX = MITIGATION AREA

MIROMAR LAKES
 DEVELOPMENT/
 MITIGATION PLAN
 KEY SHEET

Miomar Lakes

Mitigation Land Use Types

Mitigation Area 1



- Legend**
- Miomar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwood
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Sw
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass

ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIOMAR LAKES
 SHEET 11 of 22
 APRIL 27, 2000

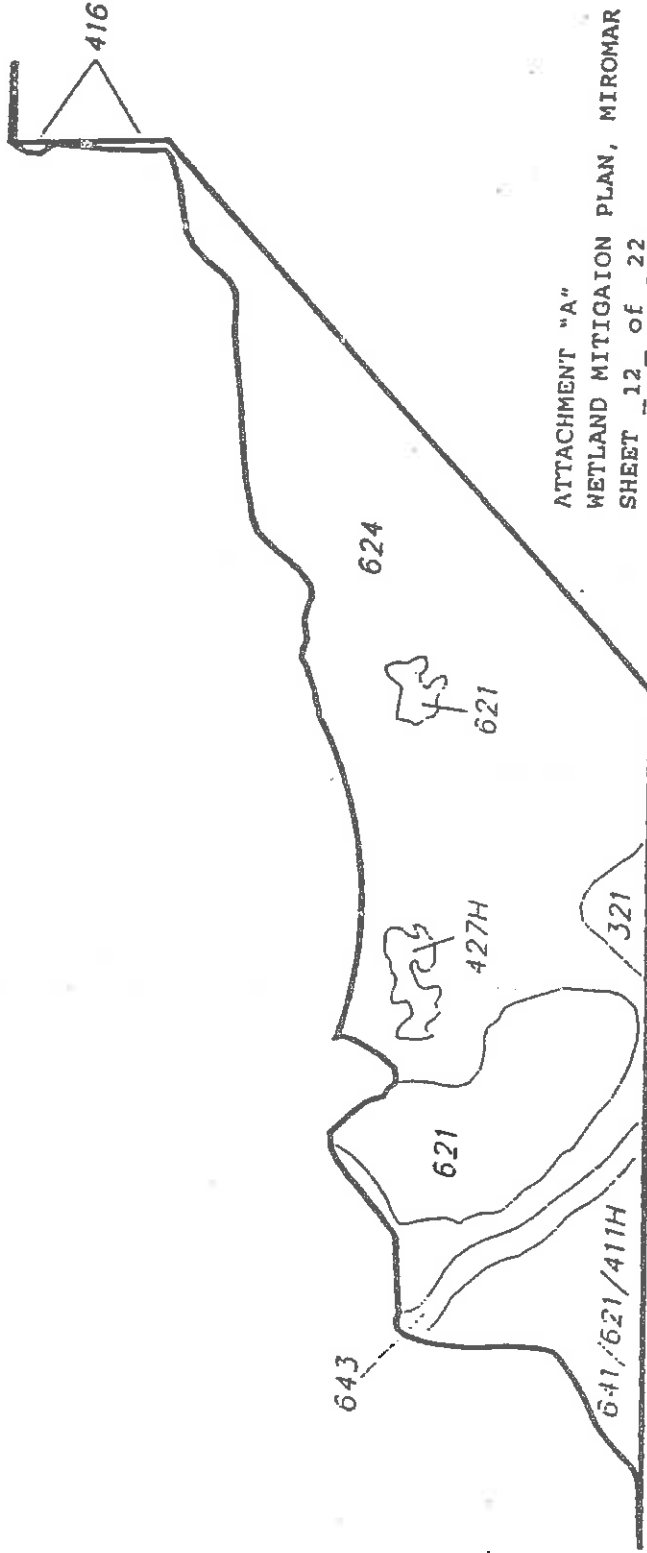


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MITIGATION AREA M1

Proposed Fluxes Legend

- 321 Palmetto Prairie
- 416 Pine Flatwoods - Graminoid Understory
- 427H Live Oak - Hydric
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydric
- 643 Wet Prairies



ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 12 of 22
 APRIL 27, 2000

BASE INFORMATION FROM GIS LAYERS PROVIDED BY:
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 AND ASSOCIATES
 ENVIRONMENTAL & MARINE CONSULTING
 FORT MYERS, FL (941) 334-3680



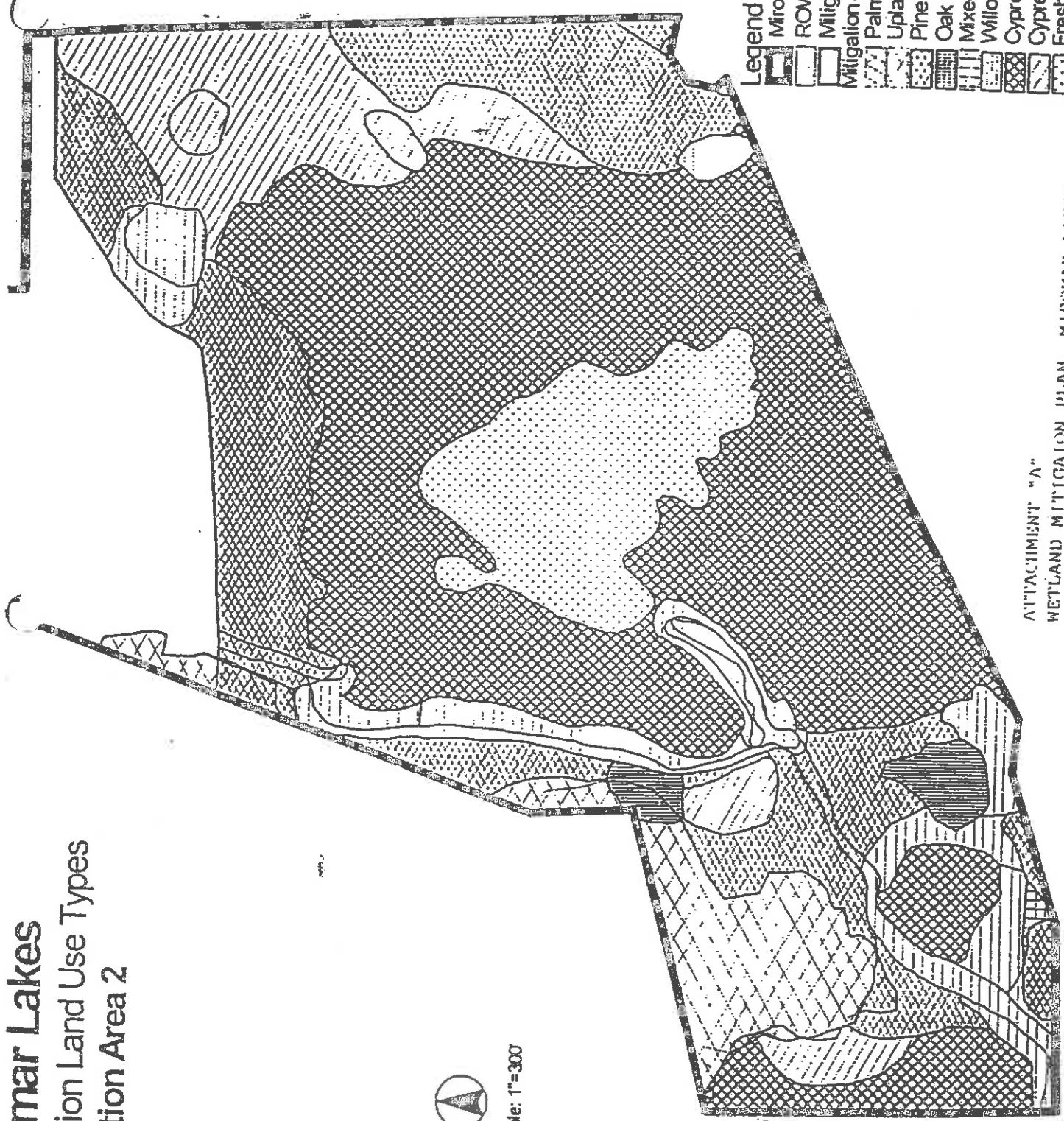
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 MIROMAR LAKES

SHEET

EXHIBIT

Miomar Lakes Mitigation Land Use Types Mitigation Area 2



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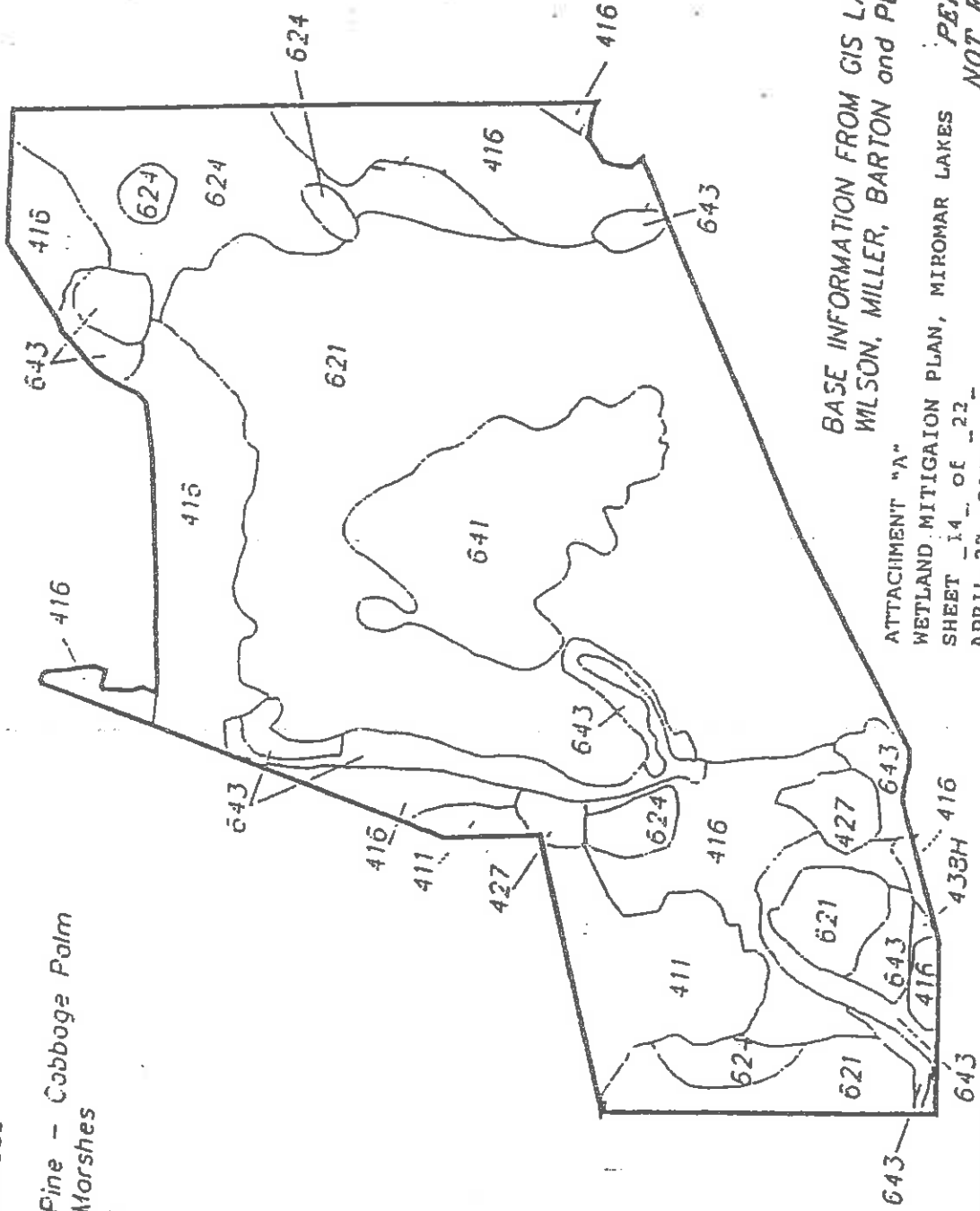
- Legend**
- Miomar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwoods
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Swamp
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIOMAR LAKES
SHEET 13 OF 22
APRIL 27, 2009

MITIGATION AREA M2

Proposed Flucss Legend

- 416 Fine Flatwoods - Graminoid Understory
- 411 Pine Flatwoods
- 427 Live Oak
- 438H Mixed Hardwoods
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641 Freshwater Marshes
- 643 Wet Prairies



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SHEET 14 of 22
APRIL 27, 2000

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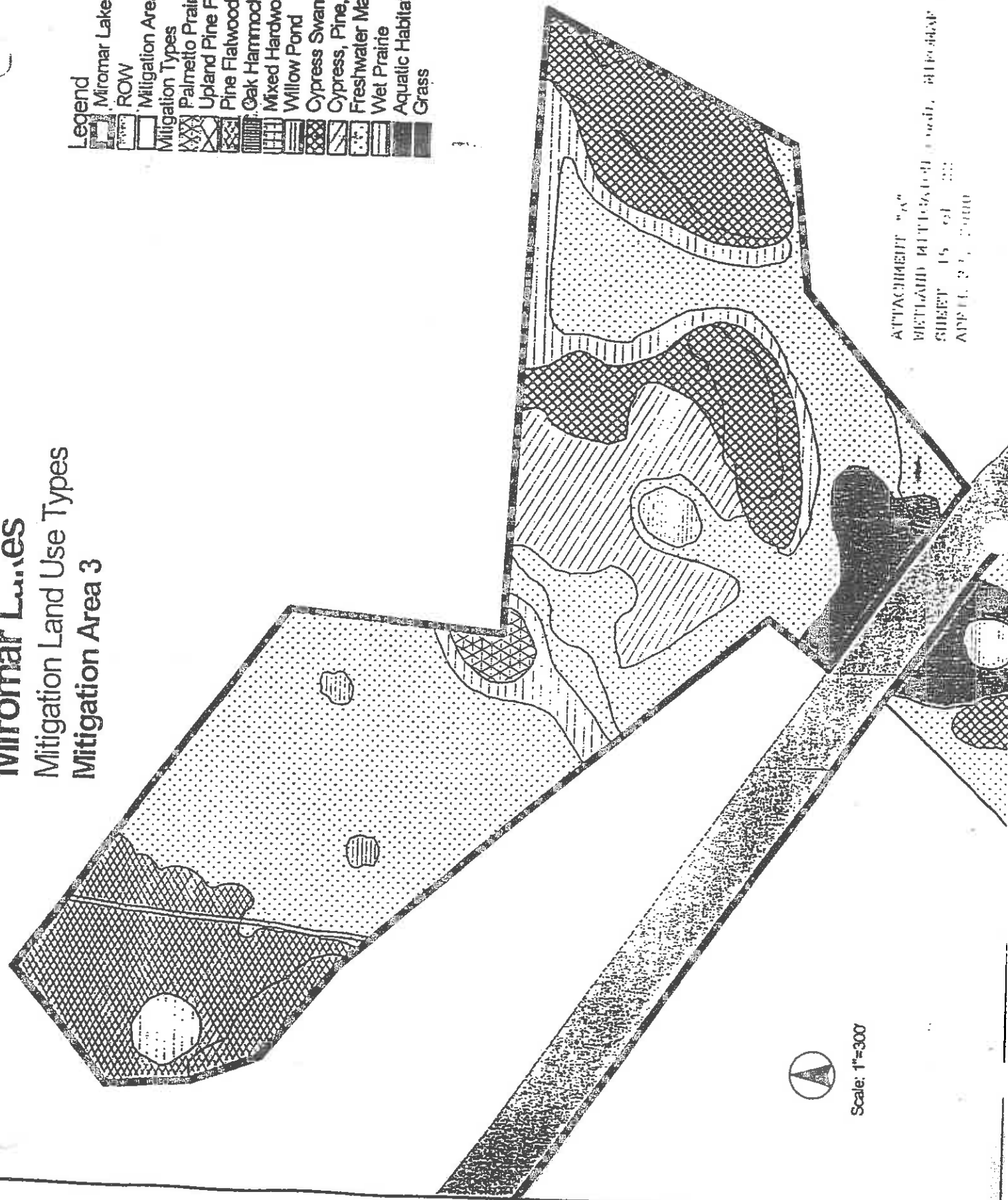
SHEET

Miromar Lakes

Mitigation Land Use Types

Mitigation Area 3

- Legend**
- Miromar Lakes
 - ROW
 - Mitigation Areas
 - Mitigation Types
 - Palmetto Prairie
 - Upland Pine Flatwoods
 - Pine Flatwoods
 - Oak Hammock
 - Mixed Hardwood Swamp
 - Willow Pond
 - Cypress Swamp
 - Cypress, Pine, Cabbage
 - Freshwater Marsh
 - Wet Prairie
 - Aquatic Habitat
 - Grass



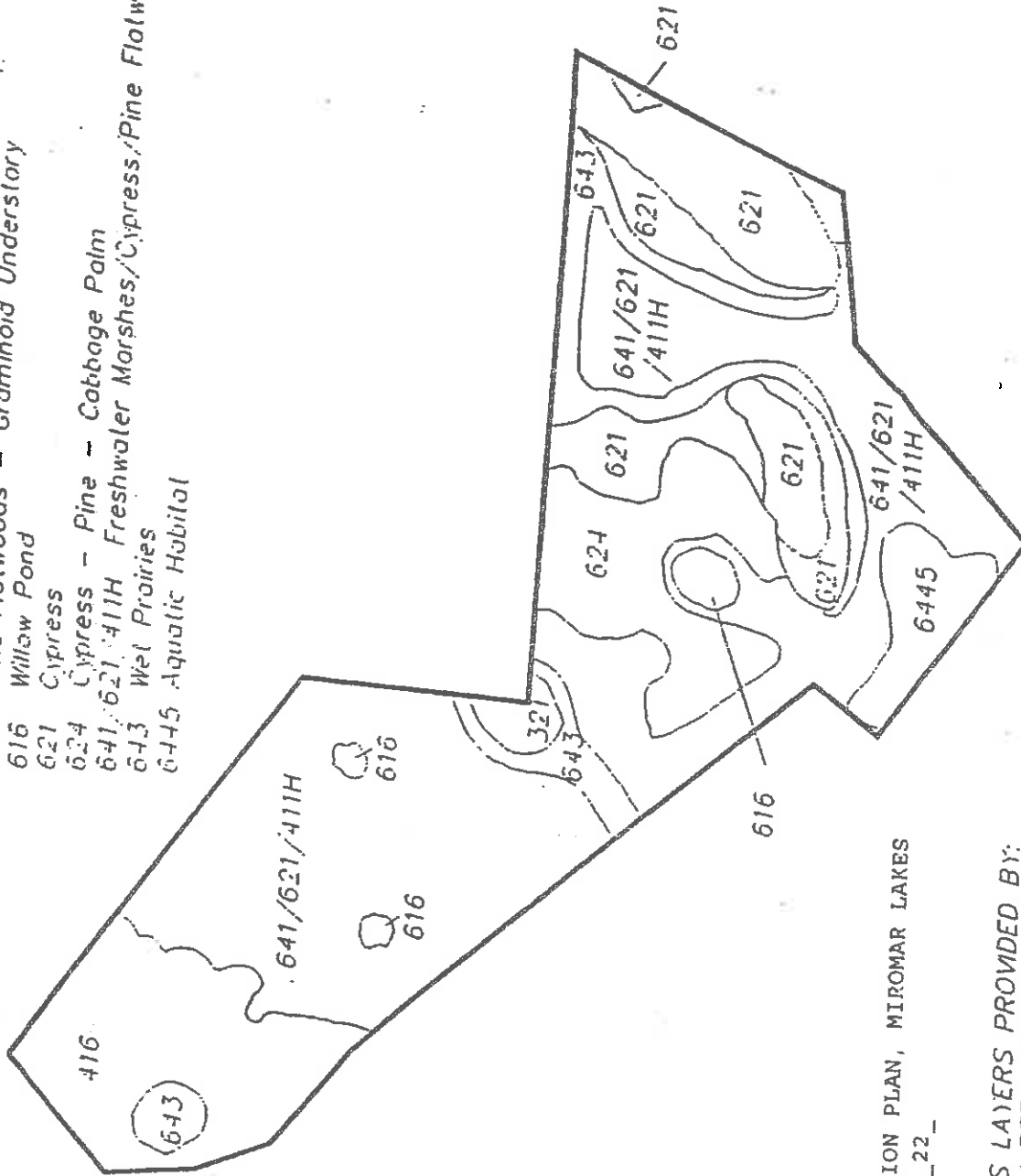
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 MIAMI MITIGATION PLAN, BLUEGRASS LARRE
 SHEET 15 OF 22
 APRIL 27, 2000

MITIGATION AREA M3

Proposed Fluxes Legend

- 321 Palmetto Prairies
- 416 Pine Flatwoods - Graminoid Understory
- 616 Willow Pond
- 621 Cypress
- 624 Cypress - Pine - Cabbage Palm
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydr
- 643 Wet Prairies
- 6445 Aquatic Habitat



ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 16 of 22
 APRIL 27, 2000

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 47 MEANS, FL 33411 TEL. 3680

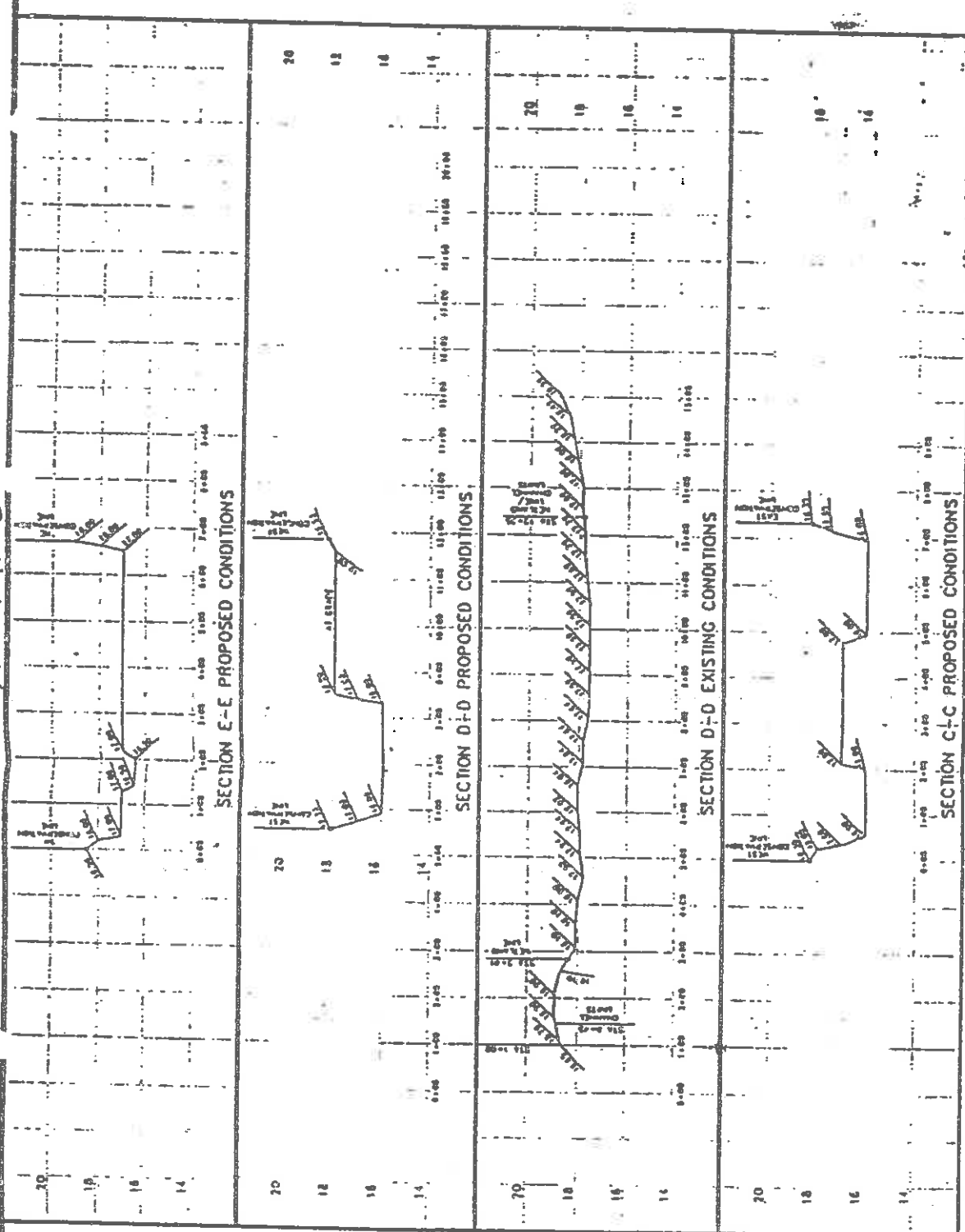


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MITIGATION AREA M-3



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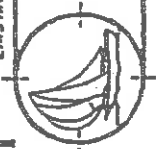
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MIROMAR LAKES

WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 10 OF 22
APRIL 27, 2000

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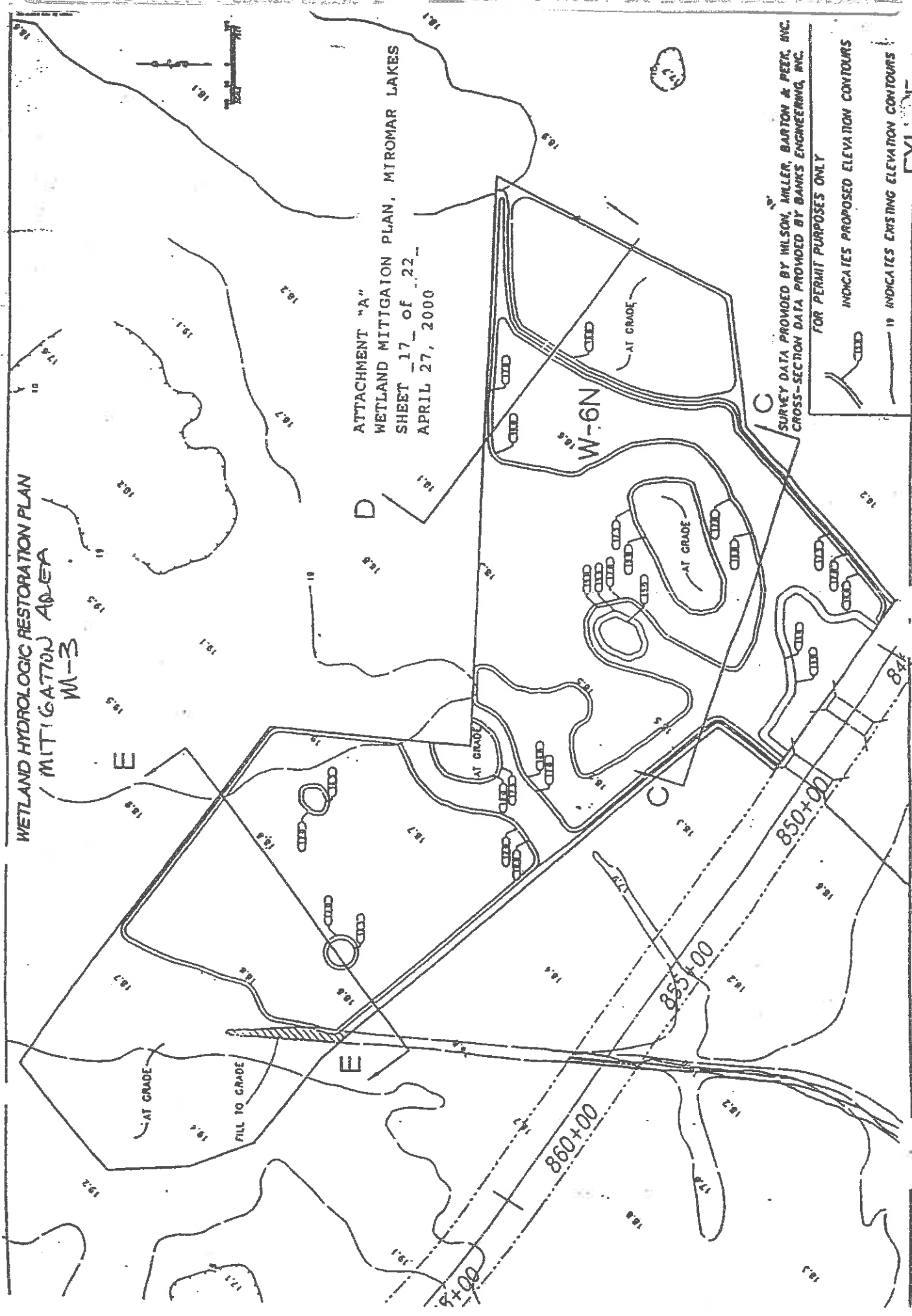
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WETLAND HYDROLOGIC RESTORATION PLAN
MITIGATION AREA
W-3



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WETLAND MITIGATION PLAN, MIROMAR LAKES
SHEET 17 of 22
APRIL 27, 2000

SURVEY DATA PROVIDED BY WILSON, MILLER, BARTON & PECK, INC.
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INDICATES PROPOSED ELEVATION CONTOURS
INDICATES EXISTING ELEVATION CONTOURS

EXT

Miomar Lakes Mitigation Land Use Types Mitigation Area 4



Scale: 1"=300'

Legend

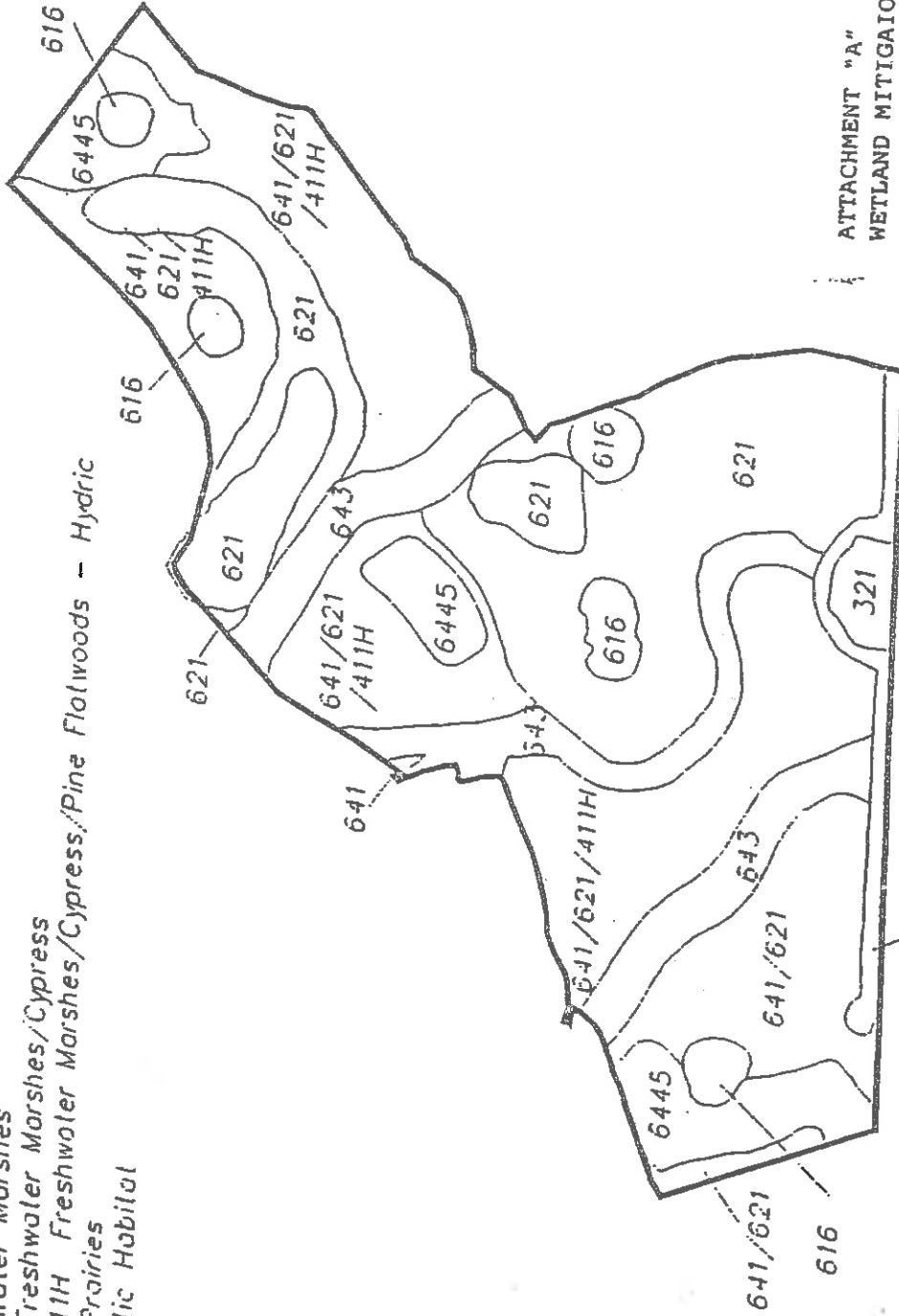
- Miomar Lakes
- ROW
- Mitigation Areas
- Mitigation Types
- Palmetto Prairie
- Upland Pine Flatwoods
- Pine Flatwoods
- Oak Hammock
- Mixed Hardwood Swamp
- Willow Pond
- Cypress Swamp
- Cypress, Pine, Cabbage
- Freshwater Marsh
- Wet Prairie
- Aquatic Habitat
- Grass

ATTACHMENT "A"
WETLAND MITIGATION PLAN, MIOMAR LAKES
SHEET 19 of 23
APRIL 27, 2000

MITIGATION AREA M4

Proposed Fluges Legend

- 310 Herboaceous
- 321 Palmetto Prairies
- 616 Willow Pond
- 621 Cypress
- 641 Freshwater Marshes
- 641/621 Freshwater Marshes/Cypress
- 641/621/411H Freshwater Marshes/Cypress/Pine Flatwoods - Hydric
- 643 Wet Prairies
- 6445 Aquatic Habitat



EXHIBIT

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 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 20 of 22
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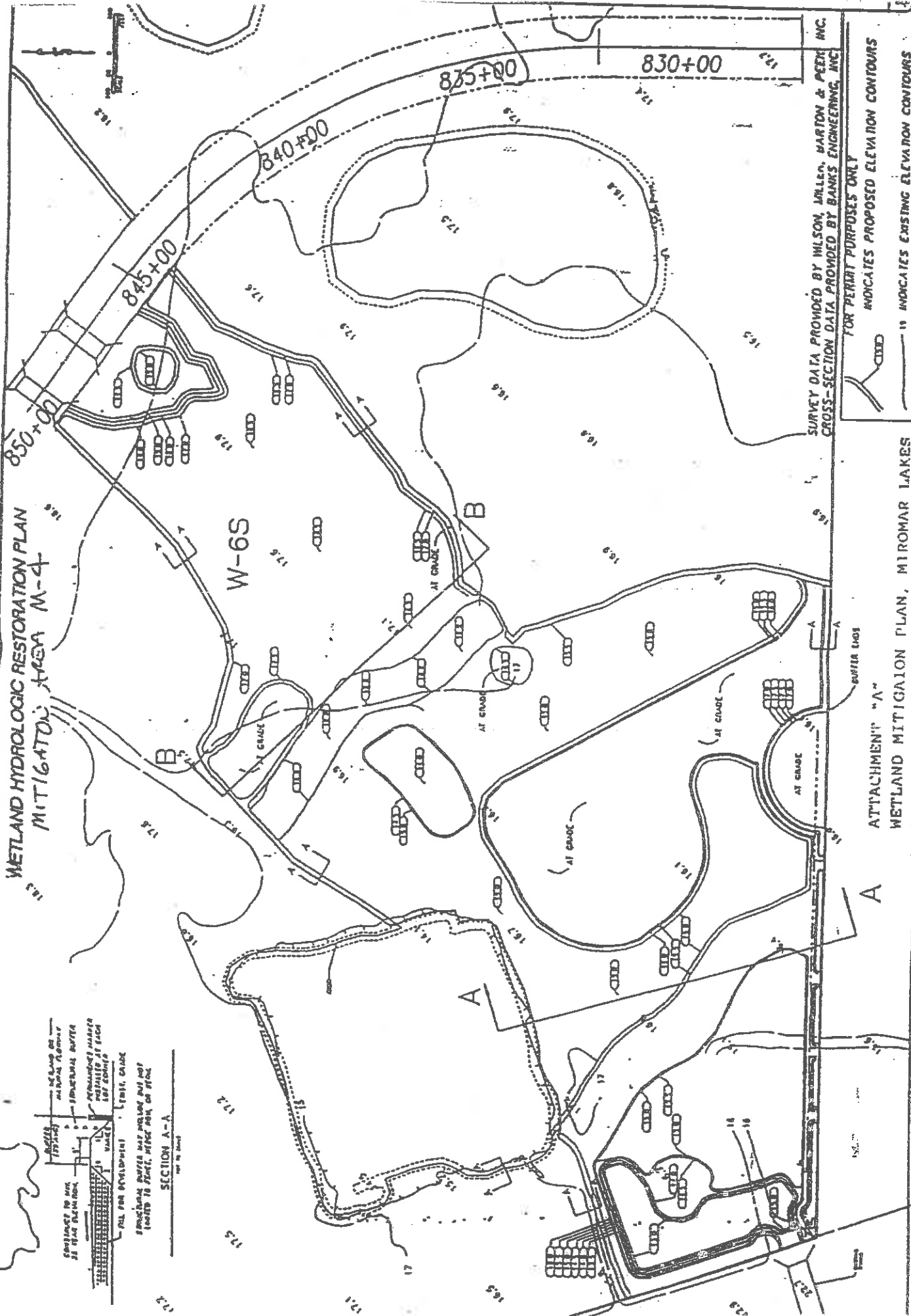
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WETLAND HYDROLOGIC RESTORATION PLAN
MITIGATION AREA M-4

W-6S



SECTION A-A
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INDICATES PROPOSED ELEVATION CONTOURS

INDICATES EXISTING ELEVATION CONTOURS

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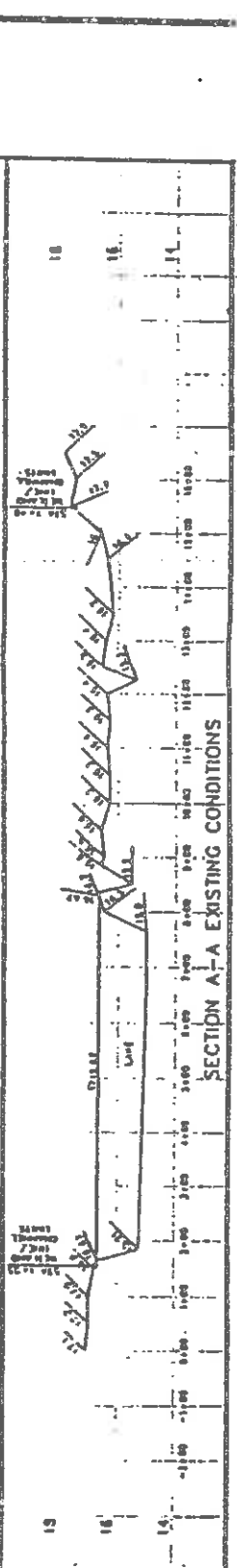
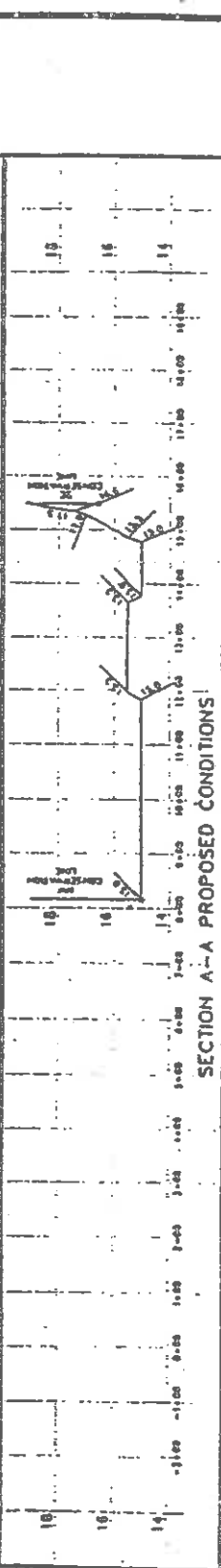
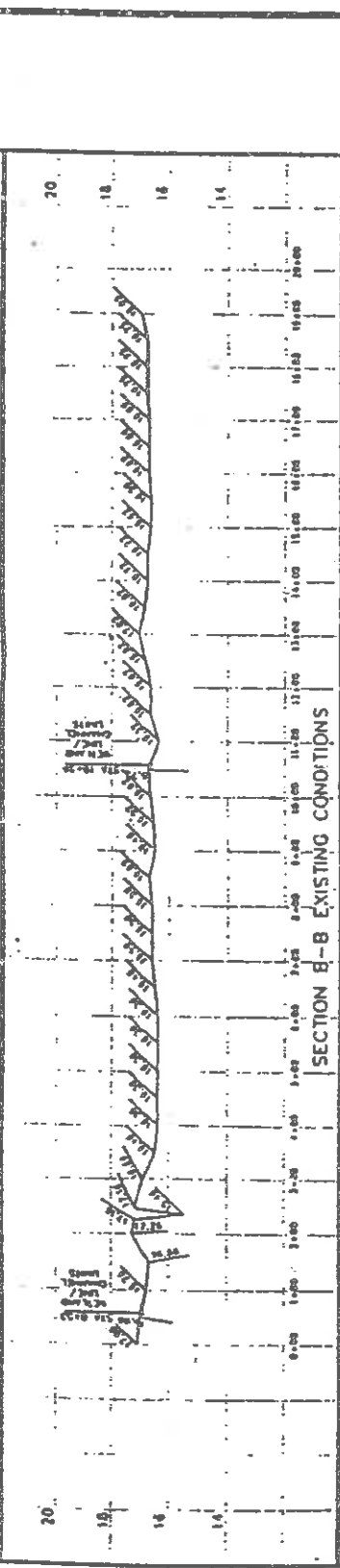
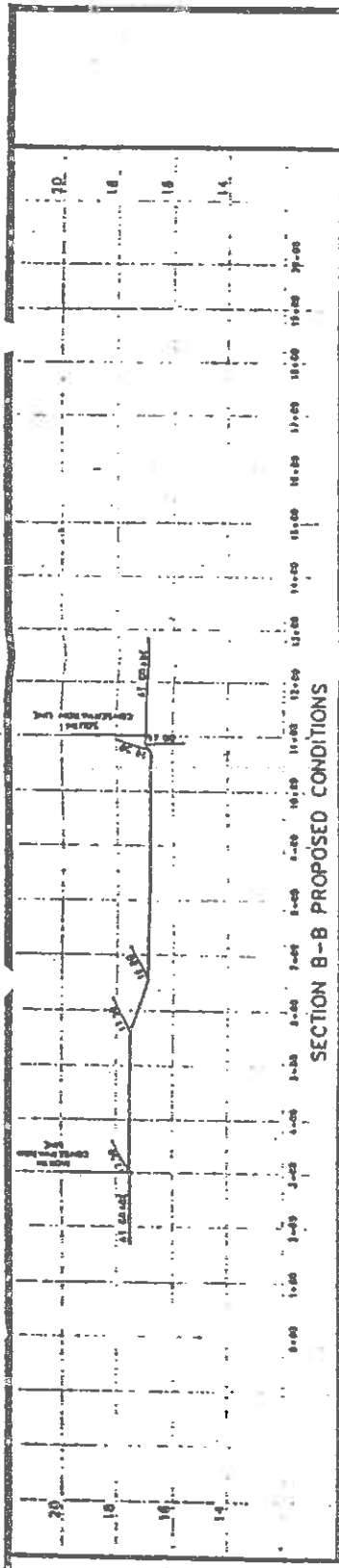
WETLAND MITIGATION PLAN, MIROMAR LAKES

SHEET 21 OF 22

APRIL 27, 2000

EXHIBIT

MULTIGATION AREA M-4



EXISTING CONDITIONS INFORMATION PROVIDED BY HOLZ, MONTEZ and ASSOCIATES
 ATTACHMENT "A"
 WETLAND MITIGATION PLAN, MIROMAR LAKES
 SHEET 22 OF 22
 APRIL 27, 2009

PERMIT USE ONLY.
 NOT FOR CONSTRUCTION

MIROMAR DEVELOPMENT, INC.
 MIROMAR LAKES

SHEET

SED:

EXHIBIT

September 01, 1998 12:00:19 a.m.
 Drawn by: MRO255A.DWG (DCS)

**Miromar Lakes Mitigation Area Management
Monitoring and Maintenance Program**

**MITIGATION AREA MANAGEMENT, MONITORING
AND
MAINTENANCE PROGRAM
MIROMAR LAKES
PERMIT APPLICATION NO. 199507483 (IP-MN)**

ATTACHMENT "B"
MITIGATION AREA MANAGEMENT, MONITORING
AND MAINTENANCE PROGRAM, MIROMAR LAKES
SHEET 1 of 6
APRIL 27, 2000

**Miromar Lakes Mitigation Area Management
Monitoring and Maintenance Program**

**MITIGATION AREA MANAGEMENT, MONITORING,
AND MAINTENANCE PROGRAM**

This attachment describes the general mitigation management, maintenance, and monitoring programs and the mitigation success criteria for the Miromar Lakes.

MITIGATION SUCCESS CRITERIA OVERVIEW

For purposes of the following discussion of success criteria, the Miromar Lakes mitigation area can be divided into two broad categories of mitigation effort:

- 1) Enhanced areas in which exotic/nuisance species are removed and controlled, but in which exotic/nuisance infestation was not severe enough nor exotic/nuisance removal destructive enough to require replanting of native species; and
- 2) Restored-replanted areas in which in which exotic/nuisance species are removed and controlled, native species are planted to varying degrees as required and hydrology improved. Some restored-replanted areas will involve removal of all vegetation, lowering the natural grade (for hydrology) and regrading, while others will use less intensive grading in order to preserve identified healthy native trees existing in heavy exotic invasions.

Reference to exotic vegetation within the mitigation areas includes Brazilian pepper (*Schinus terebinthifolius*), melaleuca (*Melaleuca quinquenervia*), Australian pine (*Casuarina equisetifolia*) and ear-leaf acacia (*Acacia auriculiformis*). Opportunistic, native, nuisance species that may become abundant within replanted areas include cattails (*Typha* spp.), primrose willow (*Ludwigia peruviana*), and torpedo grass (*Panicum repens*). All references to "cover" shall mean the aerial extent accounted for by a given species or the area beneath the canopy of a given species.

The permittee shall retain the ability to modify the monitoring program described herein. Any proposed modifications to this program shall first be approved by the SFWMD and the U.S. Army Corps of Engineers (Corps).

SUCCESS CRITERIA

The following criteria shall define the success of the Miromar Lakes:

- A. Completion of the initial eradication of exotics/nuisance species from enhanced areas in the given mitigation phase will occur first. These areas will be free of exotic/nuisance plants initially and be controlled to have no more than 5% coverage during any subsequent monitoring year. Exotic/nuisance plants will be eradicated at the end of each monitoring year, if present.

- B. Completion of the initial clearing, grading, replanting, over-seeding, and/or mulching with wetland topsoil in the restored-replanted areas included in the given mitigation phase. By definition, there will be no exotic plants initially present.
- C. For a given mitigation area, completion of existing drainage ditch filling, constructed wetland excavation and re-grading within the mitigation phase area, and reestablishment of flow from the South Lake shall constitute the elements of hydrologic restoration for that area.
- D. One year following completion of replanting in a restored-replanted marsh/ widely spaced trees area (20 trees per acre is the target goal): achieve a minimum of 80% survival of the installed plants. If replanting includes over-seeding with native, herbaceous species, or mulching with wetland soils, survivorship shall apply to the seeded plants or mulch-germinated plants as an addition to installed plants during the monitoring. If wetland topsoil is used as an inoculum seed source in marsh areas, success criteria shall include obtaining a minimum of 80% coverage in the groundcover stratum, by native wetland plant species, within 5 years following completion of application of topsoil. This 80% criteria shall only be applicable to areas where topsoil is used rather than direct plantings. The topsoil areas will be maintained free of exotics each year and have no more than 5% nuisance species between monitoring periods. These widely spaced trees will be a minimum of 6' in height.
- E. For each monitoring year following the completion of replanting in a restored-replanted marsh/widely spaced trees area achieve: a.) a minimum of 80% survival of widely spaced trees, herbaceous plants and shrubs including recruited native plants, and b) no more than 5% cover by nuisance species and 0% exotic species. Coverage by shrubs and herbaceous plants may decrease as planted and recruited trees grow reaching a target of 20 trees per acre. Number of trees above the 20 per acre will be a good indication of natural recruitment in third through fifth years. Most of this recruitment will have to come from existing mature trees adjacent to the marsh area. If, in the fourth year the goal of 20 trees per acre is not stable, then over-planting will occur to bring the 80% survival to the equivalent of 20 trees per acre.
- F. Two years following the completion of replanting in a restored-replanted forest area achieve: a.) a minimum of 80% survival of planted trees and shrubs; and b.) a minimum of 80% survival of planted herbaceous plants including recruited native plants.

Each monitoring after the second year following the completion of replanting in a restored-replanted forest area achieve: a.) a minimum of 80% survival of planted trees and shrubs; b.) a minimum of 80% survival of planted herbaceous plants including recruited native plants and 40% coverage c.) no more than 5% cover by nuisance species and 0% exotic species. These success criteria will thereafter remain in effect for the duration of the monitoring period. Coverage by the canopy will increase each year as an indication of growth and recruitment, reach 25% by the fifth year.

**Miromar Lakes Mitigation Area Management
Monitoring and Maintenance Program**

ATTACHMENT "B"
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AND MAINTENANCE PROGRAM, MIROMAR LAKES
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MANAGEMENT AND MAINTENANCE

Miromar Lakes mitigation areas will be preserved by recording each area as a conservation easement to the SFWMD with restricted uses and by designating the area as a conservation area.

Management and maintenance will be performed by the owner/developer until the mitigation is considered a success prior to the time that the development is conveyed to a property owners' association or other person.

The mitigation areas for the Miromar Lakes site will require regular maintenance until mitigation systems reach maturity and are able to out-compete exotics. Maintenance and management activities may include, but are not limited to:

- maintenance, repair, and replacement of piezometers and staff gauges;
- mechanical and hand removal of invasive species in both forested and marsh (herbaceous) areas;
- herbicidal treatment of stumps to prevent re-growth after exotic clearing is complete
- removal and/or herbicidal treatment of exotics on a regularly scheduled routine or as needed depending on the speed and amount of re-growth after the initial exotic eradication.
- replanting of wetlands where initial planting failed due to adverse conditions or disease.
- adjustment of control structures. after approval by the District.

Management and maintenance responsibilities will always include maintenance of surface water management systems and control of exotic and nuisance plant species.

Maintenance work will be performed on a quarterly basis after qualitative evaluations by the maintenance supervisor. More extensive maintenance will be performed, if needed, after each annual monitoring report is evaluated.

WETLAND MONITORING

The monitoring of the restored, enhanced, and constructed wetlands will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation which includes exotic and wetland/native species. Quantitative and qualitative observations concerning the success, functioning (including wildlife utilization), and progress of the mitigation will be utilized. Hydrology will be monitored through the use of piezometers and staff gauges.

Baseline monitoring will document conditions on site as they exist prior to construction. Time-zero monitoring will be conducted immediately after the restoration, enhancement, construction and/or exotic eradication is complete. This report will describe certified as-built elevations, dates of initial plantings, number, size, and species of plants installed. Annual reports will focus on changes from the baseline conditions. They will be structured to document the success of the mitigation and identify ways to maintain and/or improve the conditions of the various mitigation areas. Monitoring for baseline, time-zero, and annual reports will utilize identical methods of data collection.

Miromar Lakes Mitigation Area Management Monitoring and Maintenance Program

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The following outline lists the information that will be included in each of the monitoring reports accompanied by the appropriate site plans and exhibits. Report format will follow the Environmental Monitoring Report Guidelines issued by SFWMD. Each report will contain plan drawings showing the location of transects, sampling stations, photo stations, restoration/mitigation features, piezometers, staff gages, and rain gages.

RESTORATION / MITIGATION WORK DONE

Each monitoring report will describe restoration/mitigation work done since the previous report and restoration/mitigation work anticipated during the next twelve months.

VEGETATION SAMPLING

All quantitative sampling stations will be marked with permanent PVC poles that are clearly labeled with the station number.

Forested Areas:

Quantitative data in the forested areas will consist of a permanent 30' wide belt transect through each ecotone. The length of the transect will be determined in the field. Data collected for woody species will include percent canopy cover and percent survival. Qualitative observations of exotics, such as estimated percent cover, will be recorded for herbaceous species, shrubs and trees. These data will be used to determine the success of the forested mitigation areas. Forested areas shall include those areas listed on the plan set as pine flatwoods, cypress swamp, cypress-pine-palm swamp, mixed hardwood swamp, oak hammock, cabbage palm hammock.

Marsh Areas:

Quantitative data for herbaceous areas will consist of a permanent transect, the length of which will be determined in the field. Along the transect will be a number of permanent quadrats. The number, size and spacing of the quadrats will be determined in the field. Data collected from the quadrats for herbaceous species will include percent cover and percent survival. Qualitative observations such as estimated percent cover will be recorded for woody species

HYDROLOGIC MONITORING

Water levels in the mitigation areas for Miromar Lakes will be monitored by the use of staff gauges and/or piezometers. The number of each will be determined and installed in the field one month prior to the baseline monitoring. The staff gauges will be placed in low areas of the wetlands and piezometers will be placed evenly throughout. Readings will be taken monthly during the rainy season, and monthly through the remainder of the year. These data, along with rain data for the area, will be included in the monitoring reports. Graphs of the water elevation will be referenced to the wet season water table.

**Miromar Lakes Mitigation Area Management
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PHOTOGRAPHIC DOCUMENTATION

Photographs will be taken during each monitoring event to document the initial conditions and create a time-line comparison of the mitigation program as it progresses from year to year. Permanent photo-stations will be established at each end of each sampling transect.

At each photo station situated at the ends of the sampling transects, a panoramic photo(s) will be taken. All photos will include permanent PVC poles with the photo-station designation clearly marked.

MONITORING REPORT NARRATIVE

Each monitoring report shall contain a narrative that discusses what was done since the last monitoring report, problems encountered, how any problems were resolved, and a statement related to progress of the mitigation sites toward ultimate success. When the permittee determines that success has been achieved, the permittee shall submit a request to the Corps, as part of the narrative for that monitoring report, that requests concurrence by the Corps that the mitigation has reached success. The permittee's request shall be accompanied by detailed information documenting the reasons why the permittee had determined that the mitigation has reached success.

MONITORING REPORT SUBMITTAL AND TIMING

Monitoring reports shall begin with a baseline report followed by a time-zero report and then annual reports for a minimum of 5 years. The permittee recognizes the need to continue mitigation and monitoring past 5 years if the mitigation has not been deemed successful.

Should it become obvious during the monitoring period that the mitigation will not be successful, the permittee shall submit contingency plans to ensure the success of the mitigation.

All monitoring reports shall be submitted to the U.S. Army Corps of Engineers, Jacksonville District, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

**EASTERN INDIGO SNAKE MANAGEMENT PLAN
for Miromar Lakes
March 21, 2000**

Page 1 of 1

Introduction

Eastern indigo snakes (*Drymarchon corais couperi*) have not been documented on the Miromar Lakes property but could be present based on the availability of potentially suitable habitat. Because the eastern indigo snake is protected under the Endangered Species Act of 1973, there are civil and criminal penalties for injuring, harming, harassing or killing this species. The permittee and/or the permittee's contractors may be held responsible for any eastern indigo snakes harmed, harassed, or killed as a result of Miromar Lakes construction activities. To help avoid harm to these snakes and to help maintain any existing populations, the permittee will engage in a protection/management program. This program (the "Plan") will be conducted for the construction phase of the Miromar Lakes project. The elements of this Plan will be the same for each phase and are described in the following paragraphs.

Protection Measures

Educational pamphlets will be prepared and distributed to all field survey and construction crews prior to commencement of construction activities. These pamphlets will generally describe laws pertaining to the eastern indigo snake, characteristics of the snake (description, habitats, etc.), and protocols and procedures to follow if an eastern indigo snake is encountered. A draft pamphlet is attached and will be submitted to the U.S. Fish and Wildlife Service (USFWS) for review and approval prior to being finalized.

A qualified biologist, approved by the USFWS, shall be present during the construction clearing phases of the project for the first week, with periodic spot checks thereafter, to monitor the project site for indigo snakes and insure that steps are being taken to protect these snakes. The name(s) and qualifications of the proposed biologist will be submitted to Kim Dryden of the USFWS for review and approval.

If an eastern indigo snake is sighted during construction the following measures shall be taken: 1) cease construction activity in the area of the sighting; 2) notify the qualified biologist; and 3) allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction. If the indigo snake remains within the area of construction, the qualified biologist will relocate the eastern indigo snake to a designated preservation area, outside that area of construction, before construction activity resumes.

Only the qualified biologist shall come in contact with or relocate an eastern indigo snake. The snake will be captured and released immediately into a preserve area with suitable habitat. Indigo snakes are to be held in captivity long enough to transport them to a release site. At no time will two (2) snakes be kept in the same container during transportation.

The applicant will submit a report to the USFWS summarizing all activities pertaining to the eastern indigo snake. This report shall be submitted within 60 days of the completion of the project and shall include 1) any sightings of the eastern indigo snake and specific locations (GPS or latitude and longitude); 2) summaries of any relocated snakes and the locations where and when they were relocated; 3) a thorough description of the preserve area; and 4) summaries of maintenance activities and schedules.

ATTACHMENT TO
EASTERN INDIGO SNAKE MANAGEMENT PLAN
FOR MIROMAR LAKES
SHEET 1 OF 3
MARCH 21, 2000

Contacts

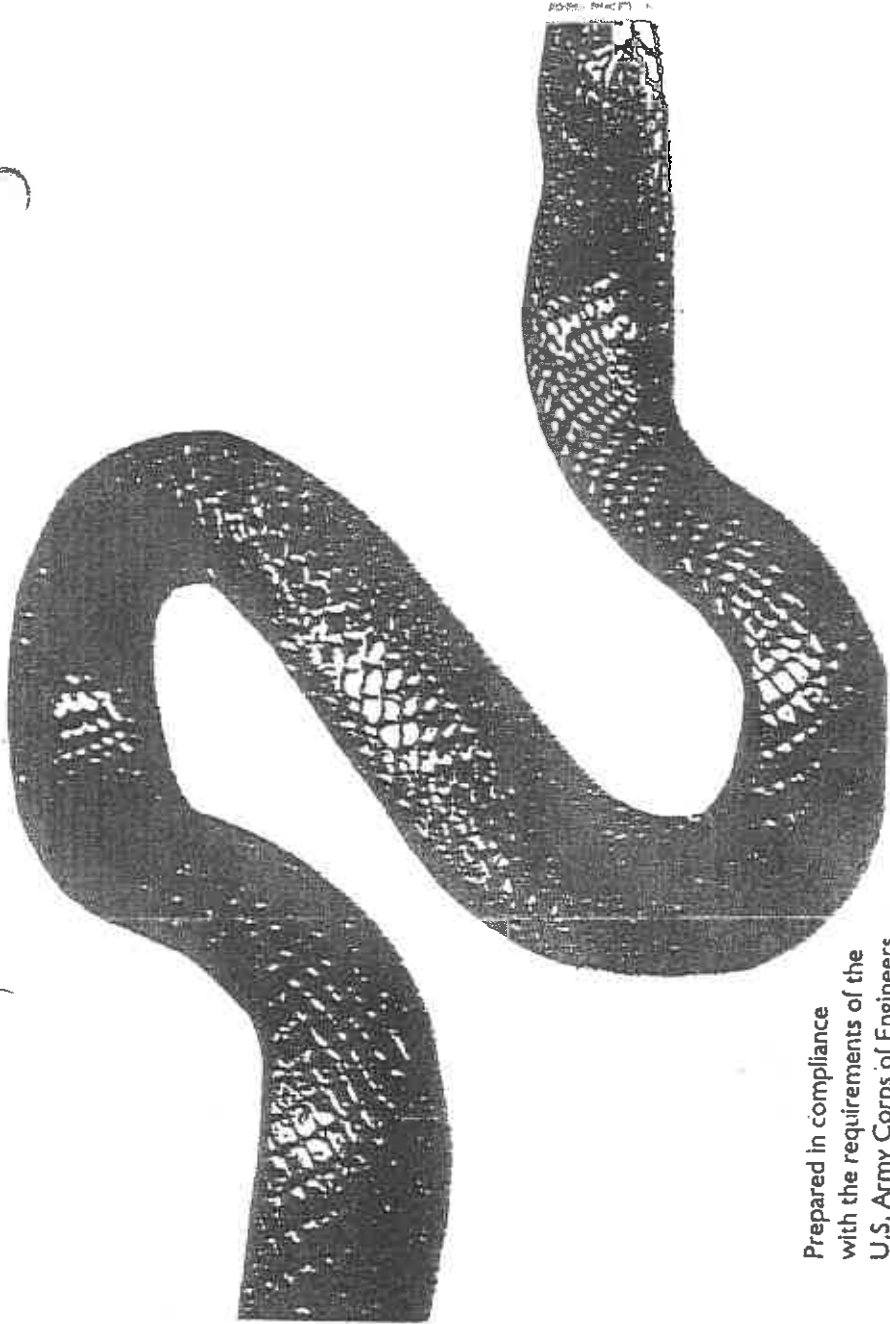
In case of a sighting of the eastern indigo snake during construction contact one of the following:

Tom Trettis
Bruce Layman
Wilson Miller
(941) 649-4040

Kim Dryden
U.S. Fish and Wildlife Service
(941) 353-2873

Jim Beever
Florida Fish and Wildlife Conservation Commission
(941) 575-5765

ATTACHMENT "C"
EASTERN INDIANO SNAKE MANAGEMENT PLAN
FOR MIRMAR LAKES
SHEET 2 of 3
MARCH 21, 2000



Prepared in compliance
with the requirements of the
U.S. Army Corps of Engineers
permit for:

**Publicatio
Prohibition**

Mirmar Lakes

**EASTERN INDIANO
SNAKE**

Prepared by:
Wilson Miller
3200 Bailey Lane, Suite 200
Naples, FL 34105

Construction Lakes Protection

The eastern indigo snake (*Drymarchon corais couperi*) was formerly collected heavily for the pet trade. This activity coupled with the fact that its habitat has been largely fragmented by development has led the Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (USFWS) to categorize the species as threatened. It is also protected under the Endangered Species Act of 1973.

The Miramar Lakes property contains eastern indigo snake habitat including gopher tortoise burrows, where they are often found. Because of this, there is potential for this snake to be found on site, especially during construction activities.

The following information gives a description of the eastern indigo snake and its habits and also explains what to do if a snake is encountered during construction.

Characteristics

Physical Description: The largest of North American snakes (up to 8 feet). Heavy-bodied. Body shiny black to blue-black. Throat is often red, coral, or white color but this is highly variable and can extend from the face well into the belly. Sometimes confused with the black racer which is dull black and smaller.

Habitat: Found in pineyards, scrub, palmetto prairies, and wet prairies, particularly near wetland edges. Due to their extensive home range, however, they can be found in a wide variety of habitats. Sometimes reside in gopher tortoise burrows for protection and warmth.

Mating Habit- This species mates from November

to February with hatchlings appearing in late July to October.

Feeding Habits: The eastern indigo snake is not a constrictor; it immobilizes food with its jaws. It will feed on frogs, small mammals, birds, other snakes, lizards and young turtles.

Defense Mechanisms: When disturbed, it hisses, vibrates its tail and flattens its neck.

Protections

Because the eastern indigo snake is protected under the Endangered Species Act of 1973, there are civil and criminal penalties for injuring, harming, harassing or killing this species. If an eastern indigo snake is sighted during construction or clearing, the following measures shall be taken:

- Cease construction clearing activity in the area of the sighting immediately;
- Notify the construction supervisor and the Wilson Miller biologist named on the back of this brochure;
- Allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction;
- The Wilson Miller biologist will relocate the eastern indigo snake to the designated preservation area before construction activity resumes.



Notice Contractor Employees

Miramar Lakes

On the Miramar Lakes project, all contractor employees associated with land clearing, grading, mitigation and golf course construction are required to know that Eastern Indigo Snakes may exist in this area and precautions by all employees must be taken to avoid harm to this protected species.

If an Eastern Indigo Snake is found during clearing or construction, all construction activities in the immediate vicinity of the snake must cease. It is required that any snake found be allowed to freely move away from the construction area. Qualified biologists from the Florida Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission or any authorized representatives are the only person permitted to physically relocate any eastern indigo snakes from the construction area. The contractors or employee are requested to immediately contact:

Wilson Miller
Environmental Services Division
(941) 649-4040, ext. 5646 or 6250

ATTACHMENT "C"
EASTERN INDIAN SNAKE
PROTECTION PLAN
FOR MIRAMAR LAKES
SHEET 1 OF 2
MARCH 21, 2000

United States Fish and Wildlife Service
Office of Ecological Services
3860 Tollgate Blvd. Suite #300, Naples, FL 34114
(941) 353-2873

SPECIAL CONDITIONS

1. MINIMUM BUILDING FLOOR ELEVATION: BASIN: 1 - 21.50 FEET NGVD.
BASIN: 2 - 21.50 FEET NGVD.
BASIN: 3 - 21.50 FEET NGVD.
BASIN: 5 - 22.00 FEET NGVD.
BASIN: 4 - 22.00 FEET NGVD.
BASIN: 6 - 22.00 FEET NGVD.
2. MINIMUM ROAD CROWN ELEVATION: BASIN: 1 - 19.50 FEET NGVD.
BASIN: 2 - 18.75 FEET NGVD.
BASIN: 3 - 18.30 FEET NGVD.
BASIN: 5 - 20.00 FEET NGVD.
BASIN: 4 - 19.20 FEET NGVD.
BASIN: 6 - 20.00 FEET NGVD.
3. MINIMUM PARKING LOT ELEVATION: BASIN: 1 - 19.00 FEET NGVD.
BASIN: 5 - 19.20 FEET NGVD.
BASIN: 6 - 20.00 FEET NGVD.
4. DISCHARGE FACILITIES:
BASIN: 1:
1-6' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 18.15' NGVD.
1-6' W X .65' H V-NOTCH WITH INVERT AT ELEV. 17.5' NGVD.
1670 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : BASIN 2
CONTROL ELEV : 17.5 FEET NGVD. /17.5 FEET NGVD DRY SEASON.
BASIN: 2:
1-6' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 17.58' NGVD.
1-6' W X .83' H V-NOTCH WITH INVERT AT ELEV. 16.75' NGVD.
1650 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : BASIN 3
CONTROL ELEV : 16.75 FEET NGVD. /16.75 FEET NGVD DRY SEASON.
BASIN: 3:
1-8' WIDE SHARP CRESTED WEIR WITH CREST AT ELEV. 16.46' NGVD.
1-8' W X .46' H V-NOTCH WITH INVERT AT ELEV. 16' NGVD.
290 LF OF 4' DIA. RCP CULVERT.
RECEIVING BODY : I-75 SWALE
CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.
BASIN: 4:
1-.32' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 16' NGVD.
100 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ADJACENT SLOUGH SYSTEM

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 5:

- 2-9' WIDE SHARP CRESTED WEIRS WITH CREST AT ELEV. 19' NGVD.
- 2-9' W X 1' H V-NOTCHES WITH INVERT AT ELEV. 18' NGVD.
- 2-6' DIA. RCP CULVERTS EACH 50' LONG.

RECEIVING BODY : EXISTING LAKE

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 1:

- 1-22' W X 1.78' H SHARP CRESTED WEIR WITH CREST AT ELEV. 18.22' NGVD.
- 1-22' W X .22' H V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : ADJACENT SLOUGH SYSTEM

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 2:

- 1-140 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6, STRUCTURE NO. 3:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 4:

- 1-135 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 5:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 6:

- 1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 7:

1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

BASIN: 6. STRUCTURE NO. 8:

1-20 DEG. V-NOTCH WITH INVERT AT ELEV. 18' NGVD.

RECEIVING BODY : LAKE 6

CONTROL ELEV : 18 FEET NGVD. /18 FEET NGVD DRY SEASON.

5. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
6. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
7. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
8. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE NURTURED OR PLANTED FROM 2 FEET BELOW TO 1 FOOT ABOVE CONTROL ELEVATION TO INSURE VEGETATIVE GROWTH.
9. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
10. ALL SPECIAL CONDITIONS PREVIOUSLY STIPULATED BY PERMIT NUMBER 36-03568-P REMAIN IN EFFECT UNLESS OTHERWISE REVISED AND SHALL APPLY TO THIS MODIFICATION.
11. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF MIROMAR LAKES MASTER ASSOCIATION, INC. THE PERMITTEE SHALL SUBMIT A COPY OF THE RECORDED DEED RESTRICTIONS (OR DECLARATION OF CONDOMINIUM, IF APPLICABLE), A COPY OF THE FILED ARTICLES OF INCORPORATION, AND A COPY OF THE CERTIFICATE OF INCORPORATION FOR THE HOMEOWNERS ASSOCIATION CONCURRENT WITH THE ENGINEERING CERTIFICATION OF CONSTRUCTION COMPLETION.
12. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
13. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE STAKED AND ROPED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF ROPING AND STAKING AND SCHEDULE AN INSPECTION OF THIS WORK. THE ROPING AND STAKING SHALL BE SUBJECT TO SFWMD STAFF APPROVAL. THE PERMITTEE SHALL MODIFY THE STAKING AND ROPING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. STAKING AND

PERMIT NO: 36-03568-P

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ROPING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.

14. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
15. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
16. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE SUCCESSFUL COMPLETION OF THE MITIGATION WORK, INCLUDING THE MONITORING AND MAINTENANCE OF THE MITIGATION AREAS FOR THE DURATION OF THE PLAN. THE MITIGATION AREA(S) SHALL NOT BE TURNED OVER TO THE OPERATION ENTITY UNTIL THE MITIGATION WORK IS ACCOMPLISHED AS PERMITTED AND SFWMD STAFF HAS CONCURRED.
17. (1) A WETLAND MITIGATION PROGRAM FOR MIROMAR LAKES SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 3, 26 AND 28. THE PERMITTEE SHALL RESTORE/CREATE .41 ACRE OF FORESTED WETLANDS, ENHANCE 130.09 ACRES OF FORESTED WETLANDS, 47.11 ACRES OF HERBACEOUS/SHRUB WETLANDS, 2.09 ACRES OF OTHER SURFACE WATERS AND PRESERVE 6.97 ACRES OF UPLAND COMPENSATION AREA(S).
18. A WETLAND MONITORING PROGRAM AND MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 28. THE MONITORING PROGRAM SHALL EXTEND FOR A PERIOD OF 5 YEARS WITH ANNUAL REPORTS SUBMITTED TO SFWMD STAFF. AT THE END OF THE FIRST MONITORING PERIOD THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION. THE 80% SURVIVAL RATE SHALL BE MAINTAINED THROUGHOUT THE REMAINDER OF THE MONITORING PROGRAM. AT THE END OF THE 5 YEARS MONITORING PROGRAM THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION AND AN 80% COVERAGE OF DESIRABLE OBLIGATE AND FACULTATIVE WETLAND SPECIES.
19. A BASELINE WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 28.
20. A TIME ZERO WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 28 FOR ALL CREATED WETLANDS AND SHALL INCLUDE A SURVEY OF THE AREAL EXTENT AND CROSS SECTIONAL ELEVATIONS OF THE CREATED WETLAND AREAS, PANORAMIC PHOTOGRAPHS, AND A DESCRIPTION OF PLANTED SPECIES SIZES AND DENSITIES OR MULCHING METHODOLOGY.
21. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT(S) 5, 26 AND 29 MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING, OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.
22. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH

REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE

ACTIVITY

COMPLETION DATE	ACTIVITY
APRIL 30, 2000	EXOTIC VEGETATION REMOVAL PHASE 1
JUNE 30, 2000	PLANTING MITIGATION AREA PHASE 1
JUNE 30, 2000	REMOVAL OF FENCE CROSSING SLOUGH AND TIE OFF OF FENCE ENDS TO BRIDGE ABUTMENTS
SEPTEMBER 30, 2000	TIME ZERO MONITORING REPORT PHASE 1
OCTOBER 31, 2000	SUBMITTAL OF DOCUMENTATION ON PRESERVATION OF 121 ACRES OF PRIORITY 1 HABITAT
OCTOBER 31, 2000	SUBMITTAL OF CONSERVATION EASEMENT
MARCH 31, 2001	MAINTENANCE ACTIVITIES PHASE 1
SEPTEMBER 30, 2001	FIRST MONITORING REPORT PHASE 1
MARCH 31, 2002	MAINTENANCE ACTIVITIES PHASE 1
APRIL 1, 2002	BASELINE MONITORING REPORT PHASE 2
APRIL 30, 2002	EXOTIC VEGETATION REMOVAL PHASE 2
MAY 30, 2002	CLEARING AND GRADING MITIGATION AREA PHASE 2
JUNE 30, 2002	PLANTING MITIGATION AREA PHASE 2
JUNE 30, 2002	PLANTING VEGETATION BARRIER BETWEEN MITIGATION AREA M-3 & BEN HILL GRIFFIN PRKY
SEPTEMBER 30, 2002	TIME ZERO MONITORING REPORT PHASE 2
SEPTEMBER 30, 2002	SECOND MONITORING REPORT PHASE 1
MARCH 31, 2003	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2003	MAINTENANCE ACTIVITIES PHASE 2
SEPTEMBER 30, 2003	THIRD MONITORING REPORT PHASE 1
SEPTEMBER 30, 2003	FIRST MONITORING REPORT PHASE 2
MARCH 31, 2004	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2004	MAINTENANCE ACTIVITIES PHASE 2
APRIL 1, 2004	BASELINE MONITORING REPORT PHASE 3
APRIL 30, 2004	EXOTIC VEGETATION REMOVAL PHASE 3
MAY 30, 2004	CLEARING AND REGRADING MITIGATION AREA PHASE 3
JUNE 30, 2004	PLANTING MITIGATION AREA PHASE 3
JUNE 30, 2004	PLANTING VEGETATION BARRIER BETWEEN MITIGATION AREA M-4 & BEN HILL GRIFFIN PRKY
SEPTEMBER 30, 2004	FOURTH MONITORING REPORT PHASE 1
SEPTEMBER 30, 2004	SECOND MONITORING REPORT PHASE 2
SEPTEMBER 30, 2004	TIME ZERO MONITORING REPORT PHASE 3
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 1
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2005	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2005	FIFTH MONITORING REPORT PHASE 1
SEPTEMBER 30, 2005	THIRD MONITORING REPORT PHASE 2
SEPTEMBER 30, 2005	FIRST MONITORING REPORT PHASE 3
MARCH 31, 2006	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2006	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2006	FOURTH MONITORING REPORT PHASE 2
SEPTEMBER 30, 2006	SECOND MONITORING REPORT PHASE 3
MARCH 31, 2007	MAINTENANCE ACTIVITIES PHASE 2
MARCH 31, 2007	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2007	FIFTH MONITORING REPORT PHASE 2
SEPTEMBER 30, 2007	THIRD MONITORING REPORT PHASE 3
MARCH 31, 2008	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2008	FOURTH MONITORING REPORT PHASE 3
MARCH 31, 2009	MAINTENANCE ACTIVITIES PHASE 3
SEPTEMBER 30, 2009	FIFTH MONITORING REPORT PHASE 3

- 23. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.
- 24. IF THE PROJECT DESIGN IS CHANGED AS A RESULT OF OTHER AGENCY REQUIREMENTS, AN ENVIRONMENTAL RESOURCE PERMIT MODIFICATION MAY BE REQUIRED. THE PERMITTEE SHALL NOTIFY SFWMD STAFF OF DESIGN CHANGES REQUIRED BY OTHER AGENCIES FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
- 25. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED FOR THE MITIGATION AREAS AND UPLAND PRESERVES ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THESE AREAS AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE MITIGATION AREAS AND UPLAND PRESERVES ARE FREE OF EXOTIC VEGETATION (AS CURRENTLY DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL) IMMEDIATELY FOLLOWING A MAINTENANCE ACTIVITY AND THAT EXOTIC AND NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 5% OF TOTAL COVER.
- 26. THE PERMITTEE SHALL PRESERVE 121 ACRES OF PRIORITY 1 PANTHER HABITAT IDENTIFIED IN THE DOCUMENT TITLED "FLORIDA PANTHER HABITAT PRESERVATION PLAN, SOUTH FLORIDA POPULATION" DATED NOVEMBER 1993 AND LOCATED ADJACENT TO PUBLICLY-OWNED NATURAL LANDS. THE PROPOSED PRESERVATION LANDS SHALL BE APPROVED BY THE DISTRICT AND THE FFWCC PRIOR TO THE PERMITTEE'S ACQUISITION OF ANY INTEREST IN THE PARCEL. THESE LANDS MAY BE PURCHASED IN FEE SIMPLE OR LESS THAN FEE SIMPLE. THE PERMITTEE SHALL ENCUMBER THE LAND THROUGH EITHER A DISTRICT APPROVED CONSERVATION EASEMENT OR RESTRICTIVE COVENANT INCORPORATING THE PROVISIONS OF SECTION 704.06, F. S. THE PERMITTEE SHALL BE RESPONSIBLE FOR MAINTAINING THE PARCEL IN ITS CURRENT ENVIRONMENTAL CONDITION.

BY JULY 31, 2000, THE PERMITTEE SHALL PLACE \$175,000 IN A TRUST FUND DEDICATED TO THE SPECIFIC PURPOSE OF PURCHASING INTEREST IN A MINIMUM OF 121 ACRES OF PRIORITY 1 PANTHER HABITAT LAND PURSUANT TO THIS CONDITION. FUNDING THE ESCROW ACCOUNT IS A DEMONSTRATION OF REASONABLE ASSURANCE THAT LANDS WILL BE PURCHASED. THE ACTUAL COST OF ACQUISITION AND MAINTENANCE MAY BE MORE OR LESS THAN THE AMOUNT HELD IN ESCROW.

IF THE SUBJECT LANDS ARE PROPOSED FOR DONATION TO A PUBLIC ENTITY FOR MANAGEMENT FOLLOWING PURCHASE, THE TRANSFER SHALL PROVIDE FOR THE LONG TERM MANAGEMENT OF THE PARCEL.

ANY ENCUMBRANCE IMPRESSED ON THE PARCEL PURSUANT TO THIS CONDITION SHALL ALLOW THE PARCEL OWNER TO CONTINUE EXISTING LAND MANAGEMENT PRACTICES AND USES WITHIN THE PARCEL IN ORDER TO MAINTAIN THE PARCEL IN ITS EXISTING CONDITION. FURTHER, THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS MAY ALLOW WITHIN THE PARCEL INSTALLATION OF FENCING, AND HUNTING IN ACCORDANCE WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION RULES.

NO LATER THAN OCTOBER 31, 2000, THE PERMITTEE SHALL SUBMIT FOR REVIEW AND APPROVAL THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS. THE PERMITTEE SHALL RECORD THE CONSERVATION EASEMENT OR RESTRICTIVE COVENANTS IN THE PUBLIC RECORDS WITHIN 14 DAYS OF RECEIVING THE DISTRICT'S APPROVAL OF THE SUBMITTED INFORMATION. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT OR RESTRICTIVE COVENANTS TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE FT. MYERS SERVICE CENTER.

WITHIN 90 DAYS OF PURCHASE OF THE PARCEL OR RECORDING OF THE ABOVE ENCUMBRANCE, THE PERMITTEE SHALL PROVIDE THE DISTRICT WITH A NARRATIVE REPORT PREPARED BY A

WILDLIFE ECOLOGIST DESCRIBING THE EXISTING CONDITIONS OF THE PROPERTY. DISTRICT STAFF SHALL BE PROVIDED SUPERVISED ACCESS TO THE PROPERTY AFTER REASONABLE NOTICE TO THE PARCEL OWNER. SUCH ACCESS NOT TO BE UNREASONABLY WITHHELD.

27. (A) NO LATER THAN OCTOBER 31, 2000, THE PERMITTEE SHALL SUBMIT FOR REVIEW AND APPROVAL, TWO (2) COPIES OF THE FOLLOWING:

1. PROJECT MAP IDENTIFYING CONSERVATION AREA
2. BOUNDARY SKETCH AND LEGAL DESCRIPTION, WITH ACREAGE, OF CONSERVATION AREA, LABELED AS EXHIBITS TO THE CONSERVATION EASEMENT
3. SIGNED CONSERVATION EASEMENT

THE ABOVE INFORMATION SHALL BE SUBMITTED TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE DISTRICT SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.

(B) THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT OVER THE REAL PROPERTY DESIGNATED ON ATTACHED EXHIBIT 29. THE EASEMENT SHALL BE GRANTED FREE OF ENCUMBRANCES OR INTERESTS WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. THE CONSERVATION EASEMENT SHALL BE GRANTED TO THE DISTRICT USING THE APPROVED FORM ATTACHED HERETO AS EXHIBIT 29. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE PRIOR WRITTEN CONSENT FROM THE DISTRICT.

(C) THE PERMITTEE SHALL RECORD THE CONSERVATION EASEMENT IN THE PUBLIC RECORDS WITHIN 14 DAYS OF RECEIVING THE DISTRICT'S APPROVAL OF THE SUBMITTED INFORMATION. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.

28. A WETLAND WATER LEVEL MONITORING PROGRAM SHALL BE INSTITUTED ON THE PROJECT SITE, WITH AT LEAST TWO PIEZOMETERS LOCATED NORTH OF BEN HILL GRIFFIN PARKWAY AND AT LEAST TWO PIEZOMETERS LOCATED SOUTH OF BEN HILL GRIFFIN PARKWAY. WATER LEVEL DATA SHALL BE RECORDED AT LEAST TWICE A DAY, AS IS CURRENTLY PROVIDED BY THE TREELINE AVENUE WATER LEVEL MONITORING PROGRAM. MONITORING DATA SHALL BE SUBMITTED TO THE SFWMD QUARTERLY IN CONJUNCTION WITH RAINFALL DATA FROM THE SITE. SUBMITTED REPORTS SHALL INCLUDE A DISCUSSION OF ALTERATIONS TO BASELINE WATER ELEVATIONS AND DURATIONS. THE PROGRAM SHALL CONTINUE UNTIL THE MIROMAR LAKES MITIGATION PLAN HAS BEEN DEEMED SUCCESSFUL BY DISTRICT STAFF.
29. A FOX SQUIRREL MANAGEMENT PLAN SHALL BE IMPLEMENTED ON MIROMAR LAKES IN ACCORDANCE WITH THE PREVIOUSLY APPROVED MANAGEMENT PLAN. ANY SELECTIVE CLEARING (UTILIZING SUCH METHODS AS CHOPPING, MOWING AND/OR BUSH-HOGGING) OF THE GROUND COVER STRATUM WITHIN THE CONSERVATION AREAS AND ANY PRUNING AND/OR THINNING OF CANOPY AND SUBCANOPY VEGETATION WITHIN THE CONSERVATION AREAS, AS DISCUSSED IN THE FOX SQUIRREL MANAGEMENT PLAN, SHALL RECEIVE APPROVAL FROM SFWMD POST PERMIT COMPLIANCE STAFF PRIOR TO CONDUCTING SUCH ACTIVITIES. ANY MODIFICATIONS TO THIS MANAGEMENT PLAN SHALL REQUIRE APPROVAL FROM SFWMD STAFF.
30. BY JUNE 30, 2000 THE PERMITTEE SHALL REMOVE THE PORTION OF THE FENCE CROSSING THE SLOUGH AND TIE THE FENCE ENDS TO THE BRIDGE ABUTMENTS.
31. IN CONJUNCTION WITH MITIGATION ACTIVITIES IN MITIGATION AREAS M-3 AND M-4, THE PERMITTEE SHALL PLANT VEGETATIVE BARRIERS IN THE FORM OF TREES AND SHRUBS (UP TO 15 FT HIGH) WHERE THE DEEP POOLS ARE LOCATED ADJACENT TO THE ROADWAY AS SHOWN ON EXHIBIT 26.
32. THE FOLLOWING EXHIBITS ARE INCORPORATED BY REFERENCE INTO THE PERMIT:

EXHIBITS 6 THROUGH 18. PAVING, GRADING & DRAINAGE PLANS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 19. DRAINAGE SECTIONS. PREPARED BY BANKS ENGINEERING AND DATED 03-01-99.

EXHIBITS 20 & 21. PAVING, GRADING & DRAINAGE DETAILS. PREPARED BY BANKS ENGINEERING AND DATED FEB. 4, 1999.

EXHIBIT 22. BARRIERS FOR FILL SLOPES. PREPARED BY BANKS ENGINEERING AND DATED FEB. 4, 1999

EXHIBIT 23. GOLF CART OVERPASS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 24. OFFSITE TURN LANE. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 25. CLUBHOUSE TURN LANE IMPROVEMENTS. PREPARED BY BANKS ENGINEERING AND DATED MAR 1, 99.

EXHIBIT 26. WETLAND IMPACT AND MITIGATION PLANS. PREPARED BY W. DEXTER BENDER & ASSOCIATES AND DATED MARCH 02, 2000.

EXHIBIT 29, PAGES 6 & 8. SKETCH OF CONSERVATION EASEMENT AREA, PREPARED BY BANKS ENGINEERING AND DATE-STAMPED NOV 1, 99.

EXHIBIT 29 PAGES 9-15. LEGAL DESCRIPTION OF CONSERVATION EASEMENT AREA. PREPARED BY WILSON MILLER AND DATE-STAMPED NOV 1, 99.

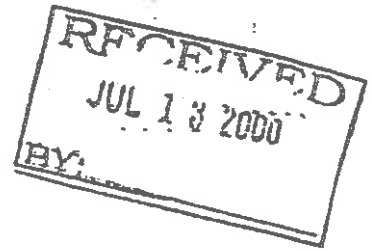
THESE EXHIBITS MAY BE FOUND IN THE PERMIT FILE.

33. PRIOR TO COMMENCEMENT OF CONSTRUCTION IN THOSE AREAS, THE PERMITTEE SHALL SUBMIT PLANS FOR PERMIT MODIFICATION THAT PROVIDE A MINIMUM OF 1/2" DRY PRETREATMENT FOR ALL STORMWATER RUNOFF WITHIN BASIN 5 AND FOR ALL COMMERCIAL TRACTS IN OTHER BASINS PRIOR TO DISCHARGE TO THE LAKE SYSTEM.

34. PRIOR TO CONSTRUCTION OF THE GOLF CART CROSSING OVER BEN HILL GRIFFIN PARKWAY, THE PERMITTEE SHALL SUBMIT AN APPLICATION FOR CONSTRUCTION AUTHORIZATION. IN ADDITION, THE PERMITTEE SHALL SUBMIT DOCUMENTATION OF APPROVAL OF THE PROPOSAL FROM LEE COUNTY.



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4870
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

This notice of authorization must be conspicuously displayed at the site of work

United States Army Corps of Engineers


A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

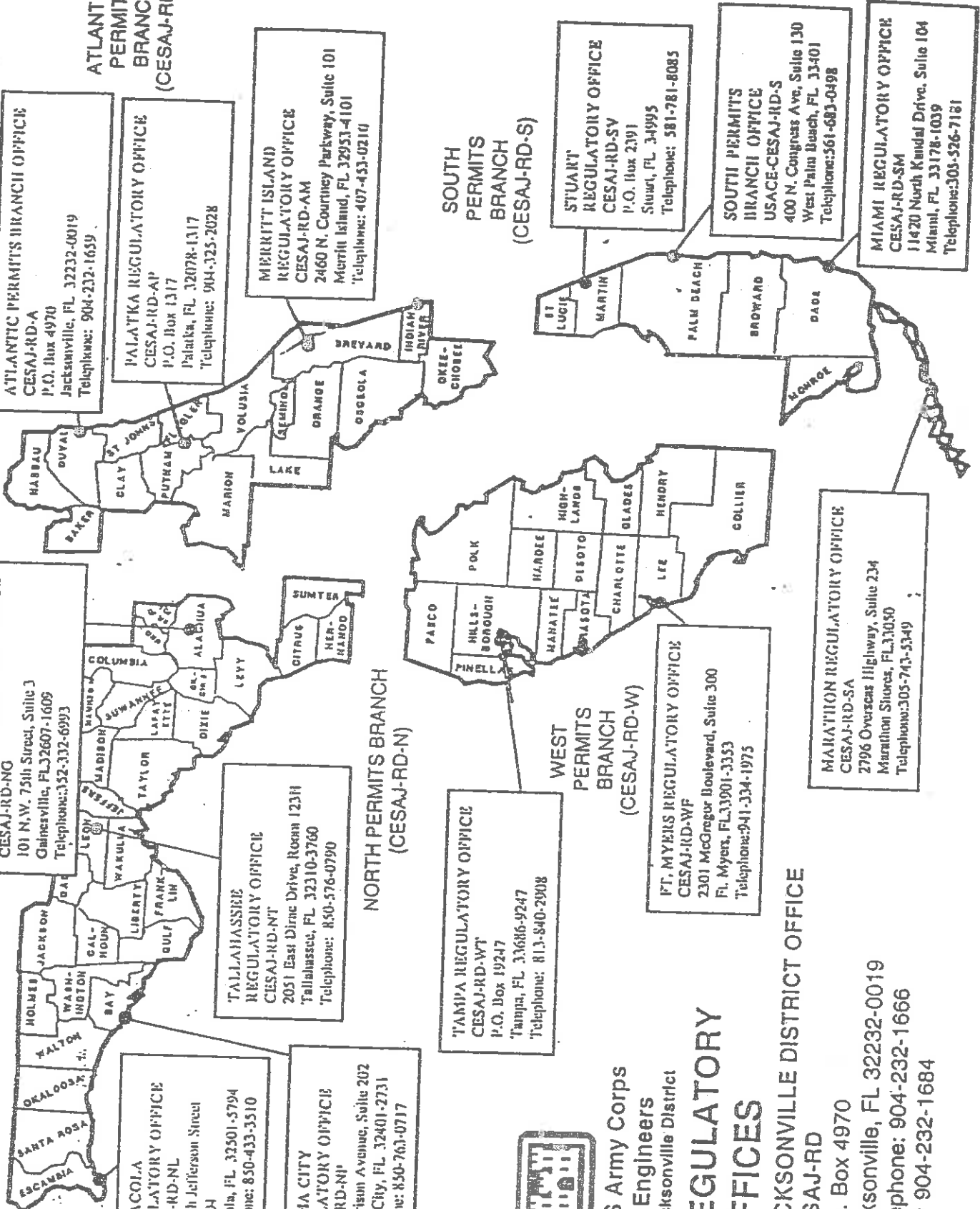
on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)


Joe R. Miller
Colonel, U.S. Army
District Engineer

JAN 1999



ATLANTIC PERMITS BRANCH OFFICE
 CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32978-1317
 Telephone: 904-325-2028

MERRITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

SOUTH PERMITS BRANCH (CESAJ-RD-S)

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 581-781-8085

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-326-7161

GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1609
 Telephone: 352-332-6993

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dirac Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

NORTH PERMITS BRANCH (CESAJ-RD-N)

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19247
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

WEST PERMITS BRANCH (CESAJ-RD-W)

FT. MYERS REGULATORY OFFICE
 CESAJ-RD-WF
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

MAKATTON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overseas Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

PENSACOLA REGULATORY OFFICE
 CESAJ-RD-NL
 41 North Jefferson Street
 Suite 104
 Pensacola, FL 32501-5794
 Telephone: 850-433-3510

PANAMA CITY REGULATORY OFFICE
 CESAJ-RD-NP
 475 Harrison Avenue, Suite 202
 Panama City, FL 32401-2731
 Telephone: 850-763-0717



US Army Corps of Engineers
 Jacksonville District

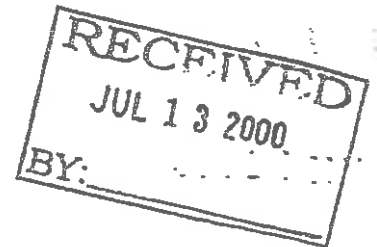
REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
 CESAJ-RD

P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666
 Fax: 904-232-1684



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
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Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work.**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

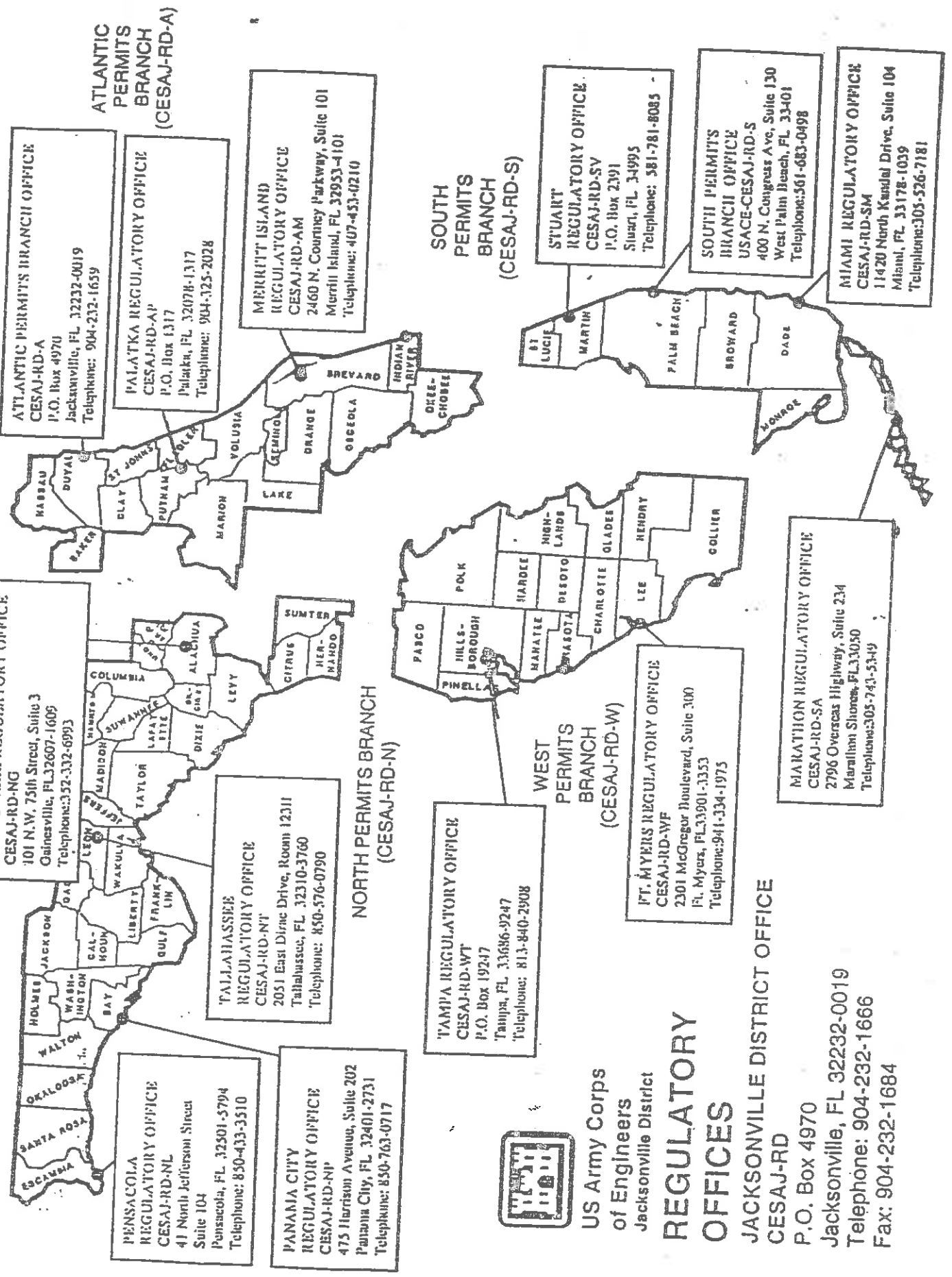
Address of Permittee:
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Bonita Springs, Florida 34134

199507483(IP-MN)



Joe R. Miller
Colonel, U.S. Army
District Engineer

JAN 1999



US Army Corps
of Engineers
Jacksonville District

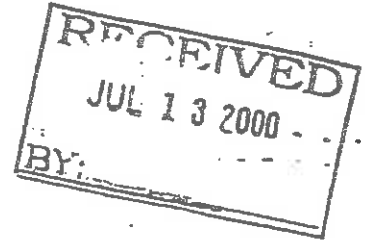
REGULATORY OFFICES

JACKSONVILLE DISTRICT OFFICE
CESAJ-RD

P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-1666
Fax: 904-232-1684



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Joe R. Miller
Colonel, U.S. Army
District Engineer

Post-It® Fax Note	7671	Date	11/3/00	# of pages	1
To	Tom Pethompi	From	Don Lawrence		
Co./Dept.	David Bowen	Co.	Co. For Miromar		
Phone #		Phone #			

This notice of authorization must be conspicuously displayed at the site of work

United States Army Corps of Engineers


A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

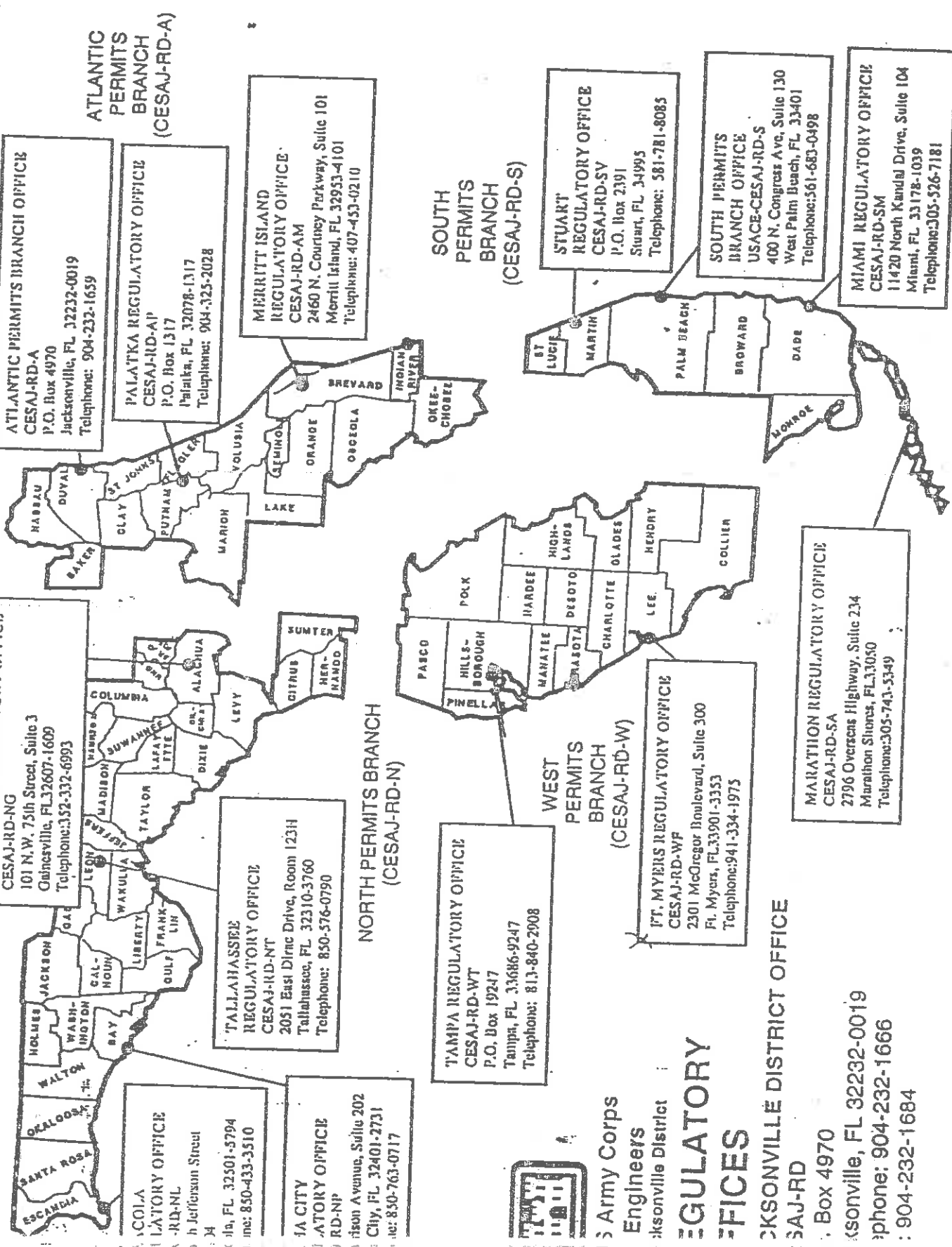
Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



Joe R. Miller
Colonel, U.S. Army
District Engineer

APRIL 1999



GAINESVILLE REGULATORY OFFICE
 CESAJ-RD-NG
 101 N.W. 75th Street, Suite 3
 Gainesville, FL 32607-1600
 Telephone: 352-332-6993

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

TALLAHASSEE REGULATORY OFFICE
 CESAJ-RD-NT
 2051 East Dirac Drive, Room 123H
 Tallahassee, FL 32310-3760
 Telephone: 850-576-0790

NORTH PERMITS BRANCH
 (CESAJ-RD-N)

TAMPA REGULATORY OFFICE
 CESAJ-RD-WT
 P.O. Box 19247
 Tampa, FL 33686-9247
 Telephone: 813-840-2908

WEST PERMITS BRANCH
 (CESAJ-RD-W)

JT. MYERS REGULATORY OFFICE
 CESAJ-RD-WF
 2301 McGregor Boulevard, Suite 300
 Ft. Myers, FL 33901-3353
 Telephone: 941-334-1975

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

MARATHON REGULATORY OFFICE
 CESAJ-RD-SA
 2796 Overcross Highway, Suite 234
 Marathon Shores, FL 33050
 Telephone: 305-743-5349

ATLANTIC PERMITS BRANCH OFFICE
 CESAJ-RD-A
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1659

PALATKA REGULATORY OFFICE
 CESAJ-RD-AP
 P.O. Box 1317
 Palatka, FL 32978-1317
 Telephone: 904-325-2028

MIRRIITT ISLAND REGULATORY OFFICE
 CESAJ-RD-AM
 2460 N. Courtney Parkway, Suite 101
 Merritt Island, FL 32953-4101
 Telephone: 407-453-0210

SOUTH PERMITS BRANCH
 (CESAJ-RD-S)

STUART REGULATORY OFFICE
 CESAJ-RD-SV
 P.O. Box 2391
 Stuart, FL 34995
 Telephone: 581-781-8085

SOUTH PERMITS BRANCH OFFICE
 USACE-CESAJ-RD-S
 400 N. Congress Ave, Suite 130
 West Palm Beach, FL 33401
 Telephone: 561-683-0498

MIAMI REGULATORY OFFICE
 CESAJ-RD-SM
 11420 North Kendall Drive, Suite 104
 Miami, FL 33178-1039
 Telephone: 305-526-7181

REGULATORY OFFICES
 MIAMI DISTRICT OFFICE
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1666

MIAMI DISTRICT OFFICE
 P.O. Box 4970
 Jacksonville, FL 32232-0019
 Telephone: 904-232-1684



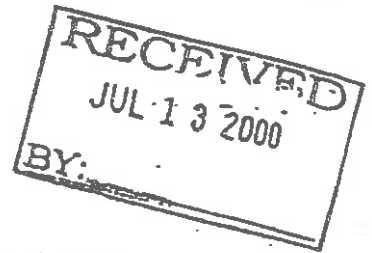
Army Corps of Engineers
 Jacksonville District



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)



JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resummptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



Joe R. Miller
Colonel, U.S. Army
District Engineer

AN 1999

ESCAMBIA
SANTA ROSA
WALTON
WASH-
INGTON
HOLMES
JACKSON
GAL-
HOUS
BAY
LIBERTY
WAKULLA
LEON
JEFFERS
MADISON
SUWALMISE
LAFAYETTE
TAYLOR
ALACHUA
BURNING
WHEELER
DIXIE
LEVY
CITRUS
HER-
HANDO
SUMTER

SACOLA
REGULATORY OFFICE
CESAJ-RD-NL
1011 North Jefferson Street
104
Tallahassee, FL 32301-3794
Telephone: 850-433-3510

TAMPA CITY
REGULATORY OFFICE
CESAJ-RD-NP
11111 North Dale Avenue, Suite 202
Tampa, FL 33611-2731
Telephone: 850-763-0717

TALLAHASSEE
REGULATORY OFFICE
CESAJ-RD-NT
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Tallahassee, FL 32310-3760
Telephone: 850-376-0790

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WEST
PERMITS
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CESAJ-RD-SA
2796 Overseas Highway, Suite 234
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Telephone: 305-743-5349

BAKER
CLAY
ST. JONES
PUTNAM
FLORIDA
MARION
LAKE
YALOUSIA
GEMINI
ORANGE
ORCEOLA
INDIAN
RIVER
OKEECHOBEE

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REGULATORY OFFICE
CESAJ-RD-AM
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Telephone: 305-326-7181

HABSBURG
DUVAL
BREVARD
INDIAN
RIVER
OKEECHOBEE
PALM BEACH
BROWARD
DADE
MONROE

POLK
HILLS-
BOROUGH
PINELLAS
PARSONS
MANATEE
FLORIDA
HIGHLANDS
DE SOTO
CHARLOTTE
GLADES
LEE
HENDRY
COLLIER

JACKSONVILLE DISTRICT OFFICE
CESAJ-RD

P.O. Box 4970
Jacksonville, FL 32232-0019
Telephone: 904-232-1666
FAX: 904-232-1684

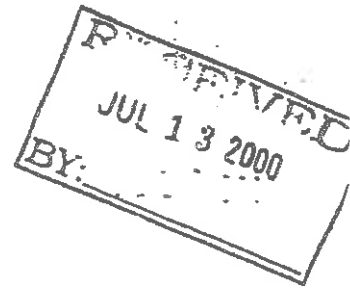


US Army Corps
of Engineers
Jacksonville District

REGULATORY
OFFICES



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199507483 (IP-MN)

JUL 10 2000

Jerry Schmoyer, Vice President
Miromar Lakes LLC
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

Dear Mr. Schmoyer:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin in accordance with the terms and conditions of the issued permit but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Field Chiefs addresses and telephone numbers are shown on the enclosed map. The Field Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

John R. Hall
Chief, Regulatory Division

Enclosures

**This notice of authorization must be conspicuously
displayed at the site of work**

United States Army Corps of Engineers

A permit to discharge fill in wetlands for the construction of a large scale master planned residential community to be known as Miromar Lakes. South of Alico Road, north of Corkscrew Road, and east of I-75, Sections 11-14 and 24, Township 46 South, Range 25 East, and Sections 18 and 19, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC

on June 10, 2000

Address of Permittee:
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134

199507483(IP-MN)



**Joe R. Miller
Colonel, U.S. Army
District Engineer**

SAJ-1995-7873 (IP-MN_ADN)

Permit not being accepted by CDD



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
Post Office Box 4970
Jacksonville, Florida 32232-0019

REPLY TO
ATTENTION OF

April 5, 2007

Regulatory Division
South Permits Branch
West Permits Section
SAJ-1995-7483 (IP-MN) Addition

Jerry Schmoyer, Vice President
Miromar Lakes, LLC.
10801 Corkscrew Road, Suite 305
Estero, Florida 33928-9430

Dear Mr. Schmoyer:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

A handwritten signature in black ink, appearing to read "D. S. Hobbie", is written over a large, stylized flourish.

David S. Hobbie
Chief Regulatory Division

Enclosures

This notice of authorization must be conspicuously displayed at the site of work


United States Army Corps of Engineers

A permit to discharge fill into approximately 73.31 acres of wetlands for the construction of an addition to the Miromar Lakes residential development. East of I-75 between Alico Road and Corkscrew Road, Sections 13, 23 and 24, Township 46 South, Range 25 East, and Sections 18, Township 46 South, Range 26 East, Lee County, Florida.

has been issued to Miromar Lakes, LLC
on March 26, 2007

Address of Permittee:
10801 Corkscrew Road, Suite 305
Estero, Florida 33928-9430

SAJ-1995-7483(IP-MN)-Addn


Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

DEPARTMENT OF THE ARMY PERMIT

Permittee: Miromar Lakes, LLC.

Permit No. SAJ-1995-7483 (IP-MN) Addition

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To discharge clean fill into approximately 73.31 acres of wetlands and excavate approximately 13.50 acres of wetlands. All work is to be completed in accordance with the attached plans numbered 199507483 (IP-MN) in 18 sheets dated December 2006, Attachment "A" entitled "Revised On-Site Mitigation Plan for the Miromar Lakes DRI Addition Parcel" in 8 sheets dated revised December 4, 2006, and Attachment "B" entitled "Eastern Indigo Snake Management Plan".

Project Location: The project is located in the Estero River Watershed east of I-75 between Alico Road and Corkscrew Road and just SE of the Florida Gulf Coast University (FGCU), in Sections 13, 23, and 24, Township 46 South, Range 25 East; and Section 18, Township 46 South, Range 26 East, Lee County, Florida.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **26 MAR 2012**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity

or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature **and mailing address** of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee shall construct the mitigation in accordance with Attachment "A". The permittee shall submit all monitoring reports to the Corps, Regulatory Division, Enforcement and Special Projects Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

2. For the protection of the eastern indigo snake, the permittee shall adhere to the provisions of Attachment "B" to this permit document.

3. This Corps permit does not authorize you to take an endangered species, in particular Florida panther habitat. In order to legally take a listed species, you must have separate authorization under the ESA (e.g. an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed FWS BO dated October 16, 2006, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species

occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The FWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

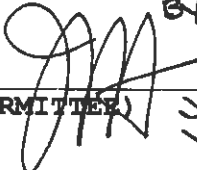
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.


Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

BY: 
(PERMITTEE) JERRY SCHMOJER
VICE PRESIDENT

MIDMAR LAKES, LLC
BY: MIDMAR DEVELOPMENT CORP
ITS MANAGING MEMBER

4/4/07
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.


(DISTRICT ENGINEER)
Paul L. Grosskruger
Colonel, U.S. Army

4/5/07
(DATE)

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-1995-7483(IP-MN), Addition

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

TRANSFEEE-SIGNATURE

DATE

(NAME-PRINTED)

(NAME OF SUBDIVISION)

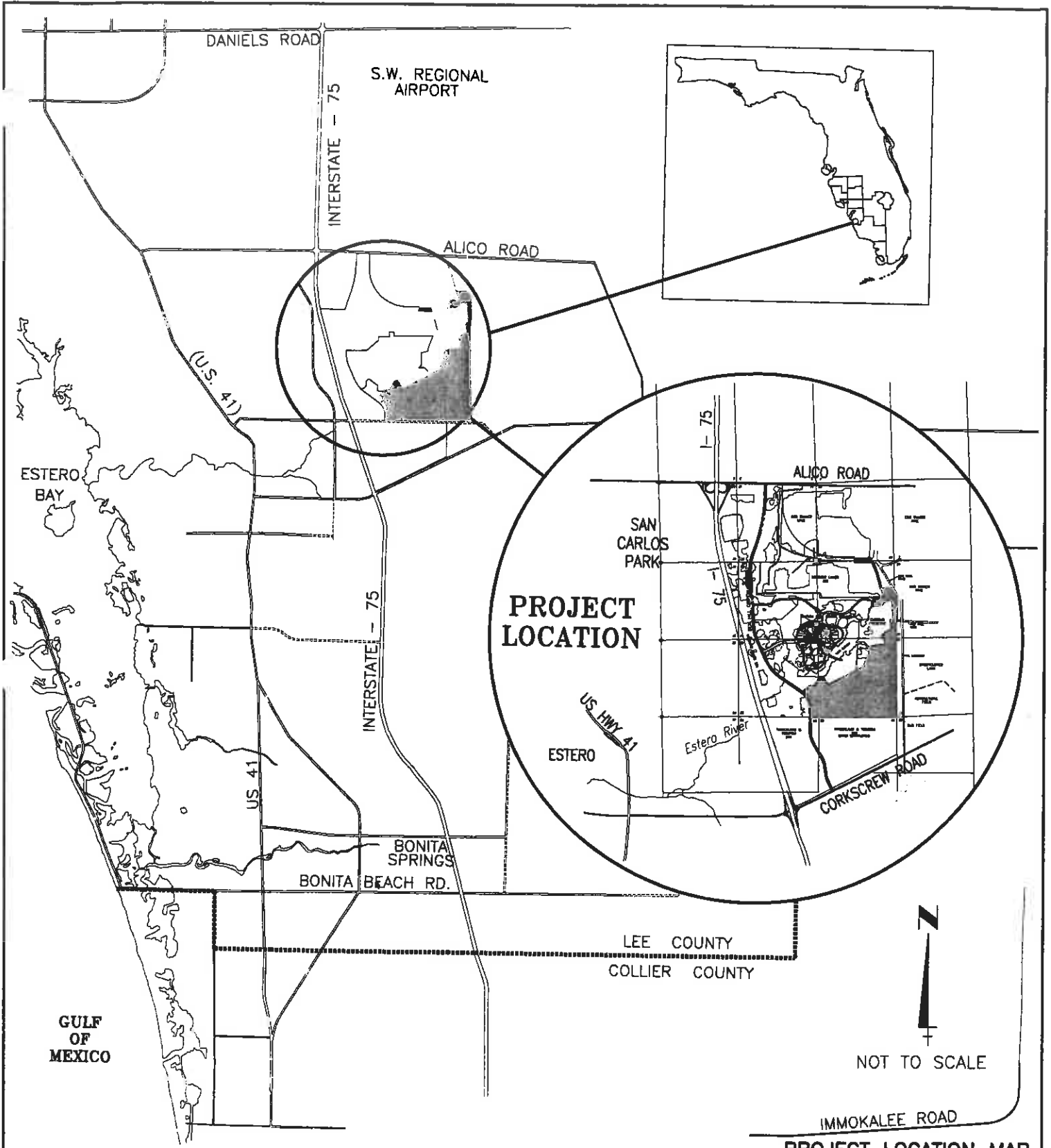
(ADDRESS)

(Lot #)

(Block #)

(CITY, STATE, AND ZIP CODE)

(TELEPHONE NUMBER W/AREA CODE)



PROJECT LOCATION MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

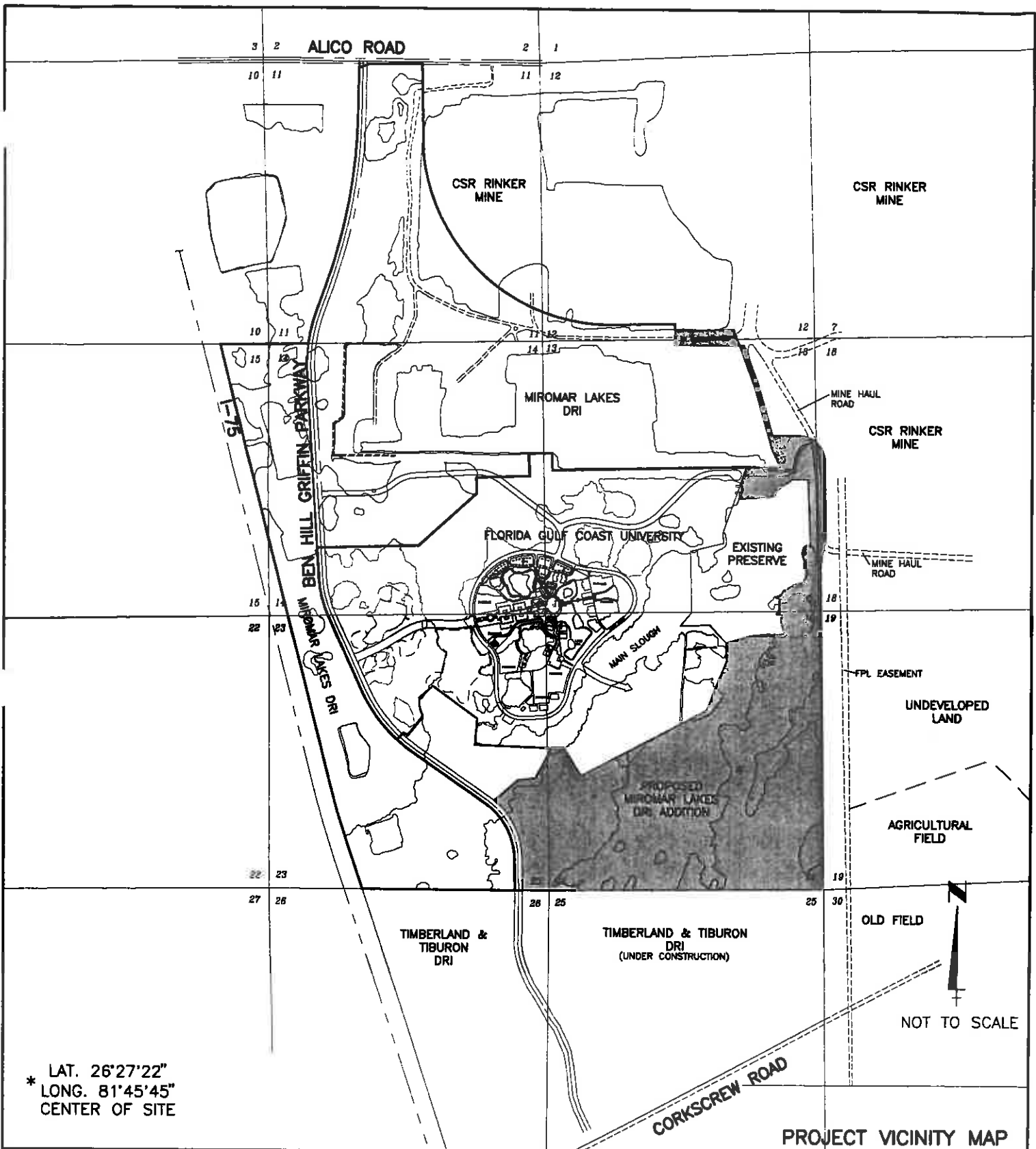
WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

WilsonMiller, Inc. - FL Lic# LC-C00079
WilsonMiller, Inc. - Certificate of Authorization 643

SCALE:	N.T.S.	DATE:	DEC. 2006
SEC: 12, 13	TWP: 23, 24	RGE: 46S	25E
PROJECT NO:	F0253-018-030 FPCIA	INDEX NO:	A-F0253-238
DRWN BY/EMP NO:	S.W.P./1078	SHEET NO:	1 of 18



LAT. 26°27'22"
 * LONG. 81°45'45"
 CENTER OF SITE

PROJECT VICINITY MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

WilsonMiller, Inc. - FL Lic# LC-000890
 WilsonMiller, Inc. - Certificate of Authorization #43

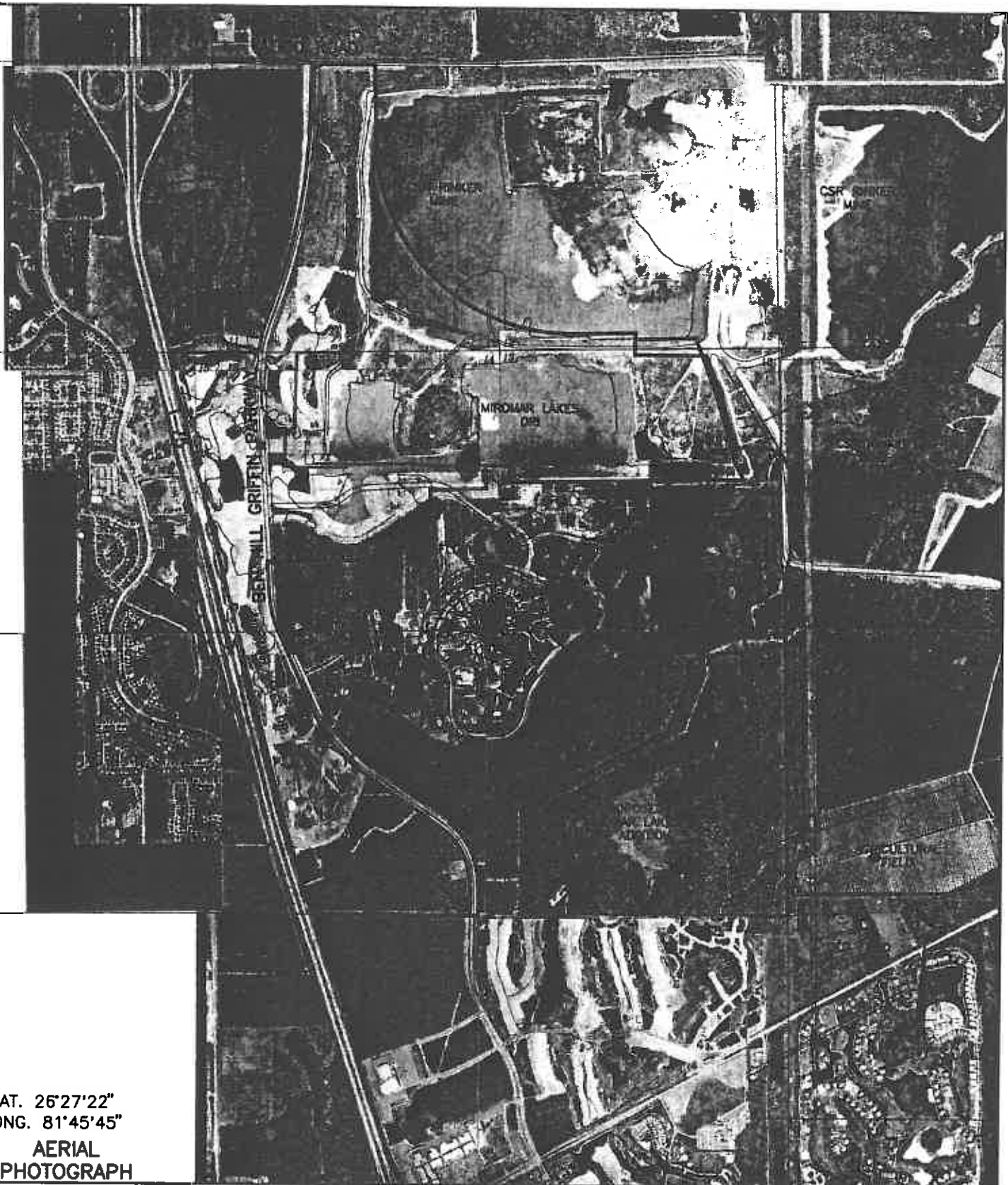
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WilsonMiller, Inc.

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4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

SCALE:	N.T.S.	DATE	DEC. 2006
SEC: 12,13	TWP: 23.24	RGE: 46S	25E
PROJECT NO.	F0253-018-030	FPCIA	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	2 of 18



LAT. 26°27'22"
 * LONG. 81°45'45"
 AERIAL
 PHOTOGRAPH

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.P.

WilsonMiller

WilsonMiller, Inc. - FL Lic# LC-000070
 WilsonMiller, Inc. - Certificate of Authorization M3

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

SCALE: N.T.S.		DATE: DEC. 2006	
SEC: 12,13	TWP: 23,24	RGE: 46S	REV NO. 4
PROJECT NO. F0253-018-030		INDEX NO. A-F0253-238	
DRWN BY/EMP NO. S.W.P./1078		SHEET NO. 3 of 18	



GRAPHIC SCALE:
2000 1000 0 2000

SCALE IN FEET

PROJECT
SITE

TOPOGRAPHIC
MAP

SOURCE: USGS ESTERO, FLA. QUADRANGLE

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

WilsonMiller

WilsonMiller, Inc. - FL Lic. # LC-020000
WilsonMiller, Inc. - Certificate of Authorization #43

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

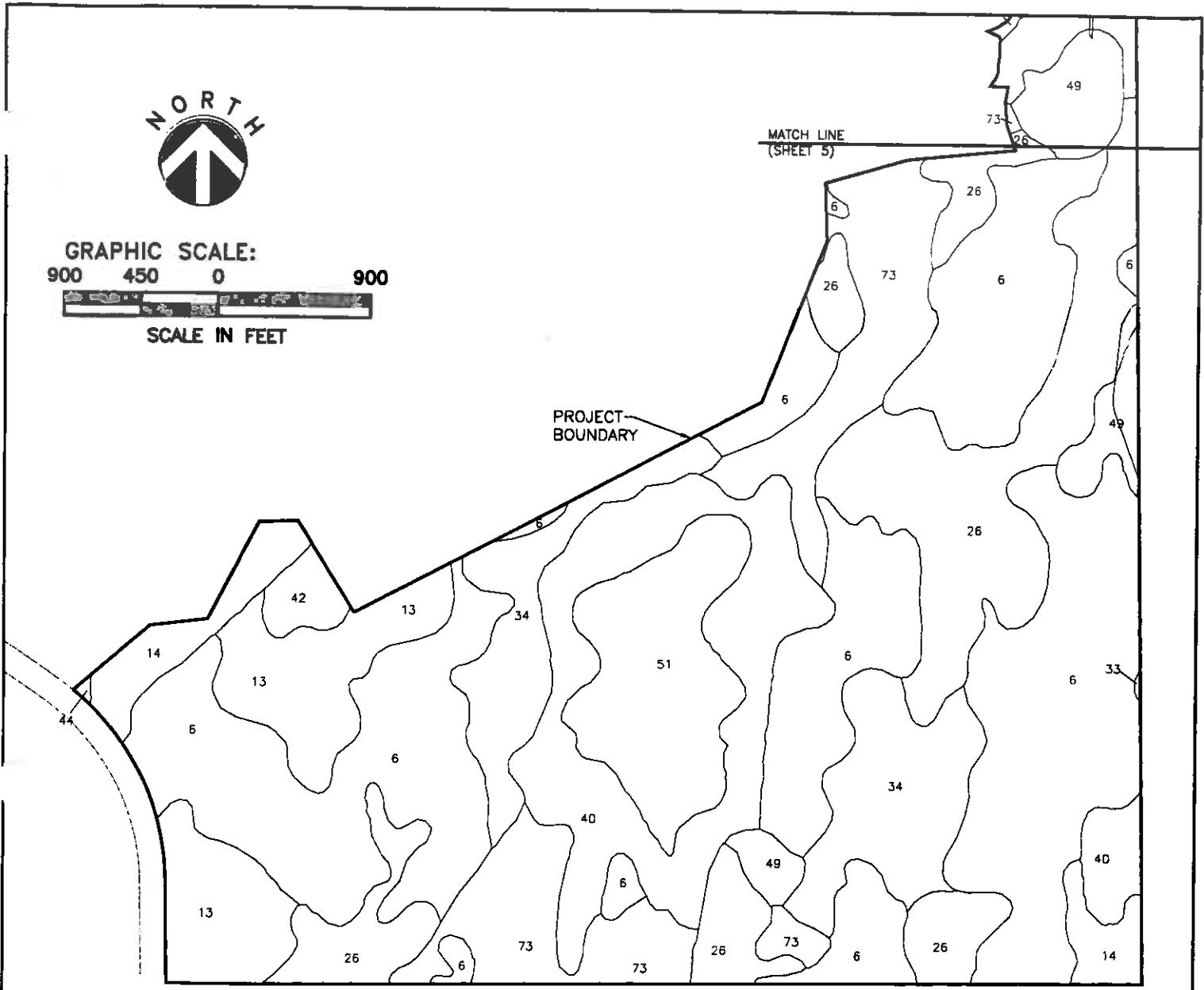
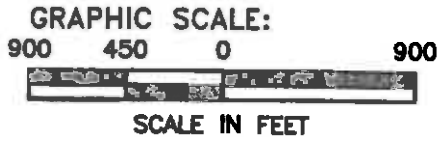
Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912 • Phone 941-939-1020 • Fax 941-939-7479 • Web-Site www.wilsonmiller.com

SCALE: SEE BAR SCALE	DATE: DEC. 2006
SEC. 12,13 TWP. 23,24 46S 25E	REV NO: 4
PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 4 of 18

Nov 30, 2006 - 16:15:45

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SYMBOL	NAME
6	Hallendale fine sand *
13	Boca fine sand
14	Valkaria fine sand *
26	Pineda fine sand *
33	Oldsmar sand
34	Malabar fine sand *
40	Anclote sand, depressional *
42	Wabasso Sand
44	Malabar Fine Sand, Depressional*
45	Copeland sandy loam, depressional *
49	Felda fine sand, depressional *
51	Floridana sand, depressional *
69	Matalcha gravelly fine sand
73	Pineda fine sand, depressional *
99	Water

* = Hydric soil unit

SOILS MAP

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

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SEC. 12,13	TWP: 46S	RGE:	25E
PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	6 of 18

FLUCCS Code	FLUCCS Description	WETLAND ACRES	SURFACE WATER ACRES	UPLAND ACRES	TOTAL ACRES
160	Extractive - Area disturbed by mining	----	----	19.18	19.18
163	Rock quarry/Mine lake	----	1.55	----	1.55
321	Palmetto Prairie	----	----	1.79	1.79
321E2	Palmetto Prairie, 25-49% exotic cover	----	----	3.37	3.37
321E3	Palmetto Prairie, 50-75% exotic cover	----	----	0.84	0.84
411	Pine flatwoods, saw palmetto understory	----	----	9.96	9.96
411E1	Pine flatwoods, saw palmetto understory, 10-24% exotic cover	----	----	44.78	44.78
411E2	Pine flatwoods, saw palmetto understory, 25-49% exotic cover	----	----	152.7	152.7
411E3	Pine flatwoods, saw palmetto understory, 50-75% exotic cover	----	----	28.62	28.62
411E4	Pine flatwoods, saw palmetto understory, >75% exotic cover	----	----	3.27	3.27
416E3	Pine flatwoods, graminoid understory, 25-49% exotic cover	----	----	1.56	1.56
416E4	Pine flatwoods, graminoid understory, 50-75% exotic cover	----	----	5.8	5.8
416H	Pine flatwoods, graminoid understory, hydric	1.15	----	----	1.15
416HE1	Pine flatwoods, graminoid understory, hydric, 10-24% exotic cover	4.94	----	----	4.94
416HE2	Pine flatwoods, graminoid understory, hydric, 25-49% exotic cover	22.82	----	----	22.82
416HE3	Pine flatwoods, graminoid understory, hydric, 50-75% exotic cover	27.37	----	----	27.37
416HE4	Pine flatwoods, graminoid understory, hydric, >75% exotic cover	11.78	----	----	11.78
422	Brazilian pepper	----	----	5.77	5.77
424	Melaleuca, non-hydric	----	----	5.61	5.61
424H	Melaleuca, hydric	27.72	----	----	27.72
427H	Live Oak Hammock, hydric	3.76	----	----	3.76
428H	Cabbage Palm, hydric	1.4	----	----	1.4
513H	Ditches, hydric	2.89	----	----	2.89
513HE4	Ditches, hydric, >75% exotic cover	1.4	----	----	1.4
513U	Ditches, non-hydric	----	----	1.13	1.13
616	Willow Pond	0.94	----	----	0.94
621	Cypress	7.21	----	----	7.21
621E1	Cypress, 10-24% exotic cover	35.37	----	----	35.37
621E2	Cypress, 25-49% exotic cover	14.61	----	----	14.61
621E3	Cypress, 50-75% exotic cover	13.73	----	----	13.73
621E4	Cypress, >75% exotic cover	13.64	----	----	13.64
624E2	Cypress-Pine-Cabbage Palm, 25-49% exotic cover	6.06	----	----	6.06
624E3	Cypress-Pine-Cabbage Palm, >75% exotic cover	1.95	----	----	1.95
641	Freshwater marsh	28.62	----	----	28.62
641E2	Freshwater marsh, 25-49% exotic cover	1.16	----	----	1.16
641E3	Freshwater marsh, 50-75% exotic cover	0.63	----	----	0.63
643DE1	Wet Prairie	2.46	----	----	2.46
740H	Disturbed Areas, hydric	1.88	----	----	1.88
743	Spoil Areas	----	----	0.75	0.75
743E3	Spoil Areas, 50-75% exotic cover	----	----	2.19	2.19
748	Previously Cleared Areas, non-hydric	----	----	5.61	5.61
748H	Previously Cleared Areas, hydric	3.18	----	----	3.18
8147	Mine Haul Road	----	----	3.92	3.92
TOTAL		236.67	1.55	296.85	535.07

**FLUCCS DESCRIPTIONS
AND ACREAGES**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.



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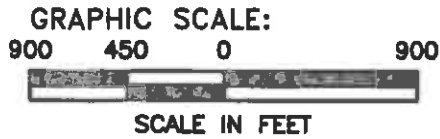
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PROJECT NO:	F0253-018-030 FPCIA		INDEX NO: A-F0253-238
DRWN BY/EMP NO:	S.W.P./1078		SHEET NO: 7 of 18

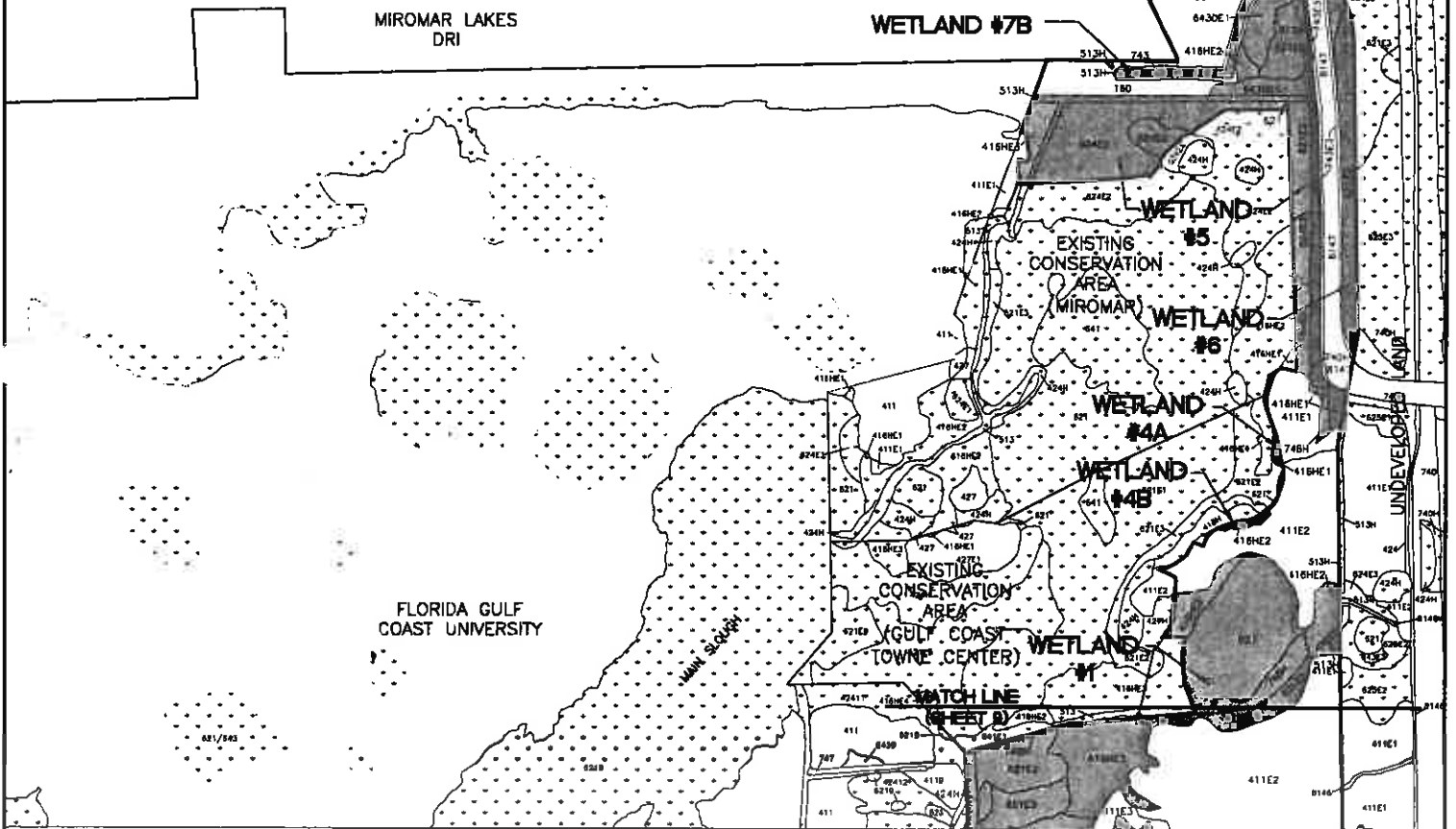


LEGEND

ON-SITE CORPS JURISDICTIONAL WETLANDS

EXISTING OFF-SITE WETLANDS

SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES



**EXISTING CONDITIONS/
FLUCCS MAP**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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SEC: 12.13	TWP. RGE:	REV NO.:	4
23.24	46S 25E	INDEX NO.:	A-F0253-23B
PROJECT NO.:	F0253-018-030 FPCIA	SHEET NO.:	8 OF 18
DRWN BY/EMP NO.:	S.W.P./1078		



GRAPHIC SCALE:
900 450 0 900

SCALE IN FEET

FLORIDA GULF
COAST UNIVERSITY
4119

PROJECT
BOUNDARY

MATCH LINE
SHEET 8

WETLAND
#3B

WETLAND
#10

WETLAND
#9

WETLAND
#8

WETLAND
#1

WETLAND
#3A

WETLAND
#2

UNDEVELOPED LAND

BEN HILL GRIFFIN PARKWAY

TIMBERLAND & TIBURON DRI (UNDER CONSTRUCTION)

LEGEND

ON-SITE CORPS JURISDICTIONAL WETLANDS

EXISTING OFF-SITE WETLANDS

SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

**EXISTING CONDITIONS/
FLUCCS MAP**

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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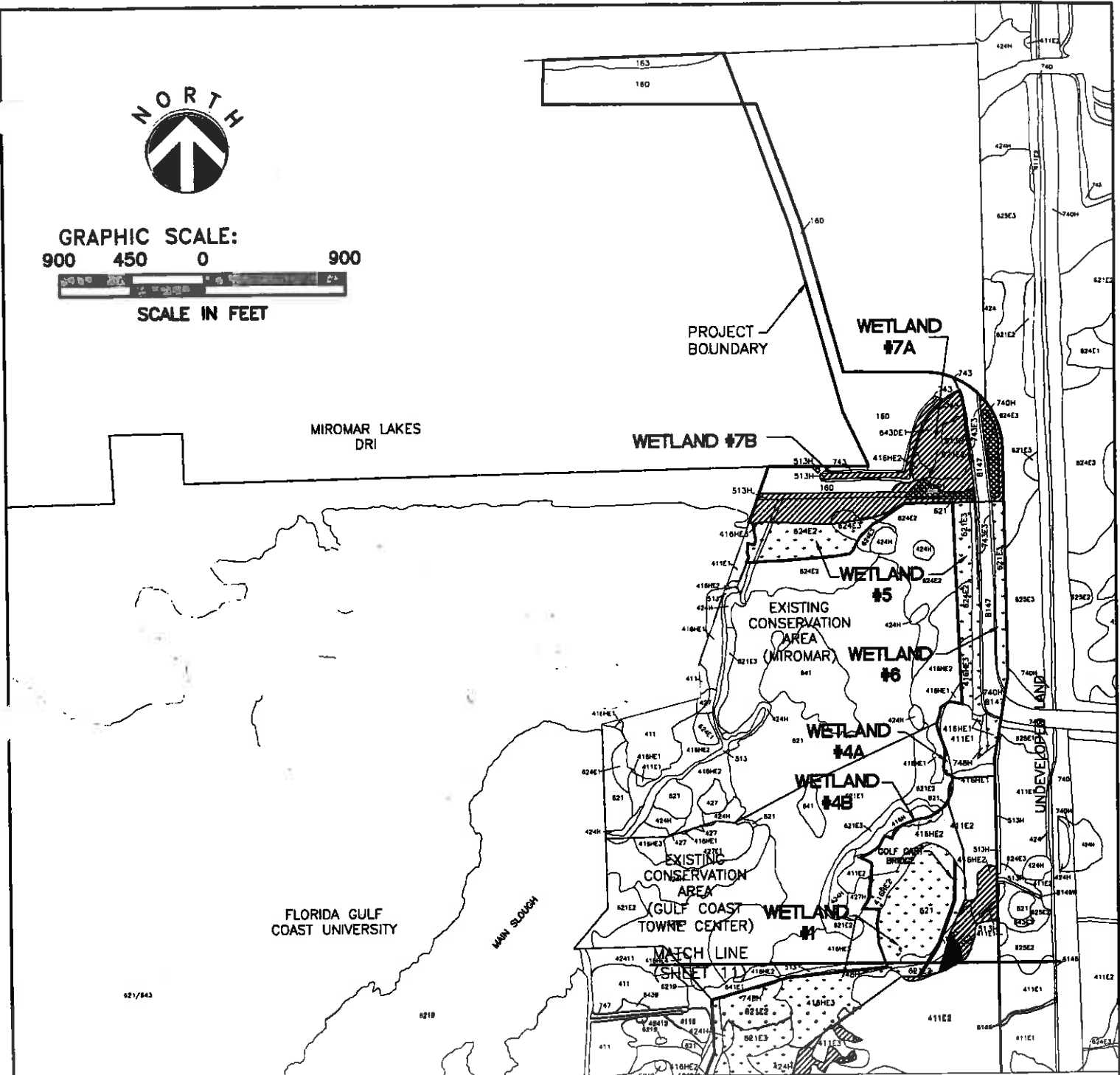
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	25E	INDEX NO.:	A-F0253-238
PROJECT NO.:	F0253-018-030 FPCIA	SHEET NO.:	9 OF 18
DRWN BY/EMP NO.:	S.W.P./1078		



LEGEND

- FILL (73.31 AC., 283,870 CY)
 - EXCAVATION (13.50 AC., 435,600 CY)
 - SELECTIVE TRIMMING IN WETLANDS (1.69 AC.)
 - WETLAND PRESERVATION OR ENHANCEMENT AREA (153.05 AC.)
- SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

WETLAND IMPACTS

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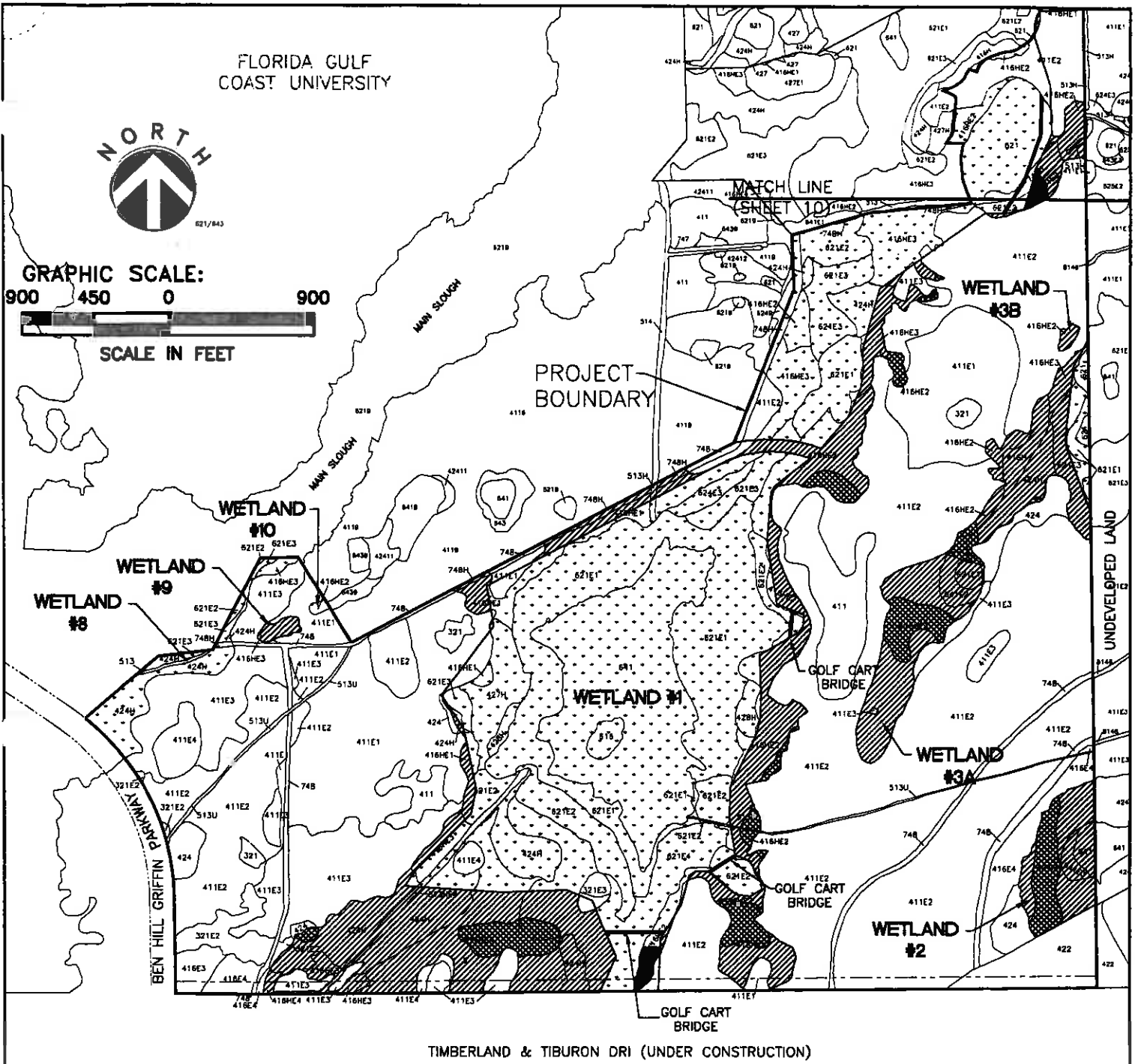
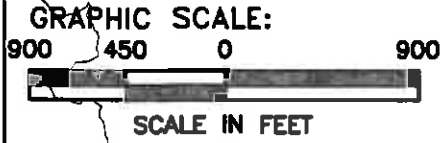
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PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 10 of 18

FLORIDA GULF
COAST UNIVERSITY



LEGEND

- FILL (73.31 AC., 283,870 CY)
 - EXCAVATION (13.50 AC., 435,600 CY)
 - SELECTIVE TRIMMING IN WETLANDS (1.69 AC.)
 - WETLAND PRESERVATION OR ENHANCEMENT AREA (153.05 AC.)
- SEE SHEET 7 FOR FLUCCS DESCRIPTIONS AND ACREAGES

WETLAND IMPACTS

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483(IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

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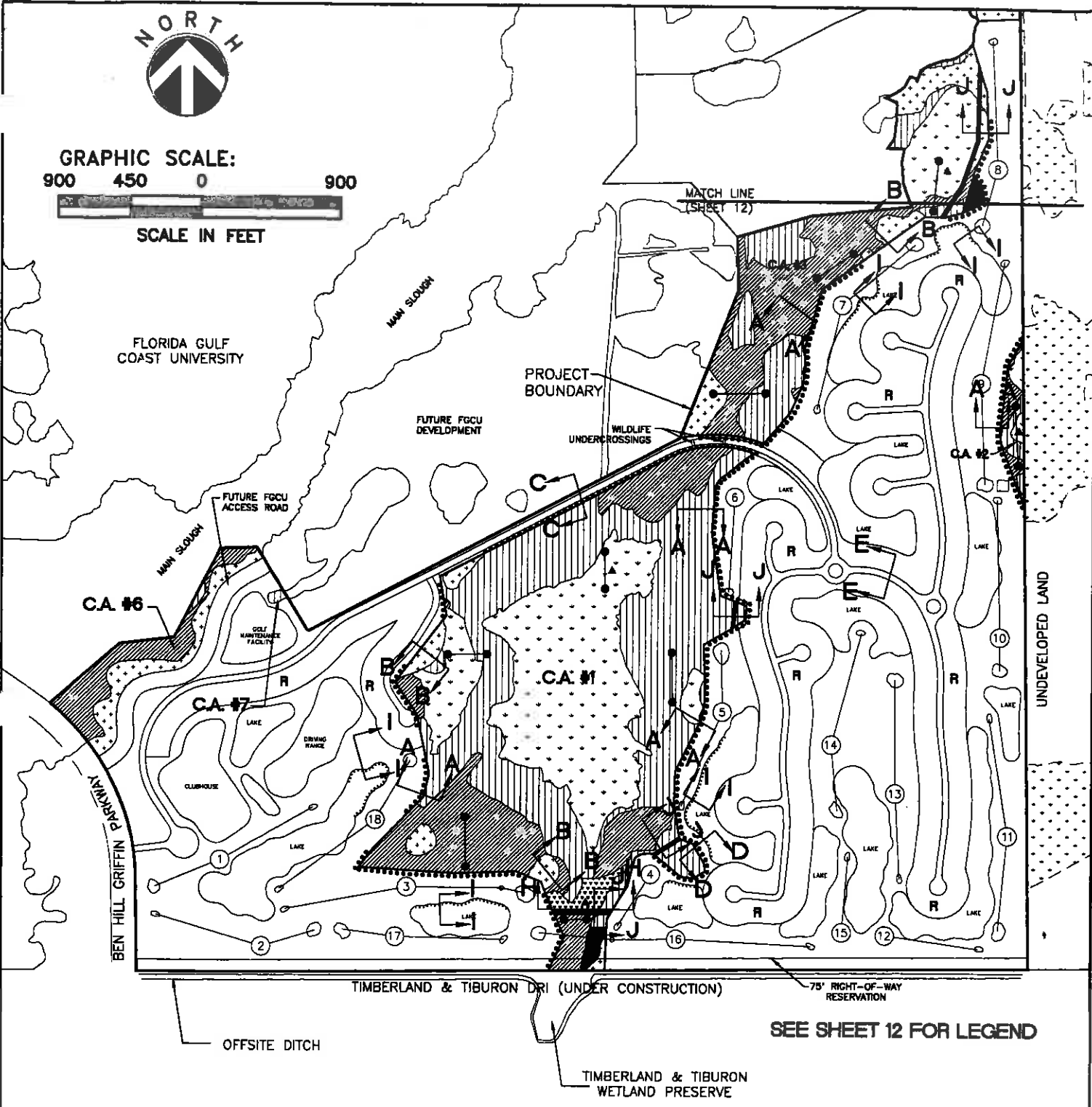
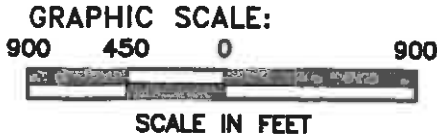
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23.24	46S 25E	INDEX NO.:	A-F0253-238
PROJECT NO.	F0253-018-030 FPCIA	SHEET NO.:	11 OF 18
DRWN BY/EMP NO.	S.W.P./1078		



SEE SHEET 12 FOR LEGEND

MITIGATION & CONSERVATION PLAN

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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PROJECT NO.	F0253-018-030	FPCIA	
DRWN BY/EMP NO.	S.W.P./1078	INDEX NO.	A-F0253-238
		SHEET NO.	13 of 18

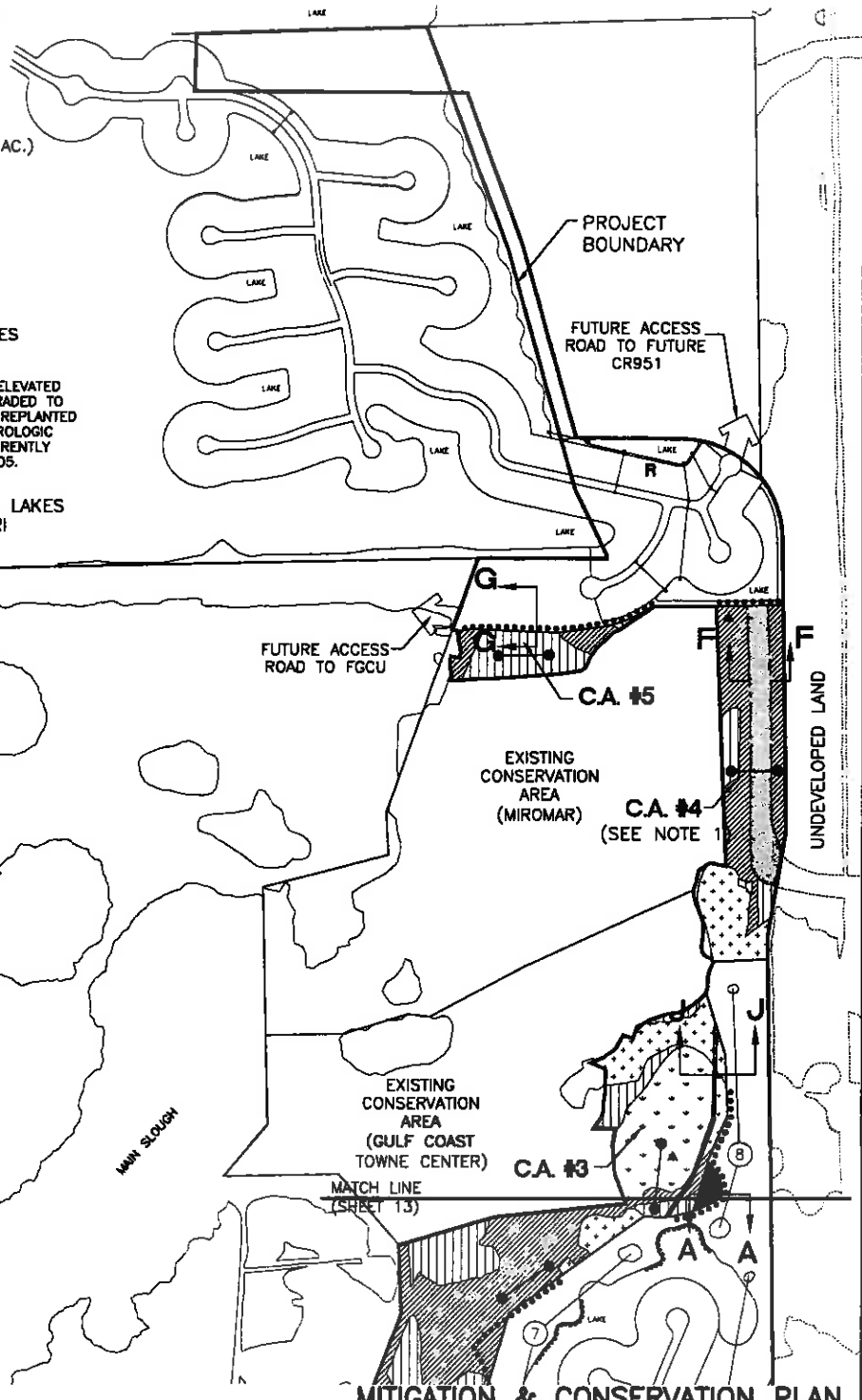
LEGEND

-  WETLAND PRESERVED WITHOUT ENHANCEMENT (40.83 AC.)
-  WETLAND ENHANCEMENT - LEVEL 1 (59.82 AC.)
-  WETLAND ENHANCEMENT - LEVEL 2 (45.90 AC.)
 WE-L2-CY (REPLANT TO CYPRESS) (5.33 AC.)
 WE-L2-FW (REPLANT TO FLATWOODS) (13.27 AC.)
 WE-L2-MF (REPLANT TO MIXED FOREST) (25.74 AC.)
 WE-L2-S (REPLANT TO SHRUB WETLAND) (1.56 AC.)
-  WETLAND ENHANCEMENT - LEVEL 2 - MARSH / WADING BIRD FORAGING AREA (1.42 AC.)
-  WETLAND RESTORATION (3.39 AC.)
-  WETLAND PRESERVED WITH SELECTIVE TRIMMING (1.69 AC.)
-  UPLANDS PRESERVED/ ENHANCED (14.29 AC.)

- STRUCTURAL BUFFER
- MONITORING TRANSECT
- ▲ STAFF GAGE
- WADING BIRD DRAWDOWN POOL IN LAKE LITTORAL ZONES

NOTE:

1. RESTORATION AREA WITHIN CONSERVATION AREA #4 IS CURRENTLY AN ELEVATED MINE HAUL ROAD THROUGH HISTORIC WETLANDS. THE AREA WILL BE GRADED TO AN ELEVATION APPROXIMATING ADJACENT UNDISTURBED WETLANDS AND REPLANTED WITH NATIVE WETLAND PLANT SPECIES. THUS RESTORING HISTORIC HYDROLOGIC AND VEGETATIVE CHARACTER- SEE MITIGATION PLAN. THIS AREA IS CURRENTLY ENCUMBERED BY A MINE LEASE ANTICIPATED TO BE TERMINATED IN 2005.



MITIGATION & CONSERVATION PLAN

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CLIENT: MIROMAR LAKES, L.L.C.



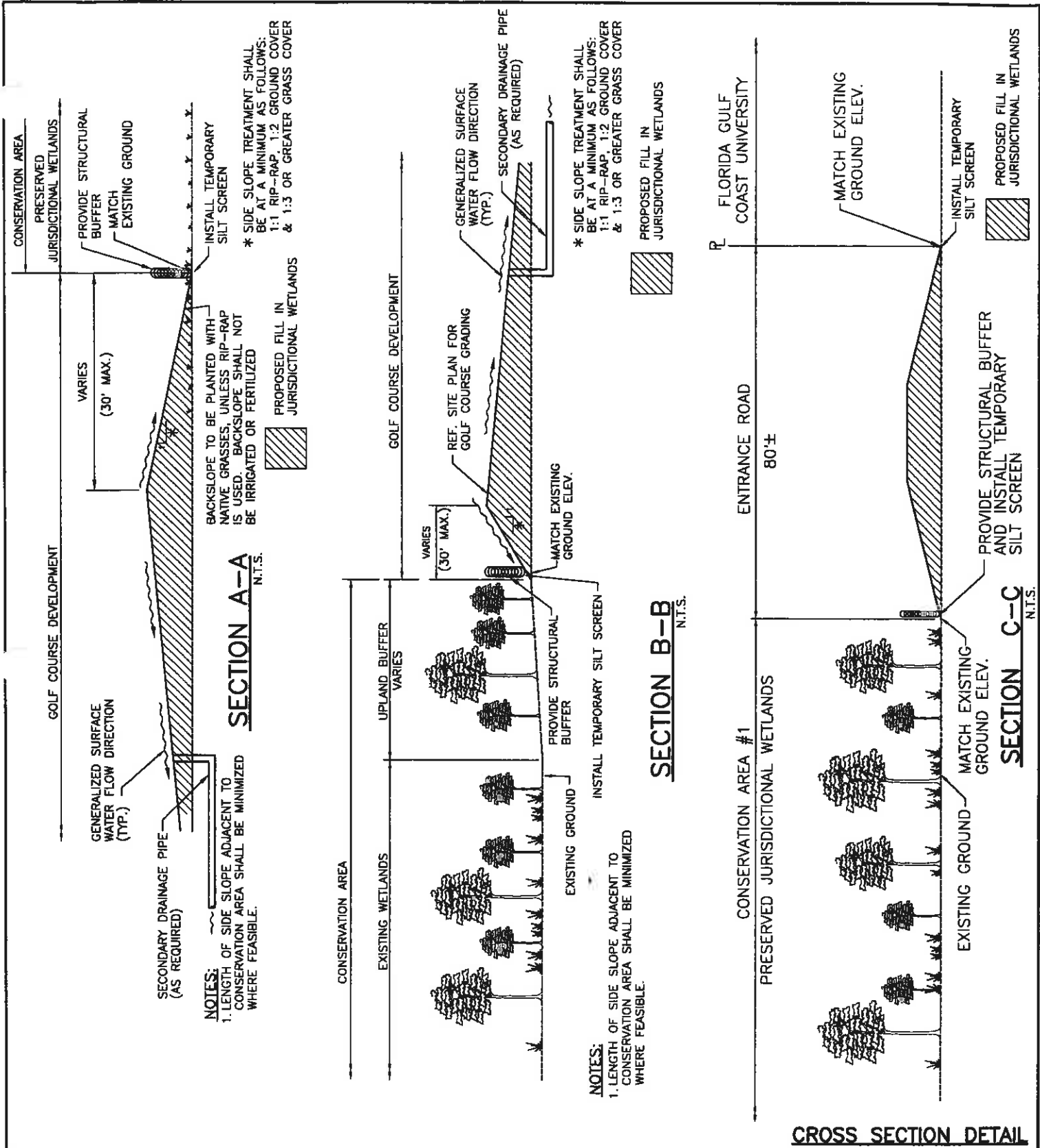
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PROJECT NO. F0253-018-030 FPCIA	INDEX NO: A-F0253-238
DRWN BY/EMP NO. S.W.P./1078	SHEET NO: 12 OF 18



PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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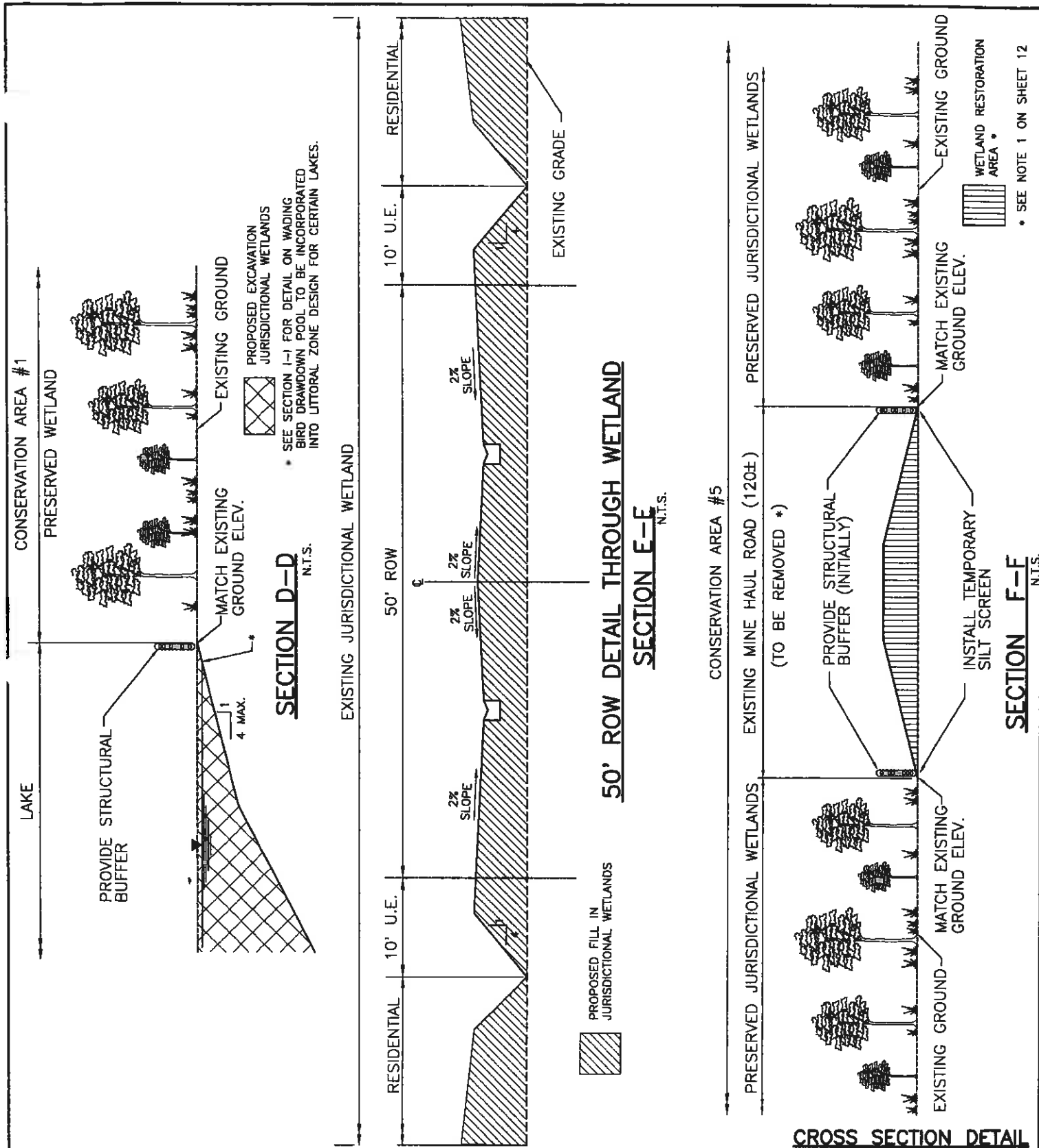
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PROJECT NO.	F0253-018-030 FPCIA	INDEX NO.	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	14 of 18



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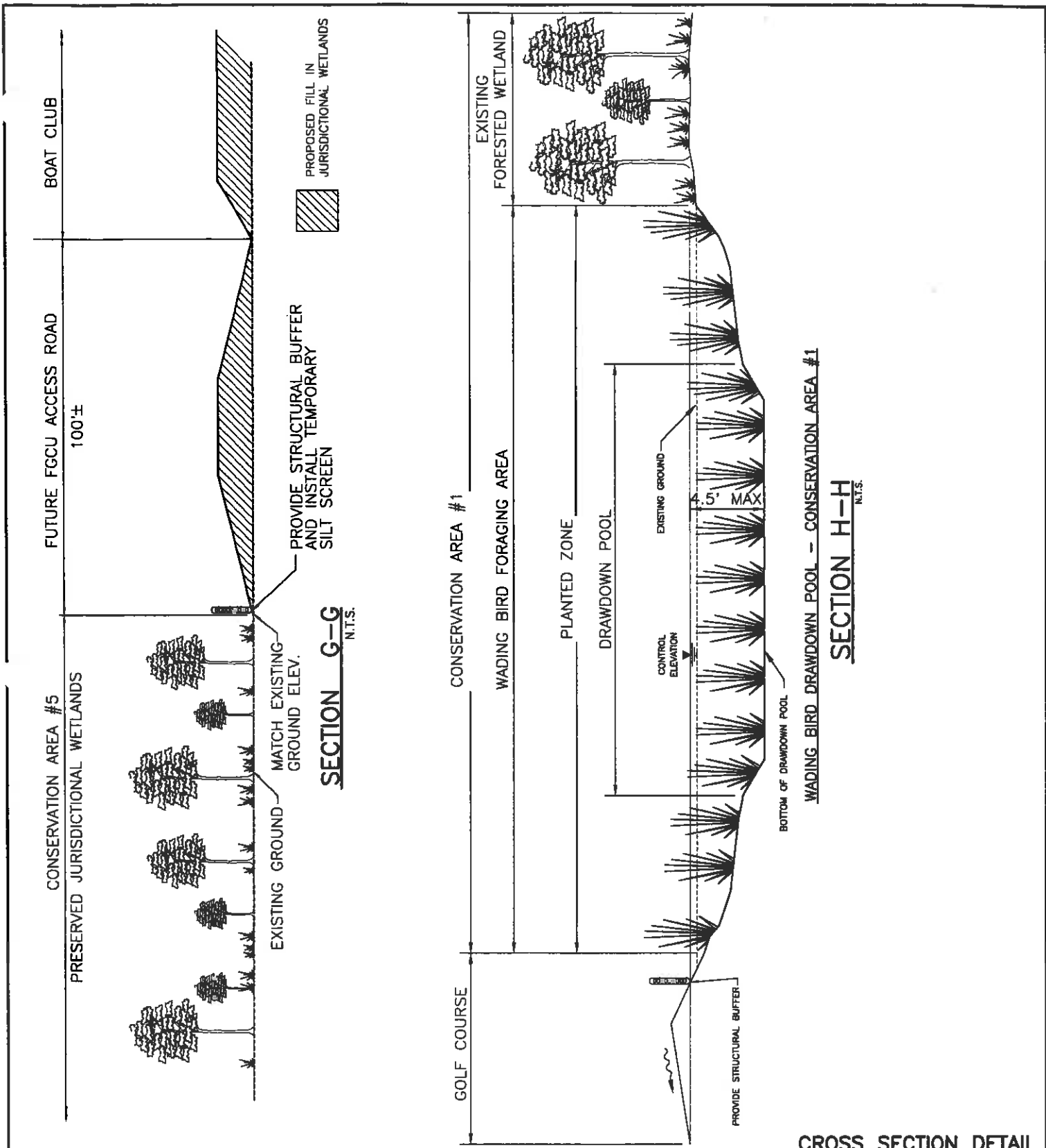
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PROJECT NO. F0253-018-030 FPCIA	INDEX NO. A-F0253-238		
DRWN BY/EMP NO. S.W.P./1078	SHEET NO. 15		OF 18



CROSS SECTION DETAIL

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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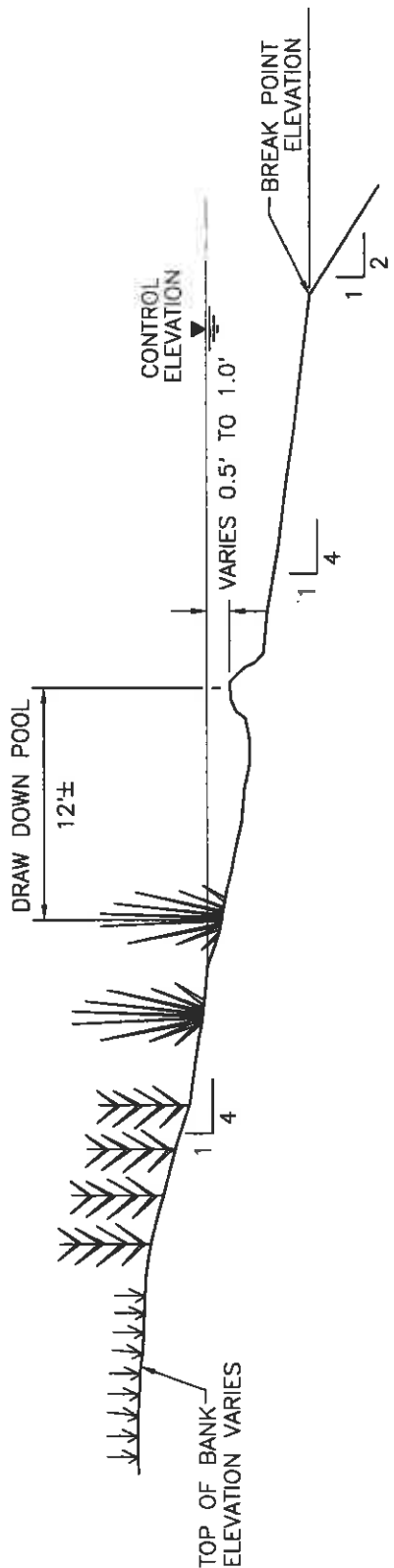
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PROJECT NO.	F0253-018-030 FPCIA		INDEX NO.
DRWN BY/EMP NO.	S.W.P./1078		SHEET NO.
			16 OF 18



**TYPICAL LITTORAL ZONE
WITH DRAW DOWN POOLS**

SECTION I-I
N.T.S.

CROSS SECTION DETAIL

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

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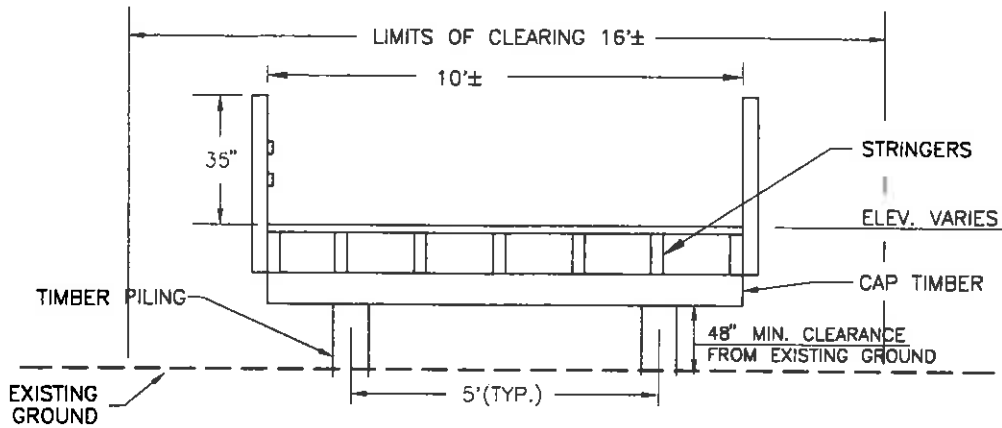
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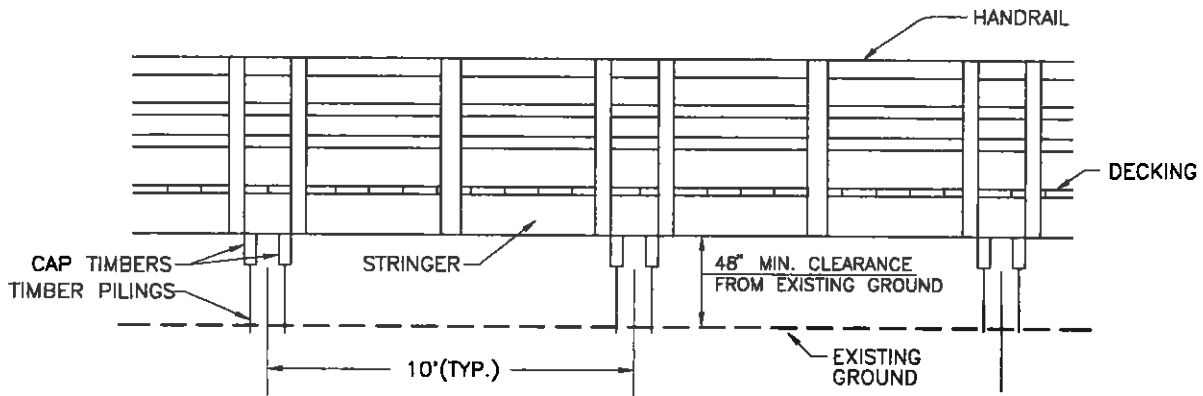
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PROJECT NO. F0253-018-030 FPCIA			INDEX NO. A-F0253-238
DRWN BY/EMP NO. S.W.P./1078			SHEET NO. 17 of 18

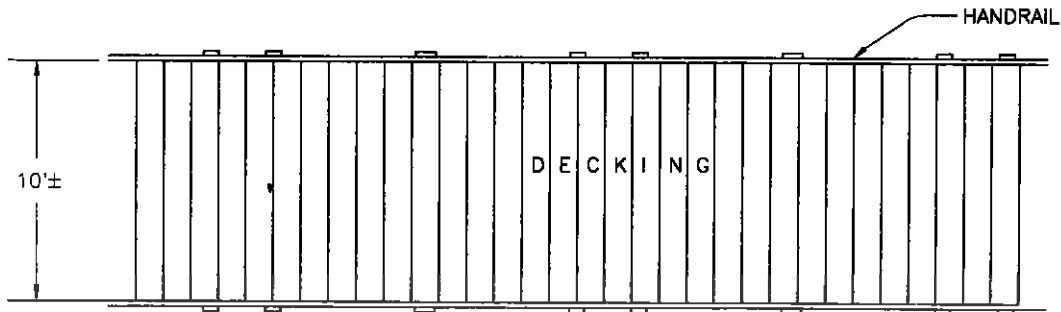


TYPICAL SECTION

N.T.S.



END ELEVATION



PLAN

GOLF CART BRIDGE / BOARDWALK THROUGH WETLANDS

SECTION J-J

N.T.S.

PROJECT: MIROMAR LAKES DRI ADDITION PARCEL PERMIT # SAJ-1995-7483 (IP-MN)

CLIENT: MIROMAR LAKES, L.L.C.

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PROJECT NO.	F0253-018-030 FPCIA	INDEX NO:	A-F0253-238
DRWN BY/EMP NO.	S.W.P./1078	SHEET NO.	18 of 18

ATTACHMENT "A"
REVISED

**ON-SITE MITIGATION PLAN
for the
MIROMAR LAKES DRI
ADDITION PARCEL**

**Submitted in Support of a
Modification to U.S. Army Corps of Engineers Section 404
Permit No. SAJ-1995-7483 (IP-MN)**

PREPARED FOR:

**MIROMAR LAKES, LLC
10801 Corkscrew Road
Suite 305
Estero, FL 33928-9430
239.390.5147**

PREPARED BY:

**WILSONMILLER INC.
4571 Colonial Blvd. Suite #100
Naples, Florida 33912
239.939.1020**

SUBMITTED TO:

**U.S. ARMY CORPS OF ENGINEERS
Jacksonville District
Regulatory Division, West Branch
701 San Marco Boulevard
Room 372
Jacksonville, FL 32207
904.232.2171**

***Revised December 4, 2006
Revised May 27, 2004
January 22, 2002***

1.0 INTRODUCTION

This document serves to detail the proposed components of the mitigation plan for the Miromar Lakes DRI Addition Parcel, including methods of initial exotic eradication, exotic species maintenance, planting of restoration areas and areas containing high levels of exotics, monitoring methods, and success criteria. The Miromar Lakes DRI addition parcel is a 535± acre planned residential and golf community located in Sections 13, 23, and 24, Township 46 South, Range 25 East; and Section 18, Township 46 South, Range 26 East; Lee County, Florida. The site is bordered on the north by the original Miromar Lakes DRI, the CSR/Rinker Mine, and Florida Gulf Coast University (FGCU); to the east by the CSR/Rinker Mine and other undeveloped land; to the west by Ben Hill Griffin Parkway and the original Miromar Lakes DRI; and to the south by the Timberland and Tiburon DRI.

The project site was previously the southeastern portion of the University Village site. Local government approvals have been secured to remove the site from the University Village project area and add it to the Miromar Lakes DRI.

Presently, the property consists of a combination of upland pine flatwoods, forested and herbaceous wetlands, and previously mined lands. Habitats on the property are of varying quality depending the proximity to mining activities, adjacent development, and the degree of infestation by exotic plant species. The northern region of the project site has been extensively affected either directly or indirectly by mining activities. Direct mining impacts include the excavation of quarry lakes, the removal of native vegetation in areas where overburden was stockpiled, and the excavation of drainage ditches and construction of water management berms. Additionally, a mine haul road bisects a major slough system (Stewart Cypress Slough) in the vicinity of the project.

Descriptions of the wetlands present on the project site, as well as other pertinent environmental information (e.g., listed species), can be found in the main body of the Environmental Supplement of which this Mitigation Plan is an appendix.

2.0 WETLAND IMPACTS

Avoidance of impacts to wetlands on the property was determined not to be possible based on the available upland area and facility/amenity needs. Considerable efforts were undertaken during design stages to minimize impacts to jurisdictional wetlands. To accommodate the proposed use of the property, and to maintain the natural character of the site where feasible, the land plan was designed such that permanent wetland impacts have been limited to the lower quality wetlands of the site to the extent practicable in order to preserve those wetland systems that currently have a sufficient degree of functional value and thus a relatively high probability of mitigation success.

Development of the project will result in the loss of a total of 86.81 acres of Corps-jurisdictional wetlands, including 73.31 acres of fill and 13.50 acres of excavation. The locations of proposed wetland preserve and impact areas are depicted in the Permit Exhibits included in the Environmental Supplement.

Approximately 70% (61.3 acres) of the total impact acreage wetlands of relatively low quality (i.e., wetlands with >50% invasion by exotics species, wetlands disturbed by mining activities or ditching). An additional 25% (22.1 acres) of the proposed impacts are to wetlands with 25-50% invasion by exotic species. Only 5% (4.6 acres) of the proposed impacts are to wetlands of relatively high quality as compared to the overall quality of wetland habitats of the site.

In addition to the direct wetland impacts described above, a total of 1.69 acres of selective trimming will occur in preserved wetlands. 1.05 of the 1.69 acres involves removal of canopy trees at three locations to enable unobstructed golf play over the wetlands. 0.64 of the 1.69 acres involves

trimming that will occur at the locations of golf cart bridges where trimming of canopy and understory vegetation will be required in order to construct and maintain the bridges. The above-referenced selective trimming areas will be placed under conservation easement as part of the proposed mitigation plan.

Detailed information regarding wetland impacts is provided in Section 5.1 of the Environmental Supplement of which this document is a part.

Proposed mitigation for impacts to Corps-jurisdictional wetlands will occur on-site in 153.05 acres of existing and restored wetlands. These wetlands represent the majority of the higher quality areas of an on-site flow-way. Preservation and enhancement of 14.29 acres of uplands is also included in the mitigation plan. Thus, a total of 167.34 acres of wetland and upland preservation has been provided within the development plan.

3.0 PROPOSED MITIGATION

3.1 General Summary

Proposed mitigation for impacts to Corps-jurisdictional wetlands includes the following:

- 40.83 acres of straight wetland preservation (minimal exotic removal/enhancement needed). These areas will be placed under conservation easement and perpetually maintained.
- 1.69 acres of wetland preservation in areas that will undergo selective trimming of vegetation at golf play-over and golf cart bridge areas. These areas will be placed under conservation easement and perpetually maintained.
- 59.77 acres of "Level 1" wetland enhancement in areas containing <50% exotics. Exotics to be hand-removed (no heavy equipment). To be placed under conservation easement and perpetually maintained.
- 47.37 acres of "Level 2" wetland enhancement in areas containing >50% exotics. Exotics to be removed with heavy equipment, followed by replanting. To be placed under conservation easement and perpetually maintained. Level 2 enhancement areas can be further divided into the following types:
 - 25.79 acres planted to mixed forest
 - 13.27 acres replanted to pine flatwoods
 - 5.33 acre planted to cypress
 - 1.56 acres planted to shrub wetland
 - 1.42 acres to be graded in order to create a wading bird foraging area
- 3.39 acres of wetland restoration. An existing mine haul road that has bisected and altered the Stewart Cypress Slough will be graded and returned to natural grade, thus restoring the historic hydrologic and vegetative character of the slough. The restoration is anticipated to take place in 2006.
- 14.29 acres of upland preservation and enhancement located both adjacent and internal to wetland preservation areas. The overall acreage is divided into 8.87 acres of areas where existing exotics will be hand-removed and 5.42 acres where mechanical removal of exotics followed by replanting will occur.

The locations of each of the above on-site mitigation types/activities listed above can be found in the Permit Exhibits submitted as part of this permit application.

An additional amount of off-site mitigation will be required to fully compensate for impacts to Corps-jurisdictional wetlands. Since the primary purpose of this document is to provide details for on-site

mitigation activities, the reader is referred to the permit documents for specific information regarding off-site mitigation requirements for this project.

3.2 Initial Eradication of Exotics

The initial eradication of exotics in wetlands has two levels of effort:

- Level 1: Hand-removal of exotics in areas containing <50% exotics - no mechanized clearing (59.77 acres).
- Level 2: Mechanical removal, using heavy equipment, of exotics in areas containing >50% exotics with subsequent planting (47.37 acres).

For the purpose of the following discussion, exotic species include Brazilian pepper, ear-leaf acacia, Chinese climbing fern, downy-rose myrtle, soda apple, Australian pine, and melaleuca. Nuisance species include cattail, dog fennel, caesar weed, primrose willow, and grapevine. Of these species, melaleuca and Brazilian pepper are the dominant species present on the property.

Level 1 Enhancement (WE-L1) Areas: Level 1 enhancement will occur in areas with <50% cover by exotic or nuisance species. The locations of Level 1 enhancement areas are depicted on the Permit Exhibits. Exotic eradication (primarily melaleuca with some Brazilian pepper) will be accomplished via hand removal; no mechanized clearing or use of heavy equipment will occur within conservation areas. Hand removal exotic clearing methods will include the use of implements such as chainsaws, axes, and machetes to cut down exotic vegetation. This method allows for use of vehicles such as trucks and trailers, and chippers to process the debris.

Plants that are visible for 50 feet from the conservation area perimeter will be cut down and removed from the mitigation area. Stumps of cut plants will be chemically treated with an approved herbicide containing dye within 15 minutes of cutting. All herbicides will be applied in accordance with label specifications and will be conducted by or under the direction of an appropriately licensed applicator. Debris generated during this phase of removal will be temporarily stockpiled for later burning, chipping/spreading, or transport off-site for disposal. Where chipping is utilized, any large mounds of chipped materials would either be removed or spread out so as to not inhibit development of desirable groundcover.

Interior plants (>50' from conservation area perimeter) will primarily be eradicated by chemical treatment of standing trees in order to minimize disruption and impacts to existing native wetland vegetation. Smaller individuals will be eradicated through complete removal, cut and treat (per the above guidelines for herbicide treatment of areas within 50' of the perimeter of conservation areas), or foliar herbicidal treatment. Only EPA-approved herbicides will be utilized and a visual tracer dye will be added if not already contained in the specific herbicide mixture. All herbicides will be applied in accordance with label specifications and will be conducted by or under the direction of an appropriately licensed applicator. Felled material that is not removed from the interior of conservation areas will be handled in general accordance with the SFWMD publication "*Draft Guidelines for Melaleuca Removal*" dated 9/14/98.

Although plantings will not be required, and are not anticipated to be needed in Level 1 enhancement areas under the proposed mitigation plan, the Applicant reserves the right to plant suitable native tree, shrub, or groundcover plant species in Level 1 enhancement areas in order to improve visual aesthetics and/or enhance habitat quality.

Level 2 Enhancement (WE-L2) Areas: Level 2 enhancement will occur in areas with substantial (>50%) invasion by exotic or nuisance species (primarily melaleuca). The locations of Level 2 enhancement areas are depicted on the Permit Exhibits. Due to the relatively high degree of exotic

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infestation in these areas, initial exotic eradication will occur via mechanized clearing and the use of heavy machinery (e.g., bulldozers, feller-bunchers, etc.).

Prior to initial exotic eradication, the limits of areas to be mechanically cleared will be marked with ropes, stakes, survey flagging, silt screens, enviro-fencing or a combination of these to avoid intrusion into adjacent areas. Machinery/vehicle ingress and egress routes (corridors) will be similarly marked. The protective barriers will remain in place and will be appropriately maintained until the use of mechanized equipment is completed.

Wetland and Upland Selective Trimming (WP-ST/UP-ST) Areas: Initial eradication of exotics in areas identified as selective trimming areas on the Permit Exhibits will occur according to the methods identified above for Level 1 enhancement areas. Exotic removal will be by hand only and will not involve mechanized clearing or the use of heavy machinery.

3.3 Replanting Efforts

Level 2 Enhancement (WE-L2) Areas: Level 2 enhancement areas will require planting following initial exotic eradication. Attachment A provides a list potential species to be planted in wetland forest, upland forest, and marsh habitats. Planting densities are expecting to vary depending on the degree of exotic infestation, the amount of viable native vegetation remaining following initial eradication of exotics. In worse-case situations (little remaining native vegetation), it is anticipated that trees will be planted on an average of 17 foot centers, subcanopy/shrub species on average 20-foot centers, and ground cover on 4-foot centers. Planted tree individuals will be a minimum of 4 to 6 feet in height, with approximately 50% of the trees being 6 to 8 feet in height and 3 gallons in size. Shrub specimens will be a minimum of 24 inches in height and 1-gallon in size. Ground cover will be bare-root or containerized stock, as available. Although not required, larger stock than specified above, to be planted at a reduced density, may be used to accelerate the enhancement process.

Follow-up plantings of previously planted areas will be conducted as necessary when and where survivorship, density, and/or percent cover goals specified in the permit are not achieved. The need for such re-plantings will typically be assessed on an annual basis. Conservation Area management/maintenance activities will include removal of dead, dying, or diseased plants (both planted and existing plants) as deemed necessary.

Slough Restoration (WR) Area: The slough restoration area will be planted in accordance with the criteria for Level 2 Enhancement Areas as specified above.

Wading Bird Foraging (WE-L2-M) Area: Planting of littoral zone vegetation will occur in the 1.42 acres of wading bird foraging areas identified on the Permit Exhibits. Species to be planted will be in accordance with the planting list in Attachment A.

The remaining sections of this document provide a detailed summary of the on-site monitoring, maintenance, and success protocol for the Miromar Lakes DRI Addition Parcel.

4.0 MITIGATION AREA MAINTENANCE

4.1 Wetland Areas Under Conservation Easement

Wetland areas to be placed under conservation easement are identified on the Permit Exhibits and include straight preservation areas, Level 1/Level 2 enhancement areas, and the 3.39-acre slough restoration area in the northern region of the site.

Wetland preservation areas will be maintained to suppress growth of exotic/nuisance species and maintain their abundance at low levels. Exotic species to be controlled include Brazilian pepper, ear-leaf acacia, Chinese climbing fern, downy-rose myrtle, soda apple, Australian pine, and melaleuca. Nuisance species include cattail, dog fennel, caesar weed, primrose willow, and grapevine.

Ongoing control of undesirable species will be via directed herbicide applications, physical uprooting, or a combination of these methods. Ongoing maintenance will consist solely of hand-removal and comparable activities; no heavy equipment will be operated within conservation areas. The management goals will be to control exotic/nuisance plants such that mitigation areas are: (a) exotic-free immediately following maintenance activities, and (b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined.

Exotic plant control is likely to occur on at least a semi-annual basis for the first 2 to 3 years following initial eradication efforts. Maintenance events may be conducted more frequently if needed. The anticipated schedule for maintenance events is provided in Section 7 below.

4.2 Upland Areas Under Conservation Easement

Upland areas to be preserved and placed under conservation easement will undergo exotic maintenance identical to that described above in Section 4.1.

4.3 Wading Bird Foraging Area

The area designated as a "Wading Bird Foraging Area" on Sheet 13 of 18 of the Permit Exhibits will undergo exotic maintenance identical to that described above in Section 4.1.

5.0 MITIGATION AREA MONITORING

5.1 Field Monitoring Methodology

Monitoring transects will be established throughout the preserved wetlands to monitor the development and success of mitigation. The majority of each transect's length will be located in wetland areas and generally a small portion will overlap the adjacent upland buffer. Sheet 13 of 18 of the Permit Exhibits shows the approximate locations of the monitoring transects. At the time of baseline monitoring, the specific location and length of qualitative and quantitative transects will be established such that they maximize the collection of pertinent data.

Qualitative data regarding the success of the wetland enhancement efforts will be collected from at least two observation stations along each transect. Qualitative data to be collected will include plant species composition in each vegetative stratum, estimated percent cover by exotic/nuisance species, and general condition of native vegetation. General information on wetland hydrology (e.g., water depth, areal extent of inundation, degree of soil saturation, etc.) will also be recorded during each monitoring event. At least two (2) photo stations will be established along each transect. The photo stations, the ends of each transect, and at least two diagonal corners of sampling plots will be adequately marked in the field for reliable location from one monitoring event to another.

Approximately 50% of the transects will serve as quantitative transects at which data is collected on planting survivorship and percent cover by exotic/nuisance species. Quantitative transects will be situated at permanent locations and will be employed to gather the following data:

- (1) For transects in Level 1 enhancement areas, sampling plots will be established at roughly equally spaced increments along each transect (minimum 4 plots per transect). Each sampling plot will be approximately 5 meters by 5 meters or larger in size. Parameters measured in each plot will include average percent cover by exotic species and average percent cover by nuisance species. Data from all sampling plots along a transect will be averaged for reporting.
- (2) For transects in Level 2 enhancement areas, additional sampling quadrats will be established (minimum of 3). Each sampling quadrat will be approximately 2 meters by 2 meters in size. Parameters measured in each quadrat will include average percent cover in the groundcover stratum by non-nuisance native species, by exotic species, and by nuisance species. Data from these sampling quadrats will be averaged for reporting.
- (3) For transects in Level 2 enhancement areas that pass through intensive exotic eradication areas that have been replanted with native trees and shrubs, estimates of the average percent survival of planted trees and shrubs will be made. These data will be gathered from a "belt" established along a given transect where it passes through the planted area (e.g., belt transect sampling method). A belt will have a minimum width of approximately 30 feet along the transect's length. If the belt transect sampling approach does not appear viable in a given area, estimates of tree and shrub survival will be made by taking a random sample of the planted area.

Hydrologic monitoring will be conducted via collection of rainfall data and monitoring of wetland water levels at staff gauges depicted on Sheet 13 of 18 of the Permit Exhibits. The rain gauge at the existing golf course maintenance facility within the original Miromar Lakes project will be used to collect total daily rainfall data for the project area. This rain gauge is located approximately 2 miles from the project site. To establish a consistent frequency for wetland water level monitoring, water levels at staff gauges will be monitored on a weekly basis during the wet season and on a monthly basis during the dry season.

5.2 Monitoring Events and Reports

The monitoring of the success of mitigation area enhancement will consist of one (1) baseline monitoring event, one (1) time-zero monitoring event, and five (5) annual monitoring events. Baseline monitoring will document existing conditions on the property prior to the initial exotic plant species eradication effort. Time-zero monitoring will be conducted immediately after the initial eradication of exotics and planting of Level 2 enhancement areas is complete. The annual monitoring event will document changes from the baseline conditions as well as the success of the exotic eradication program at annual intervals following the completion of initial eradication. The proposed schedule for monitoring events is provided in Section 7 below.

Monitoring reports will be submitted within 45 days following the completion of monitoring and will provide the following information:

- (1) Brief description of maintenance work performed since the previous report along with discussion of any other significant occurrences.
- (2) Brief description of anticipated maintenance work to be conducted prior to the next monitoring event.
- (3) A summary of the results of qualitative and/or quantitative vegetative and hydrologic monitoring.
- (4) Photographs documenting conditions in mitigation areas at the time of monitoring.
- (5) A plan view drawing of the mitigation area showing monitoring stations and photo stations.

- (6) A summary assessment of data/observations along with recommendations as to actions necessary to achieve mitigation success.

6.0 MITIGATION SUCCESS CRITERIA

6.1 Level 1 Enhancement (WE-L1) Areas

The following success criteria will apply to the Level 1 enhancement areas depicted on Sheet 13 of 18 of the Permit Exhibits:

- (1) Recording of a Conservation Easement.
- (2) Completion of initial eradication of exotic and nuisance plant species.
- (3) Completion of necessary maintenance such that: a) the mitigation area is exotic-free immediately following maintenance activities, and b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined at the end of the fifth year following the completion of initial exotic eradication.

6.2 Level 2 Enhancement (WE-L2) Areas

The following success criteria will apply to the Level 2 enhancement areas depicted on Sheet 13 of 18 of the Permit Exhibits:

- (1) Recording of a Conservation Easement.
- (2) Completion of initial eradication of exotic and nuisance plant species.
- (3) Completion of initial planting of native trees, shrubs and ground cover in areas with minimal native vegetation following initial exotic eradication.
- (4) Completion of necessary maintenance such that: a) the mitigation area is exotic-free immediately following maintenance activities, and b) exotic and nuisance plants constitute an average of no more than five (5) percent of the groundcover, midstory, and canopy strata combined at the end of the fifth year following the completion of initial exotic eradication.
- (5) Within approximately 3 years of the completion of initial plantings, at least an average 60% ground cover by desirable native plant species (e.g., non-nuisance plants). Thereafter, maintain at least this much cover by desirable native plants.
- (6) One year following initial planting of trees and shrubs or replanting of trees and shrubs, maintain a minimum average survival rate of 80 percent for these plantings.

6.3 Slough Restoration (WR) Area

Success criteria for the slough restoration area depicted on Sheet 13 of 18 of the Permit Exhibits will be identical to those for Level 2 Enhancement Areas.

7.0 MONITORING AND MAINTENANCE SCHEDULE

The following is the proposed work schedule for The Miromar Lakes DRI Addition Parcel. The permittee shall retain the ability to modify this monitoring program and monitoring schedule should it become necessary to make the program/schedule consistent with the progression of development, with monitoring requirements of other government agencies, or to improve the information provided by the monitoring program. Any modification must first be approved by the Corps.

Work Schedule for Miromar Lakes DRI Addition Parcel

Task	Date
Baseline Monitoring ¹	Oct. 2007
Initiate Construction	Nov. 2007
Exotic Eradication in Level 1 & 2 Enhancement Areas	Jan.-Mar. 2008
Planting of Level 2 Enhancement Areas	Jul.-Aug. 2008
Exotic/Nuisance Species Maintenance	Aug. 2008
Time Zero Monitoring ¹	Sep. 2008
Exotic/Nuisance Species Maintenance	Feb. 2009
Wetland Restoration Area Grading	May. 2009
SFWMD Inspection of Wetland Restoration Grading Area	Jun. 2009
Planting of Slough Restoration Area	Jul. 2009
Exotic/Nuisance Species Maintenance	Aug. 2009
1 st Annual Monitoring ¹	Sep. 2009
Exotic/Nuisance Species Maintenance	Feb. 2010
Exotic/Nuisance Species Maintenance	Aug. 2010
2 nd Annual Monitoring ¹	Sep. 2010
Exotic/Nuisance Species Maintenance	Aug. 2011
3 rd Annual Monitoring ¹	Sep. 2011
4 th Annual Monitoring ¹	Sep. 2011
5 th Annual Monitoring ¹	Sep. 2012
NOTES:	
¹ Reports will be submitted within 45 days of completion of field monitoring.	

ATTACHMENT A				
Potential Species Planting List for Level 2 Enhancement Areas and Wetland Restoration Area				
COMMON NAME	SCIENTIFIC NAME	Wetland Forest*	Upland Forest	Marsh
Canopy Species				
Red maple	<i>Acer rubrum</i>	X		
Strangler fig	<i>Ficus aurea</i>	X		
Sweetgum	<i>Liquidambar styraciflua</i>	X		
Black gum	<i>Nyssa sylvatica</i>	X		
Slash pine	<i>Pinus elliotii</i>	X	X	
Laurel oak	<i>Quercus laurifolia</i>	X		
Live oak	<i>Quercus virginiana</i>		X	
Cabbage palm	<i>Sabal palmetto</i>	X	X	
Bald cypress	<i>Taxodium distichum</i>	X		
Florida elm	<i>Ulmus americana floridana</i>	X		
Subcanopy/Shrub Species				
Saltbush	<i>Baccharis spp.</i>	X		
Buttonbush	<i>Cephalanthus occidentalis</i>	X		
Coco plum	<i>Chrysobalanus icaco</i>	X	X	
Florida privet	<i>Forestiera segregata</i>	X		
Pop ash	<i>Fraxinus caroliniana</i>	X		
Dahoon holly	<i>Ilex cassine</i>	X	X	
Gallberry	<i>Ilex glabra</i>	X	X	
Red bay	<i>Persea borbonia</i>	X		
Cabbage palm	<i>Sabal palmetto</i>	X		
Wax myrtle	<i>Myrica cerifera</i>	X	X	
Myrsine	<i>Rapanea punctata</i>	X	X	
Tarflower	<i>Befaria racemosa</i>		X	
Buckthorn	<i>Bumelia tenax</i>		X	
Beauty berry	<i>Callicarpa americana</i>		X	
Persimmon	<i>Diospyros virginiana</i>		X	
Rusty lyonia	<i>Lyonia ferruginea</i>		X	
Staggerbush	<i>Lyonia fruticosa</i>		X	
Winged sumac	<i>Rhus copallina</i>		X	
Saw palmetto	<i>Serenoa repens</i>		X	
Ground Cover Species				
Goobergrass	<i>Amphicarpum muhlenbergianum</i>	X		
Bluestems	<i>Andropogon spp.</i>	X	X	
Three-awn grass	<i>Aristida spp.</i>	X	X	
Swamp fern	<i>Blechnum serrulatum</i>	X		
Saw grass	<i>Cladium jamaicense</i>	X		X
Flatsedge	<i>Cyperus spp.</i>	X		X
Wild cocoa	<i>Eulophia alta</i>	X		
Saltmarsh fingergrass	<i>Eustachys spp.</i>	X		
Rush fuirena	<i>Fuirena scirpoides</i>	X		
St. John's-wort	<i>Hypericum spp.</i>	X		
Soft rush	<i>Juncus effusus</i>	X		X
Red root	<i>Lachnanthes caroliniana</i>	X		
Gulfdune paspalum	<i>Paspalum monostachyum</i>	X		

ATTACHMENT A				
Potential Species Planting List for Level 2 Enhancement Areas and Wetland Restoration Area				
COMMON NAME	SCIENTIFIC NAME	Wetland Forest*	Upland Forest	Marsh
Gulf muhly	<i>Muhlenbergia capillaris</i>	X	X	
Cinnamon fern	<i>Osmunda cinnamomea</i>	X		
Maidencane	<i>Panicum hemitomon</i>	X		X
Beakrush	<i>Rhynchospora</i> spp.	X		X
Creeping bluestem	<i>Schizachyrium stoloniferum</i>	X		
Sand cordgrass	<i>Spartina bakeri</i>	X		X
Eastern grama grass	<i>Tripsacum dactyloides</i>	X		
Yellow-eyed grass	<i>Xyris</i> spp.	X	X	
Carpet grass	<i>Axonopus compressus</i>		X	
Lovegrass	<i>Eragrostis</i> spp.		X	
Muhly grass	<i>Muhlenbergia filipes</i>		X	
Panicum grasses	<i>Panicum</i> spp.		X	
Paspalums	<i>Paspalum</i> spp.		X	
Knotroot bristle grass	<i>Setaria geniculata</i>		X	
Goldenrod	<i>Solidago</i> spp.		X	
Leather fern	<i>Acrostichum aureum</i>			X
Bacopa	<i>Bacopa monnieri</i>			X
Golden canna	<i>Canna flaccida</i>			X
Southern swamp lily	<i>Crinum americanum</i>			X
Virginia buttonweed	<i>Diodia virginiana</i>			X
Spikerush	<i>Eleocharis</i> spp.			X
Fringe-rush	<i>Fimbristylis</i> spp.			X
Blue flag iris	<i>Iris virginica</i>			X
Big-head rush	<i>Juncus megacephalus</i>			X
Frog's bit	<i>Limnobium spongia</i>			X
Red ludwigia	<i>Ludwigia repens</i>			X
Spatter dock	<i>Nuphar luteum</i>			X
Fragrant water-lily	<i>Nymphaea odorata</i>			X
Arrow arum	<i>Peltandra cordata</i>			X
Pickerelweed	<i>Pontederia cordata</i>			X
Arrowhead	<i>Sagittaria lancifolia</i>			X
Duck potato	<i>Sagittaria latifolia</i>			X
Soft-stem bulrush	<i>Scirpus</i> spp.			X
Fireflag	<i>Thalia geniculata</i>			X

NOTES:
 Exact species installed may deviate from this list depending on property conditions and stock availability.
 * For Level 2 enhancement area to be planted to shrub wetland, potential plant species are same as for wetland forest except that canopy species will not be planted.

ATTACHMENT "B"

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

1. The requestor shall coordinate with the Fish and Wildlife Service's (FWS) South Florida Field Office during the establishment and implementation of an eastern indigo snake protection/education plan.
2. A qualified observer shall be present on site to watch for eastern indigo snakes during all construction and clearing phases of the project. The name(s) and qualifications of the proposed observer shall be submitted to our office for review and approval. The information submitted for approval should indicate what experience the individual has that would qualify him to act as an eastern indigo snake observer.
3. An eastern indigo snake protection/education plan shall be developed for all construction crews to follow. The plan shall be provided to the FWS for review and approval at least 30 days prior to any construction or clearing activities. The educational materials for the plan could consist of a combination of posters or videos, pamphlets, and lectures and should include the following information:
 - a. a description of the eastern indigo snake, its habits, and protection under Federal law;
 - b. instructions not to injure, harm, harass or kill the species;
 - c. directions to notify the qualified observer(s) if an eastern indigo snake is sighted;
 - d. directions to cease construction activity, notify the qualified observer(s), and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming construction (only a qualified individual, who has been either authorized by a section 10(a)(1)(A) permit issued by the FWS, or designated as an agent of the Florida Fish and Wildlife Conservation Commission (FWC) for such activities, is permitted to come in contact with an eastern indigo snake; and
 - e. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered.

4. If gopher tortoise burrows are present, the requester should coordinate with the FWC for information on the relocation program for gopher tortoises. As a part of the relocation program, the FWC reviews and approves preserve areas for gopher tortoises. These same areas may be used for the release of eastern indigo snakes. Therefore, prior to any construction or clearing activities in areas where gopher tortoise burrows have been identified, the following measures should be incorporated into the eastern indigo snake plan:
 - a. A qualified individual should map and flag the locations of all gopher tortoise burrows on the site. Prior to actual clearing, the qualified individual should update that initial survey no more than two weeks prior to clearing. These maps should be made available to all construction crews.
 - b. In some circumstances, an underground camera may be needed to investigate gopher tortoise burrows for eastern indigo snakes. If an eastern indigo snake is found, and the burrow will be destroyed by construction activity, then the burrow should be carefully excavated with a backhoe while monitoring the snake's position and condition with the underground camera. In burrows that are unsuitable for camera use, the burrow will be carefully excavated with a combination of backhoe and hand excavation. Before excavating any burrow, it is recommended that a strong, flexible tube or hose be inserted into the burrow to the end to mark the course of the entire burrow in case it collapses during excavation. If a backhoe is used, the bucket should be equipped with a straight blade, not a blade with teeth. The excavation must be done with caution to prevent potential injury to an eastern indigo snake.
 - c. An eastern indigo snake found in a burrow may be captured and released (by a qualified individual who has been either authorized by a section 10(a)(1)(A) permit issued by the FWS, or designated as an agent of the State of Florida by the GWC for such activities) immediately into a GWC approved preserve area for gopher tortoises near a marked inactive or abandoned gopher tortoise burrow. Eastern indigo snakes shall be held in captivity only long enough to transport them to the release site; at no time shall two snakes be kept in the same container during transportation. A map of marked inactive or abandoned

burrows should be made available to the qualified individual. This will allow for prompt release of an eastern indigo snake.

5. An eastern indigo snake monitoring report must be submitted to the South Florida Field Office within 60 days of the conclusion of clearing and construction phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
 - a. any sightings of eastern indigo snakes;
 - b. summaries of any relocated snakes if relocation was approved for the project (e.g., locations of where and when they were found and relocated);
 - c. thorough description of the preserve area for eastern indigo snakes if a preserve area was approved (e.g., types of habitats, percent cover of dominant species); and
 - d. summaries of maintenance activities and schedules for the preserve area.

Mitigation Parcels – M-1, M-2, M-3 and M-4

Lands Included In ACOE Permit accepted by CDD previously



This Instrument Prepared by:
 Richard D. Yovanovich, Esq.
 Goodlette, Coleman & Johnson, P.A.
 4001 Tamiami Trail North, Suite 300
 Naples, Florida 34103

2572.001

INSTR # 6146014
 OR BK 04198 Pgs 2129 - 2143; (15pgs)
 RECORDED 02/13/2004 07:54:17 AM
 CHARLIE GREEN, CLERK OF COURT
 LEE COUNTY, FLORIDA
 RECORDING FEE 69.00
 DEED DOC 0.70
 DEPUTY CLERK K Cartwright

CORRECTIVE WARRANTY DEED

This Warranty Deed made the ^{29TH} day of January, A. D., 2004 by **MIROMAR LAKES, L.L.C.**, a Florida limited liability company, hereinafter called the grantor.

To **MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT**, an independent special district established pursuant to Chapter 190, Florida Statutes, whose post office address is c/o Goodlette, Coleman & Johnson, P.A., 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103, hereinafter called the grantee.

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee all that certain land situated in Lee County, State of Florida, as described below:

1. Certain real property sometimes referred to as the South Lake being all the property within the control elevation line of the lake described on Exhibit "A", incorporated herein by this reference; and
2. Certain real property sometimes referred to as lakes 1A, 1B, and 1C, being all the property within the control elevation line of the lake described on EXHIBITS "B", "C", and "D" respectively, incorporated herein by this reference; and
3. Certain real property sometimes referred to as the North Access Road, being all the property described on EXHIBIT "E", incorporated herein by this reference; and
4. Certain real property sometimes referred to as Mitigation Area #1, Mitigation Area #2, the 43 Acre Mitigation Area, and the 66 Acre Mitigation Area, being all the property described on EXHIBITS "F", "G", "H", and "I" respectively, incorporated herein by this reference.

THE PURPOSE OF THIS DEED IS TO CLARIFY THE PROPERTY INTERESTS CONVEYED IN THE WARRANTY DEED RECORDED IN O.R. BOOK 3550 PAGES 1204 TO 1218 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA.

THE CONVEYANCE SET FORTH IN PARAGRAPHS 1 AND 2 OF THIS DEED IS FOR THE PURPOSE OF CONVEYING THE LAKE BOTTOM AND THE RIGHT TO USE THE LAKE WATER FOR MANAGEMENT OF THE WATER MANAGEMENT

SYSTEM FOR MIROMAR LAKES. THE GRANTOR RETAINS OWNERSHIP OF ALL OTHER WATER RIGHTS AND HAS THE RIGHT TO ACCESS THE WATER AND RETAINS THE EXCLUSIVE RIGHT TO UTILIZE THE WATER ON THE LANDS CONVEYED TO THE GRANTEE. THESE RIGHTS, INCLUDE, BUT ARE NOT LIMITED, TO THE RESERVATION OF ALL RECREATIONAL RIGHTS APPERTENANT TO THE LAKE, THE RIGHT TO CONSTRUCT BOAT DOCKS, BOATING, SWIMMING, FISHING, WATER SKING, AND OTHER RECREATIONAL ACTIVITIES, AND THE RIGHT TO WITHDRAW WATER FOR IRRIGATION.

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR NOR IS IT CONTIGUOUS TO THE HOMESTED OF GRANTOR WHO RESIDES IN LANDS OTHER THAN THE LANDS DESCRIBED HEREIN.

Subject to covenants, restrictions, reservations and easements of record, and the limitations, easements, and reservations set forth in Exhibit "J", incorporated herein by this reference.

Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

In Witness Whereof, the said grantor has hereunto signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Miromar Lakes, L. L. C., a Florida limited liability company

Witness Signature Mark Geschwendt
Witness Signature Richard D. Yovanovitch

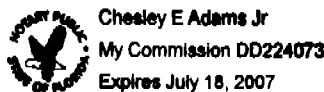
By: Miromar Development Corporation, a Florida corporation Its Managing Member
By: Jerry H. Schmoyer, Vice President

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was acknowledged before me this 29th day of January, 2004, by Jerry H. Schmoyer, Vice president of Miromar Development Corporation, a Florida corporation, as Managing Member of Miromar Lakes, L. L. C., a Florida limited liability company, who is personally known to me or X has produced as identification.

NOTARY SEAL

Notary Signature
Printed Notary Signature
My Commission Expires:



Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS , 13 AND 14,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(EXHIBIT "J")

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 13, AND 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°42'24"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1994.63 FEET; THENCE S 01° 01' 21" W FOR 110.01 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF BEN HILL GRIFFIN PARKWAY (150' WIDE) AND THE SOUTH RIGHT-OF-WAY OF ALICO ROAD; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING TWENTY TWO (22) COURSES:

1)	S.01°00'21"E.	847.76'
2)	S.04°19'45"W.	1091.78'
3)	S.00°39'26"E.	1432.24'
4)	S.00°16'17"E.	606.52'
5)	N.88°47'46"E.	376.79'
6)	S.40°48'12"E.	322.81'
7)	S.19°01'17"E.	249.77'
8)	S.88°53'28"E.	216.94'
9)	S.24°26'51"E.	150.17'
10)	S.77°09'26"E.	573.01'
11)	S.88°10'13"E.	1363.08'
12)	S.19°42'28"E.	157.73'
13)	S.87°09'14"E.	469.81'
14)	N.88°02'24"E.	612.22'
15)	S.21°30'12"E.	81.17'
16)	N.88°10'32"E.	846.89'
17)	S.01°46'59"W.	282.53'
18)	S.89°48'06"E.	1264.46'
19)	S.20°09'57"E.	832.50'
20)	S.15°43'44"E.	1222.03'
21)	S.25°52'55"E.	187.61'
22)	N.89°21'30"W.	283.67'

SHEET 1 OF 3

EXHIBIT "A"

TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°21'30"W. FOR 1846.96 FEET; THENCE THE FOLLOWING TWENTY ONE (21) COURSES;

- 1) N.06°34'37"W. 526.71'
- 2) N.01°50'22"W. 1210.85'
- 3) N.79°32'52"W. 867.77'
- 4) N.41°43'09"W. 264.16'
- 5) S.80°32'44"W.908.56'
- 6) S.85°56'39"W.711.03'
- 7) N.88°44'59"W. 176.88'
- 8) S.09°48'24"W.488.79'
- 9) S.81°56'19"E. 145.26'
- 10) S.00°34'39"E. 820.49'
- 11) S.59°07'28"W.349.34'
- 12) S.86°00'53"W.1140.64'
- 13) N.06°38'29"W. 427.54'
- 14) N.01°46'33"E. 839.75'
- 15) S.85°52'30"W.934.90'
- 16) S.04°59'30"W.714.95'
- 17) S.05°05'22"W.483.90'
- 18) S.63°55'14"W.291.35'
- 19) S.84°13'33"W.187.42'
- 20) S.28°12'39"E. 143.38'
- 21) N.89°07'51"E. 3150.88'

THENCE S.19°52'03"W. TO THE NORTH LINE OF FLORIDA GULF COAST UNIVERSITY FOR 56.89 FEET; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) N.89°01'42"E. 450.42'
- 2) S.00°58'18"E. 320.16'
- 3) N.88°44'00"E. 3706.01'

THENCE S.89°46'48"E. FOR 277.99 FEET; THENCE N.00°43'41"W. FOR 176.03 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SAID NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEARING S.89°42'24"E.

SAID PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

PARCELS CONTAINS 189.08 ACRES, MORE OR LESS.

DESCRIPTION PREPARED APRIL 16th, 1999.

FILE: ACAD\1155\SURVEY\DESC-3.DWG

FILE: WPD\1155\1155-087-DESC-AREA-J.WPD

SHEET 3 OF 3

EXHIBIT "A"

Exhibits "B" – "D"
Miromar Lakes, LLC Deed to Miromar Lakes Community Development District
December 20, 2000

Intentionally Omitted and No Conveyance Made of these Parcels

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF
AN EASEMENT
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
(NORTH ENTRANCE EASEMENT)

AN EASEMENT SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150 FEET WIDE) AND THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2497, PAGES 1564 AND 1565, LEE COUNTY PUBLIC RECORDS; THENCE N. 03° 31' 24" W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 934.47 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND THE POINT OF BEGINNING. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR 78.54 FEET; THENCE N. 86° 28' 35" E. FOR 239.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 35° 46' 31" FOR 405.86 FEET; THENCE S. 57° 44' 54" E. FOR 288.84 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 850.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66° 28' 11" FOR 986.10 FEET; THENCE N. 55° 46' 55" E. FOR 948.40 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52° 54' 58" FOR 581.84 FEET TO SAID NORTHERLY PARCEL LINE; THENCE N. 88° 17' 12" E., NON-TANGENTIALLY, ALONG SAID NORTHERLY LINE FOR 209.56 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT HAVING A RADIUS OF 730.00 FEET AND TO WHICH INTERSECTION A RADIAL LINE BEARS N. 34° 18' 19" E.; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68° 31' 23" FOR 873.05 FEET; THENCE S. 55° 46' 55" W. FOR 948.40 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 750.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66° 28' 11" FOR 870.09 FEET; THENCE N. 57° 44' 54" W. FOR 288.84 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35° 46' 31" FOR 468.30 FEET; THENCE S. 86° 28' 35" W. FOR 239.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" FOR 78.54 FEET TO A POINT OF CUSP AND SAID EASTERLY RIGHT-OF-WAY LINE; THENCE S. 03° 31' 24" E. ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 200.00 FEET TO THE POINT OF BEGINNING;

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS-OF-WAY OF RECORD.

SUBJECT TO FACTS THAT MAY BE REVEALED BY AN ACCURATE BOUNDARY SURVEY.

THIS DESCRIPTION IS NEITHER FULL NOR COMPLETE WITH THE SKETCH ON SHEET 2.

EASEMENT CONTAINS 8.4 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 11, TOWNSHIP 46 SOUTH, RANGE 25 EAST AS BEARING S. 89° 42' 24" E.

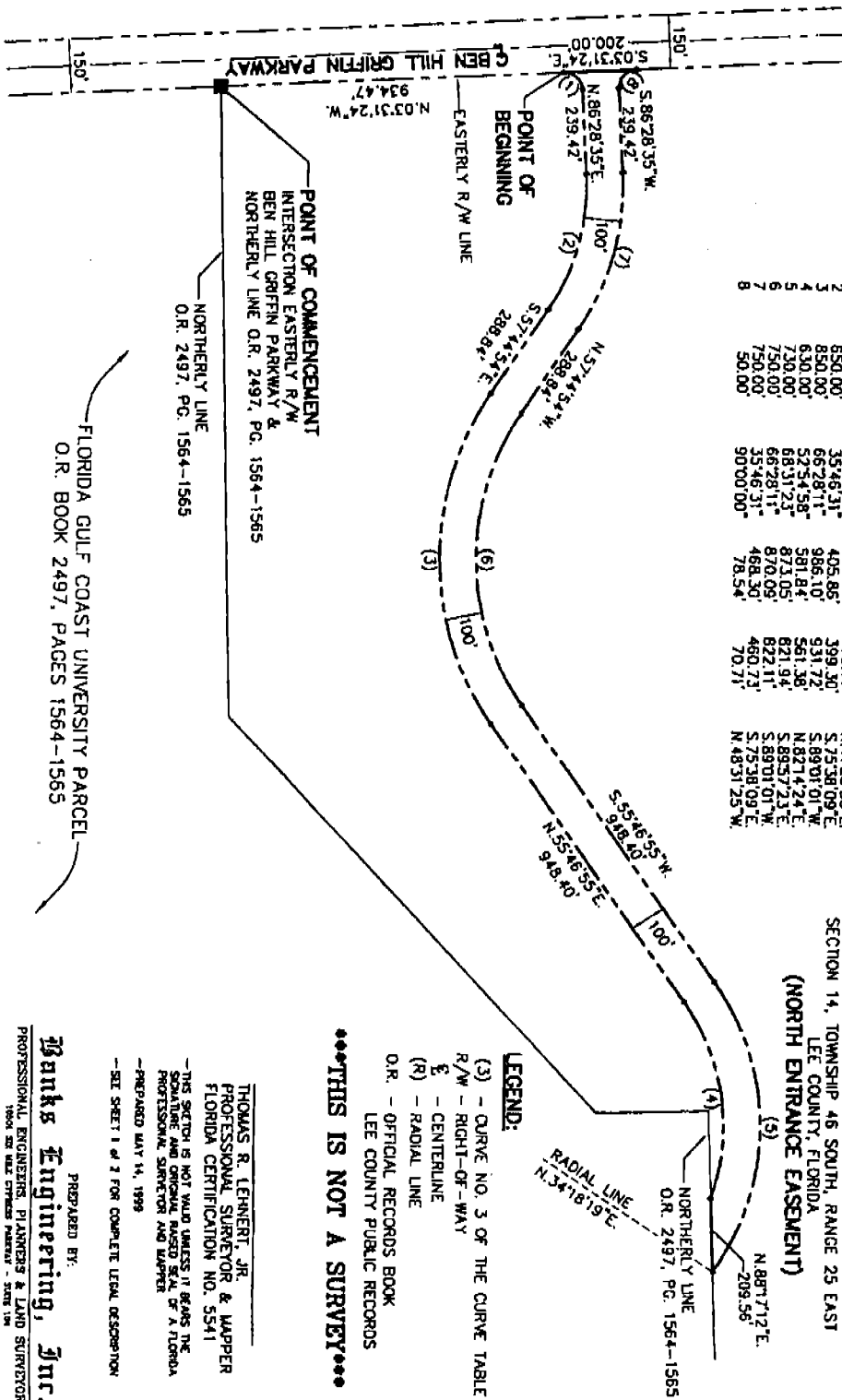
DESCRIPTION PREPARED DECEMBER 2, 1998.

File: 1261.01

SHEET 1 OF 2

Lee County: 10501-104 Six Mile Cypress Parkway, Fort Myers, Florida 33912 · (941)939-5490 · Fax (941)939-2523
Collier County: 2150-701 Goodlette Road, Naples, Florida 34102 · (941)403-8866 · Fax (941)403-8868

EXHIBIT "E"



NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	50.00'	90°00'00"	78.54'	70.71'	N. 41° 28' 35" E
2	50.00'	35° 45' 31"	405.86'	399.30'	S. 75° 38' 09" E
3	850.00'	66° 23' 11"	986.10'	931.72'	S. 89° 01' 01" W
4	630.00'	52° 34' 58"	591.84'	561.38'	N. 82° 14' 24" E
5	730.00'	88° 31' 23"	873.05'	821.94'	S. 89° 51' 23" E
6	730.00'	35° 46' 31"	468.30'	460.73'	S. 89° 01' 01" W
7	50.00'	90°00'00"	78.54'	70.71'	S. 75° 38' 09" E
8	50.00'	90°00'00"	78.54'	70.71'	N. 48° 31' 25" W

CURVE TABLE

SKETCH TO ACCOMPANY DESCRIPTION

AN EASEMENT
OF
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 29 EAST
LEE COUNTY, FLORIDA
(NORTH ENTRANCE EASEMENT)

LEGEND:

- (3) - CURVE NO. 3 OF THE CURVE TABLE
 - R/W - RIGHT-OF-WAY
 - ⊕ - CENTERLINE
 - (R) - RADIAL LINE
 - D.R. - OFFICIAL RECORDS BOOK
 - LEE COUNTY PUBLIC RECORDS
- ***THIS IS NOT A SURVEY***

THOMAS R. TENHENT, JR.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5541

- THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL PAPERED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

- PREPARED MAY 14, 1999

- SEE SHEET 1 of 2 FOR COMPLETE LEGAL DESCRIPTION

FLORIDA GULF COAST UNIVERSITY PARCEL
O.R. BOOK 2497, PAGES 1564-1565

NORTHERLY LINE
O.R. 2497, PG. 1564-1565

POINT OF COMMENCEMENT
INTERSECTION EASTERLY R/W
BEN HILL GRIFFIN PARKWAY &
NORTHERLY LINE O.R. 2497, PG. 1564-1565

EASTERLY R/W LINE

POINT OF BEGINNING

Prepared by:
Banks Engineering, Inc.
PROFESSIONAL ENGINEERS, PLANNERS & LAND SURVEYORS
1000 2nd Street, Panama City, FL 32401
904/399-4444
FLORIDA SURVEYING BOARDS CERTIFICATION NO. 6699

DESCRIPTION OF
A PARCEL OF LAND OR BK 03550 PG 1212
LYING IN
SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(MITIGATION AREA #1)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,
LYING IN SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA,
AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTHEAST CORNER OF SAID SECTION 23; THENCE N.89°44'39"W.
ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 1913.26 FEET TO THE POINT OF
BEGINNING; THENCE N.12°28'18"E. FOR 201.20 FEET; THENCE N.09°29'27"W. FOR 225.43
FEET; THENCE N.25°48'00"W. FOR 164.79 FEET; THENCE N.18°55'30"W. FOR 201.73 FEET;
THENCE N.49°30'36"W. FOR 22.97 FEET; THENCE N.62°50'46"E. FOR 79.67 FEET; THENCE
N.36°36'06"E. FOR 89.95 FEET TO AN INTERSECTION WITH A CURVE TO THE LEFT,
HAVING A RADIUS OF 236.37 FEET AND TO WHICH POINT A RADIAL LINE BEARS
S.06°25'39"W.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
ANGLE OF 72°07'41" FOR A DISTANCE OF 297.56 FEET; THENCE N.67°53'35"E. FOR 39.60
FEET; THENCE N.52°44'00"E. FOR 341.95 FEET TO THE BEGINNING OF A CURVE TO THE
LEFT, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 38°59'25" FOR A DISTANCE OF 34.03 FEET TO A POINT
OF TANGENCY; THENCE N.13°44'35"E. FOR 118.05 FEET; THENCE N.22°51'31"E. FOR 117.46
FEET; THENCE N.50°32'52"E. FOR 181.72 FEET TO AN INTERSECTION WITH THE
SOUTHWESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' FEET WIDE)
AND A CURVE TO THE LEFT, HAVING A RADIUS OF 1325.00 FEET AND TO WHICH POINT A
RADIAL LINE BEARS N.38°50'33"E.; THENCE NORTHWESTERLY ALONG SAID CURVE
THROUGH A CENTRAL ANGLE OF 4°11'49" FOR A DISTANCE OF 97.06 FEET; THENCE
N.55°21'16"W. FOR 432.07 FEET; THENCE S.44°23'50"W. FOR 422.94 FEET; THENCE
S.59°14'58"W. FOR 228.91 FEET; THENCE S.81°08'07"W. FOR 83.05 FEET; THENCE
N.77°32'48"W. FOR 161.08 FEET; THENCE N.60°27'20"W. FOR 72.83 FEET; THENCE
S.62°57'12"W. FOR 87.08 FEET; THENCE S.47°23'54"W. FOR 290.46 FEET; THENCE
S.32°08'01"W. FOR 334.14 FEET; THENCE S.30°59'37"E. FOR 40.37 FEET; THENCE S.12°24'13"E.
FOR 71.61 FEET; THENCE S.67°12'48"W. FOR 39.26 FEET; THENCE S.10°57'19"E. FOR 77.48
FEET; THENCE S.65°49'14"W. FOR 170.28 FEET; THENCE S.75°28'27"W. FOR 130.81 FEET;
THENCE S.86°30'02"W. FOR 43.01 FEET; THENCE S.63°57'45"W. FOR 95.93 FEET; THENCE
S.83°47'20"W. FOR 63.23 FEET; THENCE N.77°49'23"W. FOR 17.68 FEET; THENCE S.32°33'23"W.
FOR 75.19 FEET; THENCE S.70°53'15"W. FOR 268.48 FEET; THENCE S.66°31'13"W. FOR 118.88
FEET; THENCE S.18°17'51"E. FOR 503.66 FEET; THENCE S.89°44'39"E. FOR 1660.08 FEET TO
THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY WITHIN 75 FEET OF THE
SECTION LINE FOR SECTION 23
PARCEL CONTAINS 52.62 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF
RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23 AS BEARING N.89°44'39"W

DESCRIPTION PREPARED OCTOBER 29th, 1999.

S:\OBS\11XX\1155\SURVEY\1155_desc_mit.log

DESCRIPTION OF
A PARCEL OF LAND
LYING IN
SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(MITIGATION AREA #2)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE N.89°44'39"W. ALONG THE SOUTH LINE OF SAID SECTION 23 FOR 3573.34 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE N.18°17'51"W. ALONG SAID RIGHT-OF-WAY FOR 955.62 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 17026.80 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 04°04'42" FOR 1211.97 FEET; THENCE N.14°13'09"W. ALONG SAID RIGHT-OF-WAY FOR 4589.34 FEET; THENCE N.88°27'56"E. FOR 1025.77 FEET TO THE POINT OF BEGINNING; THENCE N.88°27'56"E. FOR 1780.04 FEET; THENCE N.47°45'12"E. FOR 1504.06 FEET ; THENCE N.01°42'48"W. FOR 269.12 FEET ; THENCE S.21°39'10"W. FOR 68.66 FEET; THENCE S.03°10'42"W. FOR 189.44 FEET; THENCE S.81°41'22"W. FOR 108.46 FEET; THENCE S.71°22'04"W. FOR 86.96 FEET; THENCE S.44°47'24"W. FOR 115.33 FEET; THENCE S.84°41'53"W. FOR 384.96 FEET; THENCE S.75°08'07"W. FOR 122.17 FEET; THENCE S.44°11'25"W. FOR 149.80 FEET; THENCE N.83°50'32"W. FOR 141.74 FEET THENCE; S.55°46'55"W. FOR 48.56 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 850.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°32'21" FOR A DISTANCE OF 660.75 FEET; THENCE S.70°32'55"W. FOR 188.24 FEET; THENCE N.40°09'41"W. FOR 165.57 FEET; THENCE S.85°09'35"W. FOR 62.26 FEET; THENCE S.53°18'11"W. FOR 221.46 FEET; THENCE S.85°08'17"W. FOR 193.00 FEET; THENCE S.44°21'15"W. FOR 65.32 FEET; THENCE S.03°34'13"W. FOR 280.42 FEET; THENCE S.58°59'16"W. FOR 150.29 FEET; THENCE S.50°02'46"W. FOR 136.19 FEET; THENCE S.86°42'41"W. FOR 91.78 FEET; THENCE S.81°31'53"W. FOR 59.36 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' WIDE); THENCE S.03°31'24"E. ALONG SAID RIGHT-OF-WAY FOR 34.30 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 29.40 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 23 AS BEARING N.89°44'39"W.

DESCRIPTION PREPARED OCTOBER 29TH 1999.

S:\JOBS\11XX\1155\SURVEY\1155_desc_mit2.leg

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

DESCRIPTION OF A 43 ACRE PARCEL BEING A PORTION OF
Sections 23 & 24, Township 46 South, Range 25 East,
Lee County, Florida

A portion of Sections 23 and 24, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 11;
thence along the north line of said Section and the centerline of Alico Road, S.89°42'24"E. 1919.62 feet;
thence along the centerline of Tree Line Avenue S.01°01'21"W. 1018.81 feet to a point of curvature;
thence continue along said centerline of Treeline Avenue, southwesterly 3349.48 feet along said centerline and the arc of a circular curve concave to the northwest, having a radius of 10000.00 feet, through a central angle of 19°11' 28" and being subtended by a chord which bears S.10°37'05"W. 3333.84 feet to the point of tangency;
thence S.20°12'19"W. 473.55 feet to a point of curvature;
thence southwesterly 1242.87 feet along said center line and the arc of a circular curve concave to the southeast, having a radius of 3000.00 feet, through a central angle of 23°44'13" and being subtended by a chord which bears S.08°20'42"W. 1234.00 feet to a point of tangency;
thence along said center line, S.03°31'24"E. 3887.79 feet to a point of curvature;
thence southeasterly 690.46 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 1925.00 feet, through a central angle of 20°33'03" and being subtended by a chord which bears S.13°47'56"E. 686.76 feet to a point of tangency;
thence S.24°04'07"E. 1593.09 feet to a point of curvature;
thence southerly and southeasterly, 1141.84 feet along said center line and the arc of a circular curve concave to the northeast, having a radius of 2800.00 feet, through a central angle of 23°21'55" and being subtended by a chord which bears S.35°45'25"E. 1133.95 feet to a point on said curve;
thence leaving said center line, N.42°33'38"E. 105.59 feet
thence S.59°16'15"E. 92.63 feet;
thence N.38°37'17"E. 462.00 feet to the POINT OF BEGINNING of the herein described parcel.
thence N.20°50'23"W. 170.61 feet;
thence N.3°26'59"W. 196.02 feet;
thence N.49°19'44"E. 344.71 feet;
thence S.54°09'13"E. 1057.59 feet;
thence S.05°08'14"W. 497.67 feet;
thence S.87°48'55"E. 1464.61 feet;
thence S.27°22'23"W. 649.51 feet;
thence S.83°15'50"W. 340.40 feet
thence S.48°52'47"W. 591.95 feet to the northeasterly right of way line of Tree Line Avenue and a point on a curve;
thence northwesterly 114.20 feet along the arc of a curve and said northeasterly right of way line having a radius of 1475.00 feet, through a central angle of 04°26'09", and being subtended by a chord which bears N.53°08'11"W. 114.17 feet to the point of tangency;

EXHIBIT "H"

WILSON, MILLER, BARTON & PEEK, INC.

4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912-1062 • Ph 941-939-1020 Fx 941-939-7479

Web Site: www.wilsonmiller.com

Fort Myers

E-mail: fortmyers@wilsonmiller.com

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F0231-009-005-55GN-2728

Naples

Fort Myers

Sarasota

Bradenton

Tampa

OR BK 03550 PG 1214

EXHIBIT

WILSON  MILLER


thence along said northeasterly right of way line N.55°21'16"W. 423.96 feet;
thence leaving said line N.38°37'17"E. 180.43 feet;
thence N.40°45'20"W. 1287.06 feet;
thence N.51°22'43"W. 275.00 feet to the Point of Beginning for the herein described parcel.

Parcel contains 43 acres, more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.



Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

4-1-99
Date

Not valid unless embossed with the Professional's seal.

W.O.: F0253-009-005 LSSLD
REF.: A-0253-145
DATE: April 1, 1999

OR BK 03550 PG 1215

EXHIBIT "H"

PLANNERS, ENVIRONMENTAL CONSULTANTS, ENGINEERS,
SURVEYORS, LANDSCAPE ARCHITECTS, CONSTRUCTION MANAGERS

DESCRIPTION OF A 66 ACRE PARCEL BEING A PORTION OF Section 13, Township 46 South, Range 25 East, Lee County, Florida

A portion of Section 13, Township 46 south, Range 25 east, Lee County, Florida more particularly described as follows:

COMMENCING at the Northwest corner of Section 11, Township 46 South, Range 25 East;
thence along the north line of said section and the centerline of Alico Road S.89°42'24"E. 1919.62 feet;
thence along the centerline of Treeline Avenue S.01°01'21"W. 109.05 feet; thence S.89°42'24"E. 75.00 feet to an
intersection with the south right of way line of Alico Road and the east right of way of Treeline Avenue: thence
along said southerly right of way line S.89°42'24"E. 1049.81 feet;
thence leaving said line S.1°00'21"E. 1635.40 feet to a point on a curve, point bearing S.84°01'34"W. from the
center of said curve;
thence southeasterly 5221.22 feet along the arc of a non-tangential circular curve concave to the northeast having a
radius of 3595.48 feet, having a central angle of 83°12'10" and being subtended by a chord which bears
S.47°34'31"E. 4774.39 feet to a point on said curve;
thence N.89°01'32"E. 1282.53 feet;
thence S.01°46'59"W. 407.03 feet;
thence S.89°48'06"E. 1264.40 feet;
thence S.20°09'57"E. 832.58 feet;
thence S.15°43'44"E. 1222.03 feet;
thence S.25°52'55"E. 362.91 feet;
thence S.00°07'13"E. 16.50 feet;
thence N.89°46'48"W. 635.94 feet;
thence S.19°49'36"W. 375.30 feet to the POINT OF BEGINNING of the herein described parcel.
Thence S.79°57'29"E. 18.29 feet;
thence S.48°44'52"E. 10.14 feet;
thence S.06°54'40"E. 51.94 feet;
thence S.11°39'28"E. 34.33 feet;
thence S.04°51'39"E. 21.39 feet;
thence S.18°18'13"W. 25.87 feet;
thence N.82°50'47"W. 15.56 feet;
thence N.76°56'48"W. 27.40 feet;
thence S.02°11'29"W. 62.11 feet;
thence S.14°31'45"E. 24.66 feet;
thence S.14°49'53"E. 6.59 feet;
thence S.24°14'57"W. 30.44 feet;
thence S.87°22'03"E. 5.44 feet;
thence S.87°24'51"E. 19.39 feet;
thence S.87°20'13"E. 13.45 feet;
thence N.85°27'36"E. 25.27 feet;
thence N.85°27'17"E. 29.97 feet;
thence N.85°52'53"E. 61.78 feet;

EXHIBIT "I"

WILSON, MILLER, BARTON & PEEK, INC.

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thence N.90°00'00"E. 52.88 feet;
thence N.85°58'36"E. 250.30 feet;
thence N.85°35'19"E. 86.13 feet;
thence N.81°26'58"E. 44.56 feet;
thence N.80°50'39"E. 69.13 feet;
thence N.47°59'41"E. 29.61 feet;
thence N.24°14'29"E. 48.25 feet;
thence N.30°57'50"E. 12.03 feet;
thence N.30°59'13"E. 26.46 feet;
thence N.35°34'54"E. 18.90 feet;
thence N.47°16'30"E. 38.97 feet;
thence N.49°29'40"E. 20.30 feet;
thence N.46°03'51"E. 57.11 feet;
thence N.71°30'39"E. 20.89 feet;
thence N.56°14'53"E. 16.09 feet;
thence N.56°15'20"E. 201.37 feet;
thence N.89°36'23"E. 304.60 feet;
thence S.02°10'07"E. 1285.56 feet;
thence N.79°13'23"W. 80.22 feet;
thence S.56°32'16"W. 65.40 feet;
thence S.11°37'49"W. 61.39 feet;
thence S.43°47'29"E. 31.43 feet;
thence S.65°22'51"W. 932.56 feet;
thence S.62°02'33"W. 548.61 feet;
thence N.84°00'27"W. 113.75 feet;
thence S.73°01'40"W. 332.94 feet;
thence S.88°47'09"W. 386.35 feet;
thence N.01°12'51"W. 733.65 feet;
thence N.75°24'23"E. 644.66 feet;
thence N.02°55'16"W. 211.27 feet;
thence N.19°49'36"E. 960.80 feet to the Point of Beginning for the herein described parcel.

Parcel contains 66 acres more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSON, MILLER, BARTON & PEEK, INC.

Alan W. Sadowski
Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

4-1-99
Date

Not valid unless embossed with the Professional's seal.
W.O.: F0253-015-004 APPDP REF.: A-0253-144 Date: March 30, 1999

OR BK 03550 PG 1217

EXHIBIT "I"

3/30/99-7494 Ver. 011-DGungliardo
PL 14-1 LE 000010

Exhibits "J"
Miromar Lakes, L.L.C. Deed to Miromar Lakes Community Development District
December 20, 2000

The conveyance made by this deed is subject to the following exceptions and reservations retained by Miromar Lakes, L.L.C. (herein "Grantor"):

1. Grantor retains all rights to any and all useable fill dirt, if any, which may be hereafter extracted from any portion of the conveyed property.

2. Grantor retains the right to withdraw the maximum amount of available water from the lakes conveyed herein for irrigation and other similar purposes, subject only to the obligation to obtain permits therefore.

3. Grantor retains the sole right to install, maintain, and replace, docks or other structures within the lake areas, which right shall be personal property of Grantor and not appurtenant to any property of Grantor as of the date hereof. Grantor retains the permit rights it currently holds for docks, shall be privileged to seek, obtain and hold such additional or further permit rights with respect to docks or other structures as it may determine hereafter. Grantor may assign the right to install, maintain, and replace a dock or other structure, and upon such conveyance such right may be appurtenant to the real property of the grantee thereof.

4. Grantor shall be entitled to convey all or any part of the rights and privileges retained herein, such rights shall be exclusive to Grantor, and its successors and assigns, and shall not be subject to regulation, permission, or control by Grantee.

DISTRICT MANAGER'S TRANSFER AUTHORIZATION

ACOE – 2000 PERMIT

PERMIT TRANSFER AGREEMENT

This Permit Transfer Agreement (“Agreement”) is entered into on this ____ day of September, 2017, between Miromar Lakes, LLC (“Miromar”) and Miromar Lakes Community Development District (“Miromar Lakes CDD”) (sometimes referred to collectively as the “Parties” or singularly as a “Party”).

BACKGROUND

On July 10, 2000, the United States Army Corps of Engineers (“Corps”) issued Department of the Army Permit Number 1995-07483(IP-MN) (the “Permit”) to Miromar. The Permit allowed dredge and fill activities into wetlands in connection with the construction of a large scale master planned residential community known as Miromar Lakes Beach and Golf Club (the “Miromar Lakes Community”).

Miromar Lakes CDD is responsible for the oversight, management and maintenance of various lakes, shorelines and master stormwater infrastructure within the boundaries of Miromar Lakes CDD, including the lakes, shoreline and mitigation areas encompassed within the Permit.

Miromar is still developing properties within, abutting or near the boundaries of Miromar Lakes CDD. Miromar is also in the process of seeking an amendment to the Permit (“Permit Amendment”) to accommodate a new 500 acre mixed use and student housing project generally known and referred to as the “University Village Project”.

AGREEMENT

THEREFORE, Miromar and Miromar Lakes CDD agree as follows:

1) Acceptance of Transfer of the Permit. Miromar Lakes CDD agrees to accept the transfer of the Permit and will be bound by the terms and conditions of the Permit and any attachments to it (attached as Exhibit A) subsequent to the transfer.

2) Execution and Delivery of Permit Transfer to Corps. Upon entering into this Agreement, Miromar Lakes CDD will sign and deliver to the Corps the Army Permit Transfer Request form referenced in the Permit (attached as Exhibit B), or an equivalent transfer document acceptable to the Jacksonville District of the Corps, in order to comply with the Corps’ permit transfer requirements, and to further evidence Miromar Lakes CDD’s agreement to be bound by the terms and conditions of the Permit, and to perform all obligations of the permittee under the Permit.

3) Consent to Transfer. Miromar consents to the transfer of the Permit to Miromar Lakes CDD and will evidence its consent to the Corps if required to do so.

4) Matters for which Miromar is Liable and Responsible. Because Miromar is still developing properties within, abutting or near the boundaries of Miromar Lakes CDD, the Parties desire to clarify that Miromar Lakes CDD does not accept liability or responsibility for any of the terms, conditions, or obligations that may be related to: (i) existing amendments to the Permit, including the 2007 amendment (SAJ-1995-7843(IP-MN)-Addn.); (ii) the current

application to amend the Permit in connection with the University Village Project; or (iii) any future projects inside or outside the boundaries of Miromar Lakes CDD as constructed by Miromar. Any future obligations related to the University Village Project will remain the responsibility of Miromar.

5) Miromar Indemnity and Duty to Defend. Miromar will indemnify, defend, and hold Miromar Lakes CDD, and its supervisors, officers, directors, members, agents, attorneys and employees (“Miromar Lakes CDD Indemnified Parties”) harmless against, and will pay for all losses, damages, and costs or expenses, including professional and reasonable attorneys’ fees and costs, incurred by Miromar Lakes CDD Indemnified Parties as a result of Miromar’s acts or failure to act with respect to, or in connection with: (i) existing amendments to the Permit, including the 2007 amendment (SAJ-1995-7843(IP-MN)-Addn.); (ii) the current application to amend the Permit in connection with the University Village Project; (iii) any future projects inside or outside the boundaries of Miromar Lakes CDD as constructed by Miromar up until the point of transfer pursuant to Section 8; and (iv) any future obligations related to the University Village Project (“Miromar Indemnified Acts”).

6) Scope of Recoverable Costs and Expenses. Reference in Paragraph 5 of this Agreement to costs and expenses includes all costs and expenses and all professional and reasonable attorneys’ fees and costs, including without limitation, those costs and expenses incurred prior to the institution of any action or other proceeding; those incurred during or in connection with any action or proceeding; those incurred during or in connection with any settlement efforts, appeals or other action or proceeding of any kind; and those incurred during or in connection with demonstrating or proving the amount of such costs and expenses, including the amount of professional or reasonable attorneys’ fees and costs to be awarded.

7) Duty to Cooperate. The Parties recognize that resolution of the existing enforcement action of the Corps as outlined in that certain letters dated June 30 2017 and August 22, 2007 from the Corps to Miromar Development Corporation (“Enforcement Action”) may require the joint cooperation and good faith efforts of the Parties and the Parties agree to jointly work together and cooperate in good faith in order to bring about resolution of the Enforcement Action.

8) Future Transfers. With respect to the ongoing and future development of Miromar Lakes by Miromar and/or any of its related entities, or any third party developers or builders within the boundaries of Miromar Lakes CDD, Miromar will assign and transfer to Miromar Lakes CDD in accordance with the second paragraph of this Section, for no consideration, ownership of the stormwater infrastructure, retention and detention areas and the lake bottom of any areas dredged and connected to Lake 5/6, the lake bottom of Lake 5/6 owned by Miromar, as described in the Permit and that are part of the master stormwater management system, which are subject to the Permit or any South Florida Water Management District (“SFWMD”) permit and which Miromar Lakes CDD is, or will be, responsible. Miromar Lakes CDD will continue to receive assignment and transfers of the master stormwater management system previously developed by Miromar consistent with the second paragraph of this Section. These assignments and transfers are subject to the reservation of all recreational rights, beach maintenance and use and all other use rights typically retained by Miromar and/or assigned to Miromar Lakes Master Association, Inc.

The assignment or transfer of the portions of the master stormwater management system contemplated in the foregoing paragraph of this Section will occur in a reasonable time after Miromar completes construction of the applicable stormwater facilities. In connection with any such assignment or transfer, Miromar will (i) transfer the SFWMD permit for operation to Miromar Lakes CDD and (ii) obtain and provide to Miromar Lakes CDD a certification that such stormwater facilities have been constructed in substantial compliance with the Permit and the plans and specifications for such stormwater facilities have been approved by SFWMD.

9) No Agency, Joint Venture or Partnership. Nothing in this Agreement is intended to make (i) Miromar Lakes CDD an agent of Miromar, (ii) Miromar an agent of Miromar Lakes CDD, or (iii) Miromar and Miromar Lakes CDD joint venturers or partners.

10) No Waiver or Release of Existing or Future Rights, Claims, Causes of Action or Remedies. Nothing in this Agreement is intended to be, nor can be construed as, a waiver or release any right, claim, cause of action or remedy of any Party, including without limitation, any rights, claims, causes of actions or remedies against the other Party, all of which are expressly reserved.

11) Miscellaneous Provisions

a. Headings. Section and subsection headings in this Agreement are for convenience of reference only and will not govern or influence in any manner the interpretation of any of its provisions.

b. Severability. If any term of this Amendment is to any extent illegal, otherwise invalid, or incapable of being enforced, such term will be excluded to the extent of such invalidity or unenforceability; all other terms of this Amendment will remain in full force and effect; and, to the extent permitted and possible, the invalid and unenforceable term will be deemed replaced by a term that is valid and enforceable and that comes closest to expressing the intention of such invalid or unenforceable term. If application of this Severability provision should materially and adversely affect the economic substance of the transactions contemplated by this Amendment, the party adversely impacted will be entitled to compensation for such adverse impact, provided the reason for the invalidity or unenforceability of a term is not due to serious misconduct by the party seeking such compensation.

c. Waiver. No failure of any Party to exercise any power given under this Agreement or to insist upon strict compliance with any of the terms or conditions specified in this Agreement will constitute a waiver of such Party's right to demand exact compliance with the terms of this Agreement.

d. Successors. This Agreement will be binding upon the successors and assigns of the Parties.

e. Entire Agreement. This Agreement and any documents to be executed and delivered in connection with it are intended by the Parties as a final expression of their agreement and are intended as a complete and exclusive statement of the terms and

conditions of it. The Agreement and any documents to be executed and delivered in connection with it supersede and replace all prior negotiations and agreements between the Parties, or any of them, whether written or oral, with respect to the terms of this Agreement.

f. No Other Promises. Each Party acknowledges that no other party, or agent or attorney of any other party, has made any promise, representation, or warranty, express or implied, that is not contained in this Agreement to induce any other Party to execute this Agreement or any documents to be executed and delivered in connection with it. Each Party acknowledges that it has not executed this Agreement or any other document in reliance upon any promise, representation, or warranty not contained in this Agreement. This Agreement and any documents to be executed and delivered in connection with it cannot be contradicted by evidence of any prior or contemporaneous oral agreement or promise.

g. Amendment in Writing Only. Any provision of this Agreement or any documents to be executed and delivered in connection with it may be changed, waived or terminated only by written instrument signed by the Party against whom the change, waiver, or termination is sought to be enforced.

h. Additional Actions. The Parties agree to take such additional actions, including the prompt execution and delivery of any additional documents, reasonably necessary or desirable to effectuate the provisions and spirit of this Agreement.

i. Governing Law and Venue. This Agreement must be construed in accordance with, and all disputes arising out of or in connection with the Agreement must be controlled by the laws of the State of Florida. The venue for any action under or related to this Agreement must be in Lee County, Florida, and any court of competent jurisdiction in such county, whether state or federal court.

j. Construction of Agreement and Representation by Counsel. Each Party and their undersigned counsel have participated in the negotiation of this Agreement and this Agreement will be construed in accordance with its intent and with the fair meaning of its provisions and without regard to any presumption or other rule of interpretation requiring construction against the party who drafted the document. No duty or obligation shall exist, or can be implied, except those expressly set forth herein.

k. Counterparts. This Agreement may be executed in several counterparts and all counterparts so executed will constitute one Agreement binding on all the Parties, notwithstanding that all the Parties are not signatories to the original or the same counterpart.

l. Electronic Signatures. An electronic signature will be considered an original signature on this Amendment and any related documents or subparts and will have the same force and effect as a written signature unless prohibited by Florida law. Electronic signatures may include, but not be limited to, facsimiles, electronic signatures,

portable document format (PDF), and any other electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a party with the intent to sign the Amendment or any other document related to this Amendment. The exchange of a fully executed Agreement (in counterparts or otherwise) by facsimile or by electronic delivery in PDF format will be sufficient to bind the Parties to the terms and conditions of this Agreement.

m. No Third Party Beneficiaries. All covenants and agreements of the Parties in this Agreement are solely and exclusively for the benefit of the Parties and their successors and assigns, and no other person or entity will have standing to require performance of any such covenants and agreements, and no other person or entity will, under any circumstances, be considered a beneficiary of such obligations or duties.

The Parties have signed on the day and year written by their signatures. This Agreement will be effective on the date and year signed by the last party to sign.

SIGNATURE PAGE

<p>Miromar Lakes Community Development District</p> <p>By: _____</p> <p>Name: _____</p> <p>Title: _____</p> <p>Date: _____</p>	<p>Miromar Lakes, LLC</p> <p>By: Miromar Development Corporation</p> <p>Its: Member</p> <p>By: _____</p> <p>Robert B. Roop, Executive Vice President</p> <p>Date: _____</p>
--	---



6200 Whiskey Creek Drive, Fort Myers, Florida 33919 Phone: 239.985.1200 Fax: 239.985.1259

August 8, 2017

Mr. James P. Ward
District Manager
Miromar Lakes CDD
20410 NE 6 Terrace
Wilton Manors, FL 33305

RE: Request to transfer SFWMD permit to M.L. CDD

Dear Mr. Ward,

Miromar Lakes LLC has submitted a request to transfer the South Florida Water Management District Permit and the completed water management system for Peninsula Phases 3 and 4 to the Miromar Lakes CDD.

The water management system for Peninsula Phase 3 was permitted through SFWMD and Lee County Development Services as permit applications 121115-1 and DOS2012-00040. Phase 3 received a Construction Completion Certification Acceptance from SFWMD on April 11, 2017 and Certificate of Compliance from Lee County on June 24, 2014. The plat for Phase 3 was recorded with Lee County on June 18, 2013, Instrument #2013000142438. Tracts O-1, O-2 and O-3 were dedicated to the Miromar Lakes CDD as well as all drainage easements, lake maintenance easements and rights of ingress and egress over certain tracts of land. The developer has provided bathymetric surveys of the lakes and we have inspected the lake shorelines as recently as July of 2017.

The Developer has provided the following information as part of the transfer request:

- SFWMD Construction Completion Certification Acceptance
- Lee County Development Order Certificate of Compliance
- Copy of the recorded Plat for Phase 3
- Bathymetric Surveys of the lakes to be transferred to the CDD
- SFWMD - Request for Transfer of ERP to the Perpetual Operations Entity
- Quit Claim Deeds

The water management system for Peninsula Phase 4 was permitted through SFWMD and Lee County Development Services as permit applications 140620-1 and DOS2014-00048. Phase 4 received a Construction Completion Certification Acceptance from SFWMD on April 28, 2017 and Certificate of Compliance from Lee County on February 21, 2017. The plat that created the individual water management tracts for Phase 4 was recorded with Lee County on December 17, 2015, Instrument #2015000269567. Tracts O-4, O-5 and O-6 were dedicated to the Miromar Lakes CDD as well as all drainage easements, lake maintenance easements and rights of ingress and egress over certain tracts.

The Developer has provided the following information as part of the transfer request:

- SFWMD Construction Completion Certification Acceptance
- Lee County Development Order Certificate of Compliance
- Copy of the recorded Plat for Phase 4
- SFWMD - Request for Transfer of ERP to the Perpetual Operations Entity
- Quit Claim Deeds

Based on the review of the lake shoreline and the information provided by the Miromar Lakes LLC, it is our recommendation to proceed with the SFWMD Transfer of the ERP to the Perpetual Operations Entity.

Please let me know if you have any questions regarding the attached information.

Sincerely,

Hole Montes, Inc.

Charles L. Krebs

Charles L. Krebs, P.E.
Associate / Project Manager
District Engineer for Miromar Lakes CDD

SFWMD CONSTRUCTION COMPLETION

CERTIFICATION ACCEPTANCE

PHASE 3



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 11, 2017

Mr. Robert Roop
Miromar Development Corporation
10801 Corkscrew Road Ste 305
Estero, FL 33928

**Subject: The Peninsula Phase 3 At Miromar Lakes
Construction Completion Certification Acceptance
Permit No. 36-03568-P, Application No. 121115-1
Lee County, S13/T46S/R25E**

Dear Mr. Roop:

This letter is to acknowledge receipt of your Florida registered professional's construction completion certification (CCC) pertaining to the stormwater management system referenced above. As discussed with South Florida Water Management District (District) staff and Spencer Casteel, E.I. of Waldrop Engineering on April 10, 2017, the submitted information has been accepted and incorporated into the permit file. Please note that control structures: CS-1 and L-3 have been modified and will be accepted under application 140620-1.

This acceptance is based on the South Florida Water Management District's (District) review of the "As-built Certification and Request for Conversion to Operation Phase", Form 62-330.310(1), and a determination that construction is in substantial conformance with the plans and specifications approved by the District, in accordance with Section 62-330.310, Florida Administrative Code (FAC). The permit file has been updated to reflect this determination.

By accepting the Florida registered professional's certification, District staff considers the stormwater management system permitted under the above-referenced application number(s) to be in compliance with permit conditions pertaining to the CCC and the above-referenced permit is hereby converted from the construction phase to the operation and maintenance phase.

IR

4/11/17

DISTRICT HEADQUARTERS: 3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • (800) 432-2045
LOWER WEST COAST SERVICE CENTER: 2301 McGregor Boulevard, Fort Myers, FL 33901 • (239) 338-2929 • (800) 248-1201
OKEECHOBEE SERVICE CENTER: 3800 N.W. 16th Blvd, Suite A, Okeechobee, FL 34972 • (863) 462-5260 • (800) 250-4200
ORLANDO SERVICE CENTER: 1707 Orlando Central Parkway, Suite 200, Orlando FL 32809 • (407) 858-6100 • (800) 250-4250

sfwmd.gov

Please be aware that all perpetual operation and maintenance requirements of this permit are the responsibility of the permittee and that the District reserves the right to inspect the project in the future to ensure continued compliance with the permit. If at any time it is determined that the constructed system is not operating as intended, you may be required to correct any construction deficiencies in the system necessary to meet District rule criteria.

According to District records, a permit transfer to the operating entity is required. In accordance with Rule 62-330.350(1)(e), FAC, "Unless the permit is transferred under Rule 62-330.340, FAC, or transferred to an operating entity under Rule 62-330.310, FAC, the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity." This transfer should be pursued via Form 62-330.310(2), *Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity*, with supporting documentation. The form and submittal instructions are enclosed.

The District now has the capability of receiving certifications, as-built plans and AGI inspection reports, conversion/transfer forms and other documents electronically via the District's ePermitting website at www.sfwmd.gov/ePermitting. For first-time users, an account will need to be created. Reports can be submitted through eCompliance/Environmental Resource.

Should you have any questions or require additional assistance, please contact me at 239-338-2929 ext 7792, or via e-mail at dgordon@sfwmd.gov, in the Lower West Coast Service Center.

Sincerely,








D'Cody Gordon, E.I.
Environmental Resource Bureau
Lower West Coast Service Center
South Florida Water Management District

Enclosure(s): Location Map
Notice of Rights
Operation Transfer Instructions and Form 62-330.310(2)

c: Spencer Casteel, E.I., Waldrop Engineering



SFWMD GeoSpatial Services

<p>Exhibit No: 1</p>	<p>Exhibit Created On: 2017-04-10</p>	<p>LEE COUNTY, FL</p>	<div style="display: flex; align-items: center;">  <p>Application</p> </div> <div style="margin-top: 10px;"> <p>Permit No: 36-03568-P</p> <p>Application Number: 121115-1</p> </div> <div style="margin-top: 10px;">  </div>
<p>REGULATION DIVISION</p> <p>Project Name: THE PENINSULA PHASE 3 AT MIROMAR LAKES</p> <div style="display: flex; align-items: center; justify-content: center;">  <div style="text-align: center;"> <p>0 2,100 4,200</p>  <p>Feet</p> </div> <div style="margin-left: 20px;"> <p>N</p>  </div> </div>			

NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

INITIATION OF AN ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401–.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.

LEE COUNTY DEVELOPMENT ORDER

CERTIFICATE OF COMPLIANCE

PHASE 3



BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

June 24, 2014

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Writer's Direct Dial Number:
(239) 533-8356

**DEVELOPMENT ORDER
CERTIFICATE OF COMPLIANCE**

PROJECT NAME: MIROMAR LAKES, PENINSULA AT

D.O. NUMBER: DOS2012-00040

BUILDING PERMIT: All Phases/All Infrastructure

This Certificate of Compliance certifies that the above mentioned development, as determined by an on-site inspection performed by Lee County on 6/23/2014 is completed to the specifications of the approved development order plans and is hereby declared to be in substantial compliance with the Final Development Order.

This Certificate represents a final inspection. This Development Order is now complete.

**LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division**

**John S. DeRango
Development Review Representative**

RECORDED PLAT FOR

PENINSULA PHASE 3

Miromar Lakes Unit XIII - Peninsula, Phase Three

DEDICATIONS/RESERVATIONS

STATE OF FLORIDA
COUNTY OF LEE

MIROMAR LAKES, LLC, A FLORIDA LIMITED LIABILITY COMPANY (DEVELOPER) AND MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A COMMUNITY DEVELOPMENT DISTRICT FORMED PURSUANT TO CHAPTER 190 F.S., THE OWNERS OF THE HEREIN DESCRIBED LANDS, HAVE CAUSED THIS PLAT OF MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA TO BE MADE AND DEDICATE THE LANDS AND THE FOLLOWING TRACTS AND EASEMENTS:

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA

1. DEDICATE TO MIROMAR LAKES MASTER ASSOCIATION INC., A FLORIDA NOT-FOR-PROFIT CORPORATION:

- A. TRACTS "R-1", "R-2" AND "R-3", FOR PRIVATE ROAD RIGHT-OF-WAY (R.O.W.), FOR A RIGHT OF INGRESS AND EGRESS, OVER AND ACROSS, FOR THE BENEFIT OF THE ASSOCIATION AND MEMBERS OF THE ASSOCIATION'S GUESTS, CONTRACTOR AND PERSONNEL, SUBJECT TO EASEMENTS DEPICTED HEREON, WITH RESPONSIBILITY FOR MAINTENANCE.
- B. TRACTS "B-1", "B-2", "B-3", "B-4", "B-5", "B-6", "B-7", "B-8", "B-9", "B-10", "B-11", "B-12" AND "B-13", AS OPEN SPACE, FOR THE PURPOSE OF LANDSCAPING, SUBJECT TO EASEMENTS DEPICTED HEREON, WITH RESPONSIBILITY FOR MAINTENANCE.
- C. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AND DRAINAGE EASEMENTS (D.E.), WITH NO RESPONSIBILITY OF MAINTENANCE.

2. DEDICATE TO MIROMAR LAKES MASTER ASSOCIATION INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, TROPICAL WATER SUPPLY COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND ALL PUBLIC AND PRIVATE UTILITIES, WHETHER PRIVATELY OR GOVERNMENTALLY OWNED FOR ACCESS AND USE IN PERFORMING AND DISCHARGING THEIR RESPECTIVE OFFICIAL DUTIES AND OBLIGATIONS TO PROVIDE UTILITY AND OTHER GOVERNMENTAL SERVICES, THE FOLLOWING:

- A. ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON, SOLELY FOR THE USES AND PURPOSES INDICATED.
- B. THE PUBLIC UTILITY EASEMENTS (P.U.E.) AS DESCRIBED ABOVE MAY ALSO BE USED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC AND PRIVATE UTILITIES, INCLUDING BUT NOT LIMITED TO CABLE TELEVISION, INTRANET/INTERNET, TELECOMMUNICATIONS, IRRIGATION, SECURITY, GAS AND SIMILAR SYSTEMS AND FACILITIES, PROVIDED, HOWEVER, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION (I) MUST NOT INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY; AND (II) MUST COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

3. DEDICATE TO THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS:

- A. ALL OF TRACTS "O-1", "O-2" AND "O-3" FOR LAKE/WATER MANAGEMENT AND STORMWATER MANAGEMENT, WITH RESPONSIBILITY FOR MAINTENANCE.
- B. ALL DRAINAGE EASEMENTS (D.E.), DEPICTED HEREON, FOR DRAINAGE PURPOSES, WITH RESPONSIBILITY FOR MAINTENANCE.
- C. ALL LAKES MAINTENANCE EASEMENTS (L.M.E.), DEPICTED HEREON, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES FOR THE PURPOSE OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES, WITH RESPONSIBILITY FOR MAINTENANCE.
- D. A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS TRACTS "R-1", "R-2" AND "R-3", TRACTS "B-1", "B-2", "B-3", "B-4", "B-5", "B-6", "B-7", "B-8", "B-9", "B-10", "B-11", "B-12" AND "B-13" AND ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON.

4. DEDICATE TO LEE COUNTY UTILITIES:

ALL LEE COUNTY UTILITY EASEMENTS (L.C.U.E.), DEPICTED HEREON.

5. DEDICATE TO THE NAVONA NEIGHBORHOOD ASSOCIATION, INC.:

ALL DOCK EASEMENTS (D.K.E), DEPICTED HEREON, FOR INGRESS, EGRESS AND ACCESS TO, RESPONSIBILITY FOR MAINTENANCE OF DOCKS AND INSTALLATION AND MAINTENANCE OF UTILITIES SERVICING THE DOCKS.

6. RESERVE TO THE DEVELOPER, ITS SUCCESSOR AND ASSIGNS:

- A. ALL DOCK EASEMENTS (D.K.E), DEPICTED HEREON, FOR INGRESS, EGRESS AND ACCESS TO IN CONJUNCTION WITH CONSTRUCTION PURPOSES.
- B. AN EASEMENT WITH A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AND DRAINAGE EASEMENTS (D.E.), DEPICTED HEREON, WITH NO RESPONSIBILITY FOR MAINTENANCE.
- C. AN EASEMENT WITH A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS TRACTS "R-1", "R-2" AND "R-3", TRACTS "B-1", "B-2", "B-3", "B-4", "B-5", "B-6", "B-7", "B-8", "B-9", "B-10", "B-11", "B-12" AND "B-13", ALL DRAINAGE EASEMENTS, ALL LAKE MAINTENANCE EASEMENTS AND ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON.

MIROMAR LAKES, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A COMMUNITY DEVELOPMENT DISTRICT FORMED PURSUANT TO CHAPTER 190 F.S., HAVE EXECUTED THIS PLAT THIS 18TH DAY OF JUNE, 2013.

[Signature]
WITNESS

Mark Caschewant
PRINTED NAME

Hequiline Meeks
WITNESS

HEQUILINE MECKS
PRINTED NAME

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A UNIT OF SPECIAL PURPOSE GOVERNMENT CREATED PURSUANT TO CHAPTER 190, FLORIDA STATUTES

[Signature]
CHAIRMAN OF THE BOARD OF SUPERVISORS

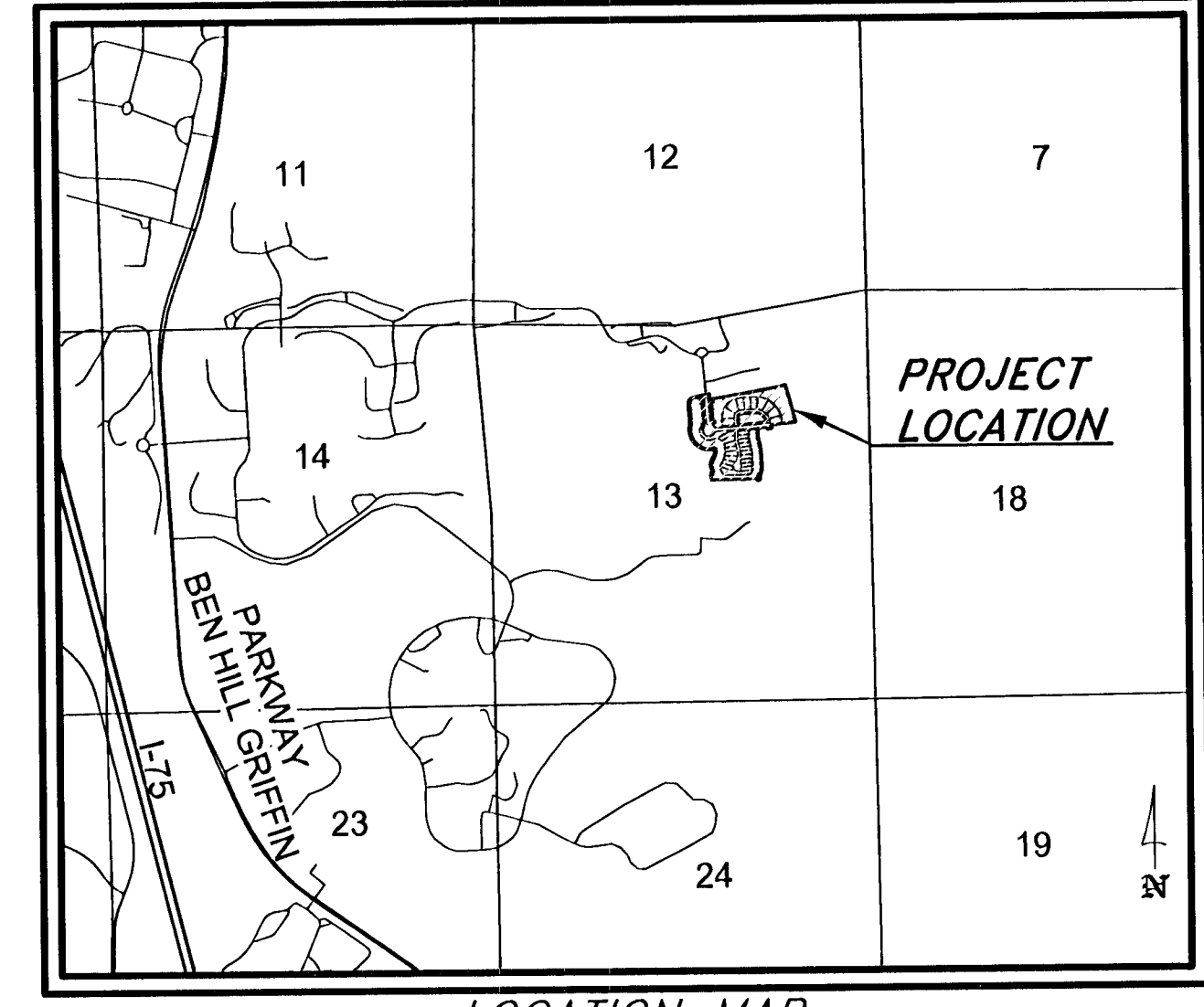
MIROMAR LAKES, LLC
A FLORIDA LIMITED LIABILITY COMPANY

BY: MIROMAR DEVELOPMENT CORPORATION
ITS MANAGING MEMBER

[Signature]
BY: ROBERT B. ROOP
VICE PRESIDENT

[Signature]
WITNESS, MICHAEL R. ELGIN

[Signature]
WITNESS, JAMES P. WARD



LOCATION MAP
NOT TO SCALE
SEE SHEET 2 FOR PROPERTY DESCRIPTION AND NOTES

NOTICE:
LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OF OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13TH DAY OF JUNE, 2013, BY Michael Handcock AS THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A UNIT OF SPECIAL PURPOSE GOVERNMENT CREATED PURSUANT TO CHAPTER 190, FLORIDA STATUTES, ON BEHALF OF THE DISTRICT, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

Patricia A. DeStefano
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT (AFFIX SEAL)
Patricia A. DeStefano
NAME OF ACKNOWLEDGER TYPED, PRINTED OR STAMPED

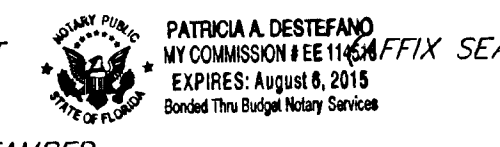


ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 24TH DAY OF May, 2013, BY ROBERT B. ROOP, VICE PRESIDENT OF MIROMAR DEVELOPMENT CORPORATION, THE MANAGING MEMBER OF, BEHALF OF THE MIROMAR LAKES LLC, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

Patricia A. DeStefano
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT (AFFIX SEAL)
Patricia A. DeStefano
NAME OF ACKNOWLEDGER TYPED, PRINTED OR STAMPED



NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

APPROVALS

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 18TH DAY OF JUNE, 2013.

[Signature]
CHAIR OF THE BOARD

Linda Doggett By: Teresa A. Baer, D.C.
LINDA DOGGETT
CLERK OF COURT

CECIL PENDERGASS
PRINTED NAME

[Signature]
PETER J. ECKENRODE, DIRECTOR
DIVISION OF DEVELOPMENT SERVICES

[Signature]
MICHAEL D. JACOB
ASSISTANT COUNTY ATTORNEY

[Signature]
MARY GIBBS, DIRECTOR
DEPARTMENT OF
COMMUNITY DEVELOPMENT

REVIEW BY COUNTY PROFESSIONAL SURVEYOR AND MAPPER

REVIEW BY THE DESIGNATED PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART 1.

[Signature]
MICHAEL L. HARMON, P.S.M.
LEE COUNTY DESIGNATED P.S.M.

CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA WAS FILED FOR RECORD AT 3:51 PM THIS 18TH DAY OF JUNE, 2013 AND DULY RECORDED AS INSTRUMENT # 2013000142438 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

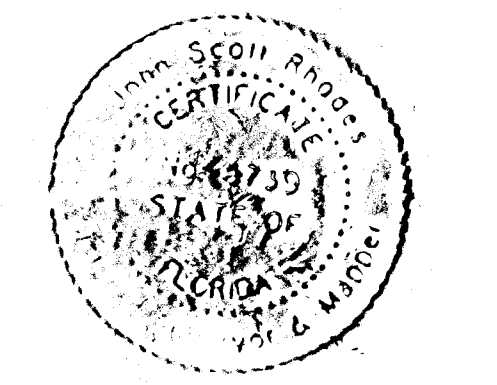
Linda Doggett By: Teresa A. Baer
LINDA DOGGETT
CLERK OF CIRCUIT COURT
IN AND FOR LEE COUNTY
Teresa A. Baer
Deputy Clerk

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFIED THAT THE ATTACHED PLAT OF MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES (F.S.). I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

RHODES & RHODES LAND SURVEYING, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 6897

DATE: 5/22/13
[Signature] P.S.M. #5739
JOHN SCOTT RHODES STATE OF FLORIDA



THIS INSTRUMENT PREPARED BY:
JOHN SCOTT RHODES, P.S.M., #5739
RHODES & RHODES
LAND SURVEYING, INC.
28100 BONITA GRANDE DRIVE - SUITE #107
BONITA SPRINGS, FL 34135
(239) 405-8166 FAX NO. (239) 405-8163
FLORIDA BUSINESS LICENSE NO. LB 6897

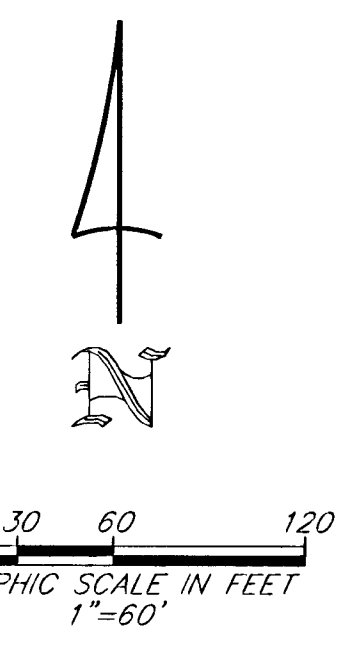
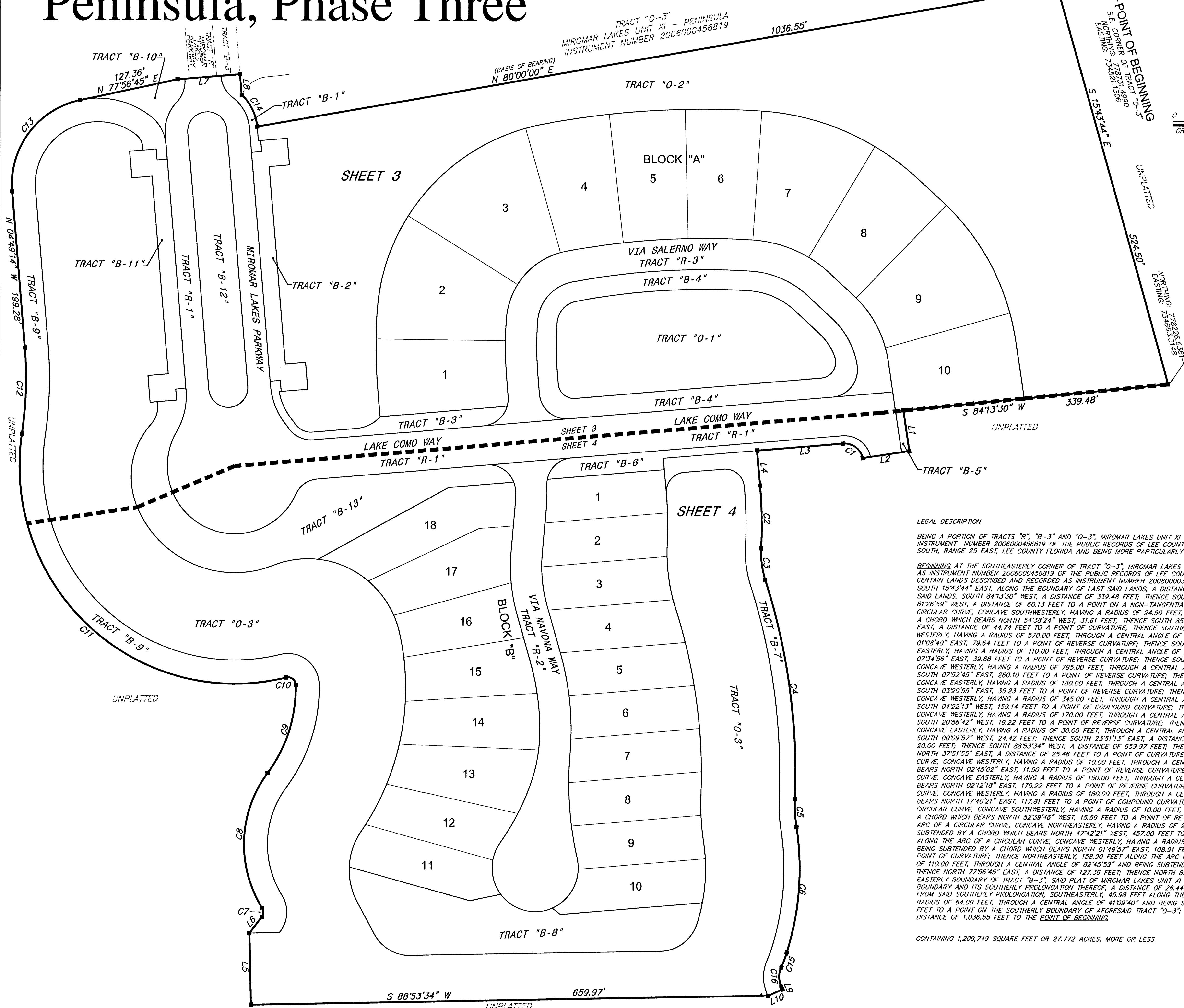
D.O. # DOS 2012-00040 / PLT # 2013-00001

Miromar Lakes Unit XIII - Peninsula, Phase Three

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA

INSTRUMENT# 2013000142438

SHEET 2 OF 4
KEY MAP



LINE TABLE		
LINE	LENGTH	BEARING
L1	52.14'	S 08°32'29" E
L2	60.13'	S 81°26'59" W
L3	109.62'	S 85°10'44" W
L4	44.74'	S 05°09'01" E
L5	90.21'	N 01°16'00" W
L6	25.46'	N 37°51'55" E
L7	80.00'	N 85°08'35" E
L8	26.44'	S 04°49'14" E
L9	3.70'	S 23°51'13" E
L10	20.00'	S 66°08'47" W

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	24.50'	80°22'14"	34.36'	31.61'	N 54°38'24" W
C2	570.00'	8°00'42"	79.70'	79.64'	S 01°08'40" E
C3	110.00'	20°53'13"	40.10'	39.89'	S 07°34'56" E
C4	795.00'	20°17'33"	281.52'	280.10'	S 07°52'45" E
C5	180.00'	11°13'53"	35.28'	35.23'	S 03°20'55" E
C6	345.00'	26°40'09"	160.59'	159.14'	S 04°22'13" W
C7	10.00'	70°13'45"	12.26'	11.50'	N 02°45'02" E
C8	150.00'	69°08'16"	181.00'	170.22'	N 02°12'18" E
C9	180.00'	38°12'09"	120.02'	117.81'	N 17°40'21" E
C10	10.00'	102°28'07"	17.88'	15.59'	N 52°39'46" W
C11	275.00'	112°22'58"	539.40'	457.00'	N 43°42'21" W
C12	470.00'	13°18'22"	109.15'	108.91'	N 01°49'57" W
C13	110.00'	82°45'59"	158.90'	145.44'	N 36°33'46" E
C14	64.00'	41°09'40"	45.98'	45.00'	S 26°19'19" E
C15	170.00'	6°28'50"	19.23'	19.22'	S 20°56'42" W
C16	30.00'	48°02'20"	25.15'	24.42'	S 00°09'57" W

- NOTES**
- ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 - ALL SIDE LOT LINES AND TRACT LINES ARE RADIAL TO CENTERLINES OF TRACT "R-1", TRACT "R-2" AND TRACT "R-3" (AS TO RESPECTIVE ADJACENT INFORMATION) UNLESS OTHERWISE NOTED.
 - UNLESS OTHERWISE NOTED ALL CURVES ARE CIRCULAR.
 - BEARINGS ARE BASED ON THE SOUTHERLY BOUNDARY OF TRACT "O-3", MIROMAR LAKES UNIT XI - PENINSULA, INSTRUMENT NUMBER 2006000456819, AS BEING N 80°00'00" E. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA EAST ZONE, 1983 DATUM WITH 1990 ADJUSTMENT.
 - PROPERTY SUBJECT TO EASEMENT AGREEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2497, PAGE 1569. CANNOT BE PLOTTED.

LEGAL DESCRIPTION

BEING A PORTION OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF TRACT "O-3", MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE BOUNDARY OF THOSE CERTAIN LANDS DESCRIBED AND RECORDED AS INSTRUMENT NUMBER 2008000369598 OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; **THENCE** SOUTH 13°34'44" EAST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 524.50 FEET; **THENCE** DEPARTING FROM THE BOUNDARY OF SAID LANDS, SOUTH 84°13'30" WEST, A DISTANCE OF 339.48 FEET; **THENCE** SOUTH 08°32'29" EAST, A DISTANCE OF 52.14 FEET; **THENCE** SOUTH 81°26'59" WEST, A DISTANCE OF 60.13 FEET TO A POINT ON A NON-TANGENTIAL CURVE; **THENCE** NORTHWESTERLY, 34.36 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 24.50 FEET, THROUGH A CENTRAL ANGLE OF 80°22'14" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 54°38'24" WEST, 31.61 FEET; **THENCE** SOUTH 85°10'44" WEST, A DISTANCE OF 109.62 FEET; **THENCE** SOUTH 05°09'01" EAST, A DISTANCE OF 44.74 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 79.70 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 08°00'42" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 01°08'40" EAST, A DISTANCE OF 79.64 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 40.10 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 20°53'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 07°34'56" EAST, 39.89 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 281.52 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 795.00 FEET, THROUGH A CENTRAL ANGLE OF 20°17'33" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 07°52'45" EAST, 280.10 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 35.28 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 180.00 FEET, THROUGH A CENTRAL ANGLE OF 11°13'53" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 03°20'55" EAST, 35.23 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 160.59 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 345.00 FEET, THROUGH A CENTRAL ANGLE OF 26°40'09" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 04°22'13" WEST, 159.14 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 19.23 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 10.00 FEET, THROUGH A CENTRAL ANGLE OF 70°13'45" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 02°45'02" EAST, 11.50 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** SOUTHERLY, 181.00 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 69°08'16" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 02°12'18" EAST, 170.22 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** NORTHERLY, 120.02 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 180.00 FEET, THROUGH A CENTRAL ANGLE OF 38°12'09" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 17°40'21" EAST, 117.81 FEET TO A POINT OF COMPOUND CURVATURE; **THENCE** NORTHWESTERLY, 17.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 10.00 FEET, THROUGH A CENTRAL ANGLE OF 102°28'07" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 52°39'46" WEST, 15.59 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** NORTHWESTERLY, 539.40 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 275.00 FEET, THROUGH A CENTRAL ANGLE OF 112°22'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 43°42'21" WEST, 457.00 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** NORTHERLY, 109.15 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 13°18'22" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 01°49'57" WEST, 108.91 FEET TO A POINT OF REVERSE CURVATURE; **THENCE** NORTH 04°49'14" WEST, A DISTANCE OF 199.28 FEET TO A POINT OF CURVATURE; **THENCE** NORTHEASTERLY, 158.90 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 82°45'59" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 36°33'46" EAST, 145.44 FEET; **THENCE** NORTH 7°56'42" EAST, A DISTANCE OF 19.23 FEET; **THENCE** NORTH 85°08'35" EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE EASTERLY BOUNDARY OF TRACT "B-3"; **SAID** PLAT OF MIROMAR LAKES UNIT XI - PENINSULA; **THENCE** SOUTH 04°49'14" EAST, ALONG SAID EASTERLY BOUNDARY AND ITS SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 26.44 FEET TO A POINT ON A NON-TANGENTIAL CURVE; **THENCE** DEPARTING FROM SAID SOUTHERLY PROLONGATION, SOUTHEASTERLY, 45.98 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 64.00 FEET, THROUGH A CENTRAL ANGLE OF 41°09'40" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 26°19'19" EAST, 45.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF AFORESAID TRACT "O-3"; **THENCE** NORTH 80°00'00" EAST, ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 1,036.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,209,749 SQUARE FEET OR 27.772 ACRES, MORE OR LESS.

THIS INSTRUMENT PREPARED BY:
 JOHN SCOTT RHODES, P.S.M. #5739
RHODES & RHODES
 LAND SURVEYING, INC.
 28100 BONITA GRANDE DRIVE - SUITE #107
 BONITA SPRINGS, FL 34135
 (239) 405-8166 FAX NO. (239) 405-8163
 FLORIDA BUSINESS LICENSE NO. LB 6897

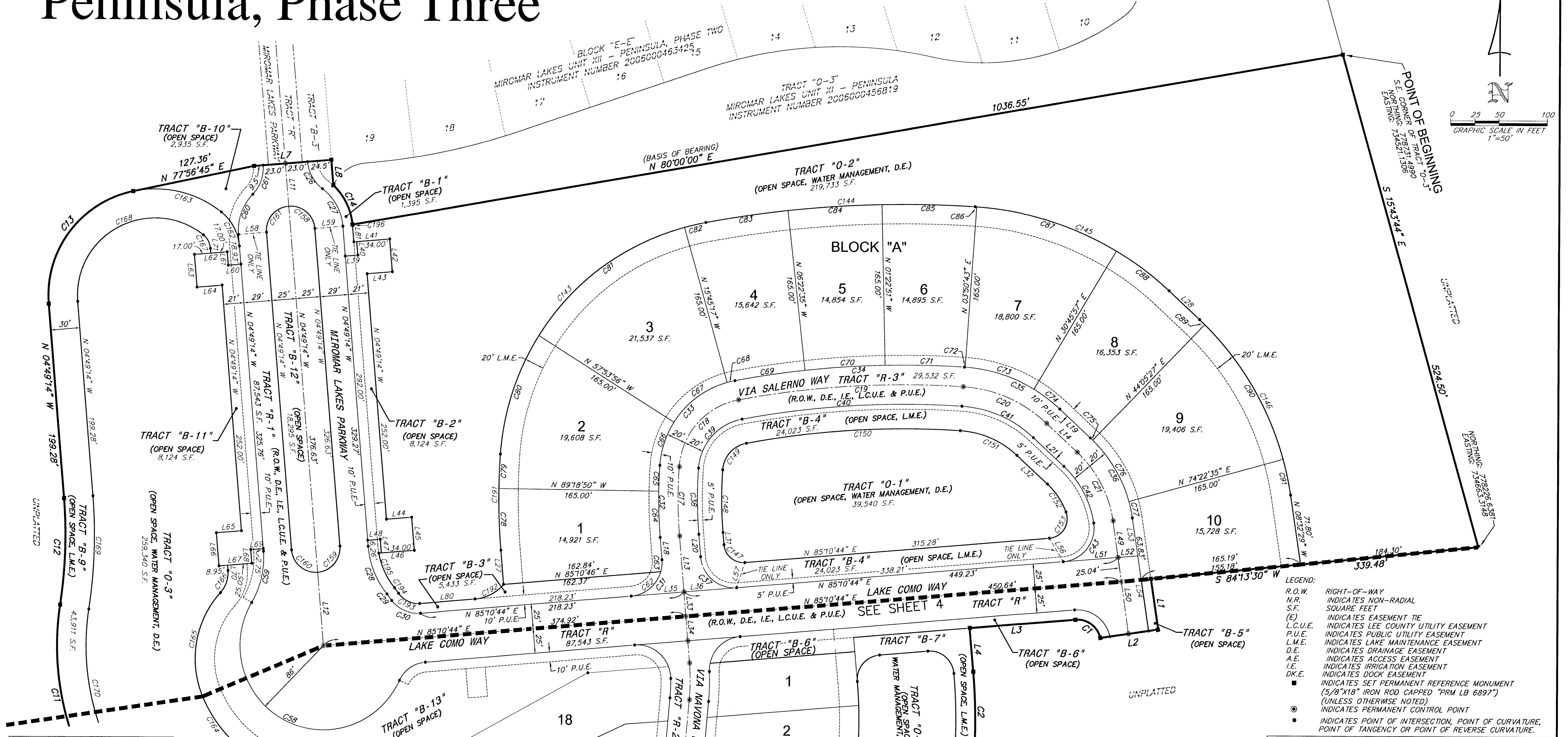
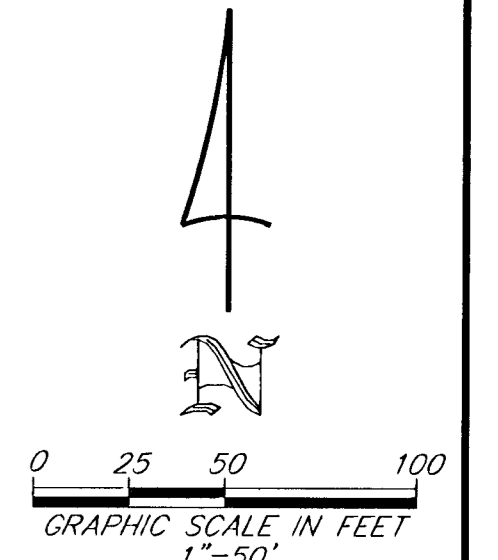
D.O. # DOS 2012-00040 / PLT # 2013-00001

Miromar Lakes Unit XIII - Peninsula, Phase Three

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF PORTIONS OF TRACTS "R", "B-3" AND "O-3", MIROMAR LAKES UNIT XI - PENINSULA, RECORDED AS INSTRUMENT NUMBER 2006000456819, LEE COUNTY, FLORIDA

INSTRUMENT#2013000142438

SHEET 3 OF 4



LEGEND:

- RIGHT-OF-WAY
- N.R. INDICATES NON-RADIAL SQUARE FEET
- S.F. INDICATES EASEMENT TIE
- (E) INDICATES LEE COUNTY UTILITY EASEMENT
- P.U.E. INDICATES PUBLIC UTILITY EASEMENT
- L.M.E. INDICATES LAKE MAINTENANCE EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- A.E. INDICATES ACCESS EASEMENT
- I.E. INDICATES IRRIGATION EASEMENT
- DK.E. INDICATES DOCK EASEMENT
- INDICATES SET PERMANENT REFERENCE MONUMENT (5/8"X1/8" IRON ROD CAPPED "PRM LB 6897") (UNLESS OTHERWISE NOTED)
- INDICATES PERMANENT CONTROL POINT
- INDICATES POINT OF INTERSECTION, POINT OF CURVATURE, POINT OF TANGENCY OR POINT OF REVERSE CURVATURE.

LINE TABLE (SHEET 3)

LINE	LENGTH	BEARING
L1	52.14'	S 08°32'29" E
L2	60.13'	S 81°26'59" W
L3	109.62'	S 85°10'44" W
L4	44.74'	S 04°49'16" E
L7	80.00'	N 85°08'35" E
L8	26.44'	S 04°49'14" E
L11	44.30'	N 04°49'17" W
L12	75.00'	N 04°49'14" W
L13	57.47'	N 04°49'17" W
L14	43.19'	N 47°16'41" W
L18	22.97'	N 04°49'17" W
L19	43.19'	N 47°16'41" W
L20	22.97'	N 04°49'17" W
L21	43.19'	N 47°16'41" W
L27	34.97'	N 04°49'17" W
L28	43.19'	N 47°16'41" W
L31	12.47'	N 04°49'17" W
L32	43.19'	N 47°16'41" W
L33	25.00'	N 04°49'17" W
L34	25.00'	N 04°49'17" W
L35	54.50'	N 85°10'44" E
L36	54.50'	N 85°10'44" E
L39	13.00'	N 85°10'46" E
L40	14.00'	N 04°49'14" W
L41	37.00'	N 85°10'46" E
L42	34.00'	N 04°49'14" W
L43	26.00'	N 85°10'46" E
L44	26.00'	N 85°10'46" E
L45	34.00'	N 04°49'14" W

LINE TABLE (SHEET 3)

LINE	LENGTH	BEARING
L46	36.62'	N 85°10'46" E
L47	14.00'	N 04°49'14" W
L48	13.00'	N 85°10'46" E
L49	37.84'	N 08°02'13" W
L50	78.63'	N 08°02'13" W
L51	58.52'	N 85°10'44" E
L52	20.38'	N 85°10'46" E
L53	39.16'	N 08°32'29" W
L54	77.30'	N 08°32'29" W
L56	27.92'	N 31°15'36" W
L57	27.12'	N 17°57'40" E
L58	29.00'	N 85°10'46" E
L59	29.00'	N 85°10'46" E
L60	13.00'	N 85°10'46" E
L61	14.00'	N 04°49'14" W
L62	34.00'	N 85°10'46" E
L63	34.00'	N 04°49'14" W
L64	26.00'	N 85°10'46" E
L65	26.00'	N 85°10'46" E
L66	34.00'	N 04°49'14" W
L67	34.00'	N 85°10'46" E
L68	14.00'	N 04°49'14" W
L69	13.00'	N 85°10'46" E
L70	5.48'	N 04°49'14" W
L71	4.82'	N 04°49'14" W
L80	57.08'	N 85°10'44" E
L81	17.01'	N 04°49'14" W

CURVE TABLE (SHEET 3)

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	24.50'	80°22'14"	34.36'	31.61'	N 54°38'24" W
C2	570.00'	8°00'42"	79.70'	79.64'	S 01°08'40" E
C11	275.00'	112°22'58"	539.40'	452.00'	N 47°42'21" W
C12	470.00'	131°18'22"	109.15'	108.91'	N 01°49'57" E
C13	110.00'	82°45'59"	158.90'	145.44'	N 36°33'44" E
C14	64.00'	41°09'40"	45.98'	45.00'	N 26°19'19" W
C17	475.00'	8°35'05"	71.17'	71.00'	N 00°31'44" W
C18	75.00'	75°27'16"	98.77'	91.79'	N 41°29'26" E
C19	93.00'	14°20'39"	232.83'	232.22'	N 86°51'29" E
C20	140.00'	39°09'36"	95.69'	93.81'	N 66°51'29" W
C21	120.00'	38°44'12"	81.13'	79.59'	N 27°54'35" W
C26	39.00'	48°10'51"	32.80'	31.84'	N 28°55'11" W
C27	54.00'	48°11'23"	45.42'	44.09'	N 28°54'55" W
C28	89.00'	34°15'00"	53.20'	52.41'	N 21°56'44" W
C29	84.00'	4°14'58"	6.23'	6.23'	N 36°56'45" W
C30	34.00'	60°00'00"	35.60'	34.00'	N 64°49'16" W
C31	34.50'	90°00'01"	54.19'	48.79'	N 40°10'44" E
C32	495.00'	8°35'05"	74.17'	74.10'	N 00°31'44" W
C33	95.00'	75°27'16"	125.11'	116.26'	N 41°29'26" E
C34	950.00'	14°20'39"	237.84'	237.22'	N 86°51'29" E
C35	160.00'	39°09'36"	109.35'	107.24'	N 66°51'29" W
C36	140.00'	38°44'12"	94.65'	92.86'	N 27°54'35" W
C37	34.50'	89°59'59"	54.19'	48.79'	N 49°49'16" W
C38	455.00'	8°35'05"	68.17'	68.11'	N 00°31'44" W

CURVE TABLE (SHEET 3)

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C39	55.00'	75°27'16"	72.43'	67.31'	N 41°29'26" E
C40	910.00'	14°20'39"	227.82'	227.23'	N 86°51'29" E
C41	120.00'	39°09'36"	82.02'	80.43'	N 66°51'29" W
C42	100.00'	38°30'47"	67.22'	65.96'	N 28°01'18" W
C43	34.50'	93°58'39"	56.57'	50.44'	N 28°12'25" E
C58	86.00'	186°18'57"	279.66'	171.74'	N 62°46'42" W
C59	89.00'	35°12'01"	54.68'	53.82'	N 12°46'47" E
C61	39.00'	48°12'59"	45.36'	44.04'	N 19°17'14" E
C62	34.50'	20°21'40"	12.26'	12.20'	N 05°21'33" E
C64	495.00'	5°30'27"	47.58'	47.56'	N 19°17'14" E
C65	495.00'	3°04'38"	26.58'	26.58'	N 02°13'29" E
C66	95.00'	28°21'27"	47.02'	46.54'	N 17°56'32" E
C67	95.00'	42°07'27"	69.84'	68.28'	N 56°13'59" E
C68	95.00'	45°28'22"	8.24'	8.24'	N 73°43'53" E
C69	950.00'	4°24'20"	73.05'	73.03'	N 81°25'14" E
C70	950.00'	4°59'44"	82.83'	82.80'	N 86°07'17" E
C71	950.00'	4°56'35"	81.96'	81.93'	N 88°54'34" W
C72	160.00'	0°17'00"	0.79'	0.79'	N 86°17'47" W
C73	160.00'	26°55'14"	75.18'	74.49'	N 72°41'40" W
C74	160.00'	11°57'22"	33.39'	33.33'	N 53°15'22" W
C75	140.00'	1°22'08"	3.34'	3.34'	N 46°35'37" W
C76	140.00'	30°17'08"	74.00'	73.14'	N 30°45'59" W

CURVE TABLE (SHEET 3)

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C77	140.00'	7°04'56"	17.30'	17.29'	N 12°04'57" W
C78	660.00'	5°30'27"	63.44'	63.42'	N 02°04'03" W
C79	660.00'	3°04'38"	35.45'	35.44'	N 02°13'29" E
C80	260.00'	28°20'42"	128.63'	127.32'	N 17°56'09" E
C81	260.00'	30°20'42"	128.63'	127.32'	N 17°56'09" E
C82	260.00'	42°08'13"	191.21'	186.93'	N 53°10'36" E
C83	1115.00'	4°24'20"	85.74'	85.72'	N 81°25'14" E
C84	1115.00'	4°59'44"	97.22'	97.19'	N 86°07'17" E
C85	1115.00'	4°56'35"	96.19'	96.16'	N 88°54'34" W
C86	325.00'	0°17'00"	1.61'	1.61'	N 86°17'47" W
C87	325.00'	26°55'14"	152.70'	151.30'	N 72°41'40" W
C88	325.00'	11°57'22"	67.82'	67.70'	N 53°15'22" W
C89	305.00'	1°22'08"	7.29'	7.29'	N 46°35'37" W
C90	305.00'	30°17'08"	161.22'	159.35'	N 30°45'59" W
C91	305.00'	7°04'56"	32.70'	32.68'	N 12°04'57" W
C143	260.00'	75°27'16"	342.40'	318.19'	N 41°29'26" E
C144	1115.00'	14°20'39"	279.14'	278.42'	N 86°51'29" E
C145	325.00'	39°09'36"	222.13'	212.83'	N 66°51'29" W
C146	305.00'	38°44'12"	206.20'	202.30'	N 27°54'35" W
C147	20.00'	89°59'59"	31.42'	28.28'	N 49°49'16" W
C148	430.00'	8°35'05"	64.43'	64.37'	N 00°31'44" W
C149	30.00'	75°27'16"	39.51'	36.71'	N 41°29'26" E
C150	885.02'	14°20'39"	221.57'	220.99'	N 86°51'29" E
C151	95.00'	39°09'36"	64.93'	63.67'	N 66°51'29" W

CURVE TABLE (SHEET 3)

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C152	75.00'	26°37'29"	34.85'	34.54'	N 33°57'56" W
C153	20.00'	105°49'56"	36.94'	31.91'	N 32°15'46" E
C158	25.00'	90°00'00"	39.27'	35.36'	N 49°49'14" W
C159	25.00'	90°00'00"	39.27'	35.36'	N 40°10'46" E
C160	25.00'	90°00'00"	39.27'	35.36'	N 49°49'14" W
C161	25.00'	90°00'00"	39.27'	35.36'	N 40°10'46" E
C162	50.00'	46°53'43"	40.92'	39.79'	N 28°16'05" W
C163	110.00'	50°20'18"	96.64'	93.56'	N 76°53'06" W
C164	135.00'	88°41'43"	208.98'	188.73'	N 67°12'11" W
C165	100.00'	64°58'17"	113.40'	107.42'	N 09°37'49" E
C166	30.00'	46°56'12"	24.58'	23.89'	N 18°38'52" E
C167	20.01'	46°34'52"	16.27'	15.82'	N 27°48'16" W
C168	80.00'	133°15'27"	186.06'	146.87'	N 61°48'30" E
C169	500.00'	13°18'22"	116.12'	115.86'	N 01°48'50" E
C170	245.00'	112°22'58"	480.56'	407.14'	N 47°42'21" W
C191	660.00'	8°35'05"	98.89'	98.80'	N 00°31'44" W
C192	45.00'	43°45'29"	34.37'	33.54'	N 63°17'59" E
C193	24.00'	60°00'00"	25.13'	24.00'	N 64°49'16" W
C194	94.00'	4°14'58"	6.97'	6.97'	N 36°56'45" W
C195	79.00'	28°37'37"	39.47'	39.06'	N 24°45'25" W
C196	64.00'	0°55'15"	1.03'	1.03'	N 05°16'51" W

D.O. # DOS 2012-00040 / PLT # 2013-00001

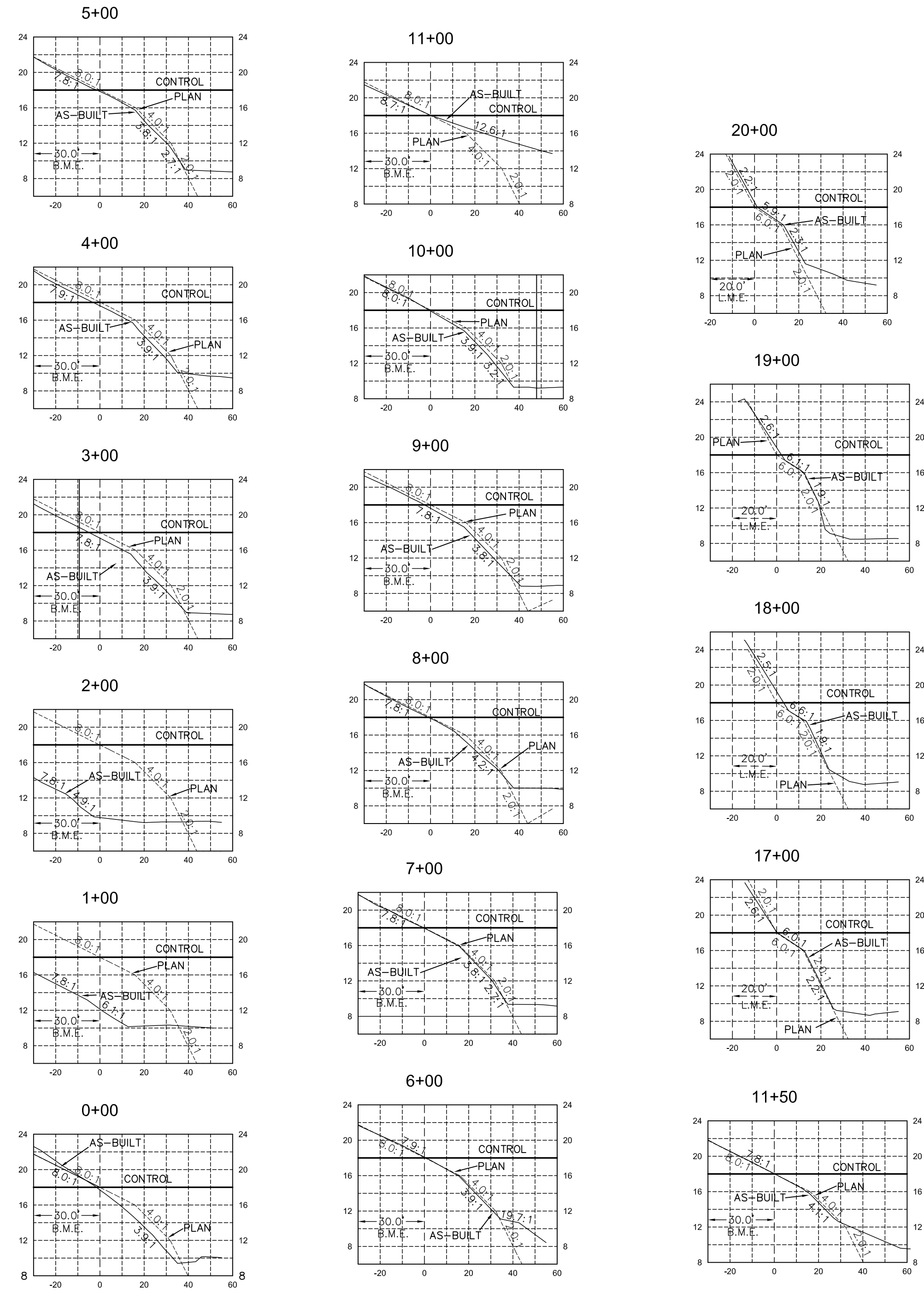
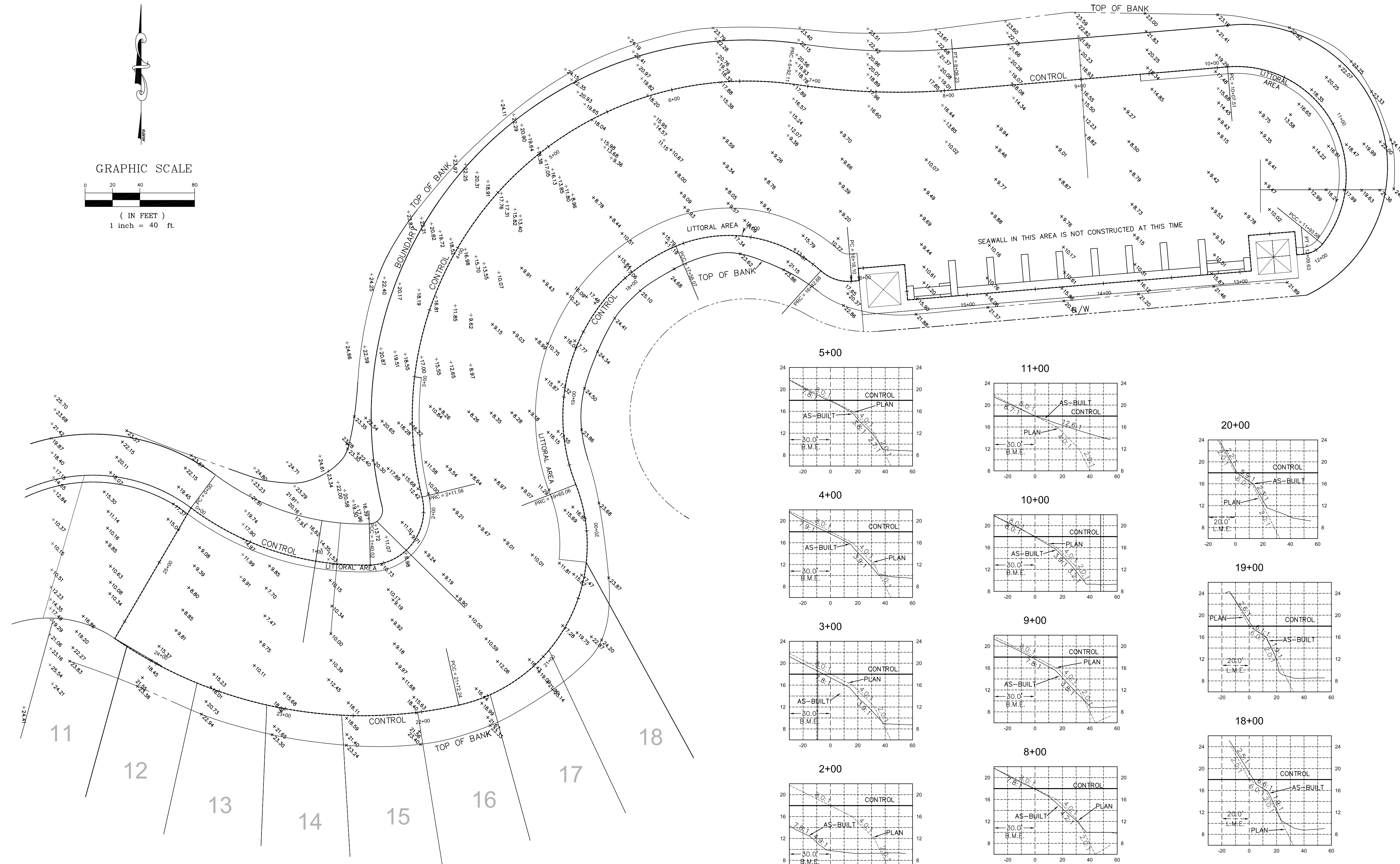
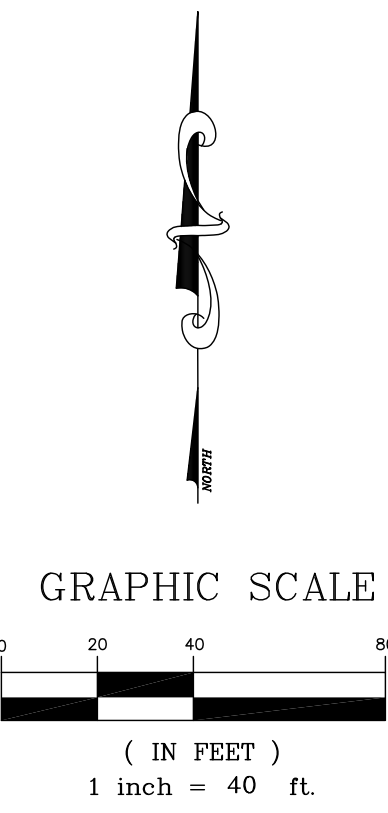
THIS INSTRUMENT PREPARED BY:
 JOHN SCOTT RHODES, P.S.M. #5739
RHODES & RHODES
 LAND SURVEYING, INC.
 28100 BONITA GRANDE DRIVE - SUITE #107
 BONITA SPRINGS, FL 34135
 (239) 405-8166 FAX NO. (239) 405-8163
 FLORIDA BUSINESS LICENSE NO. LB 6897

BATHYMETRIC SURVEYS

FOR

PHASE 3

THE PENINSULA PHASE III
PART OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



- NOTES:
- ELEVATIONS ARE BASED ON N.G.V.D., 1929.
 - CROSS-SECTIONS WERE PRODUCED WITH MEASURED GROUND ELEVATIONS THAT WERE USED TO GENERATE A TRIANGULATED IRREGULAR NETWORK.
 - EXCAVATION OF 62,262 CY IS LESS THE AMOUNT OF THE EXISTING LAKES PRIOR TO CONSTRUCTION.

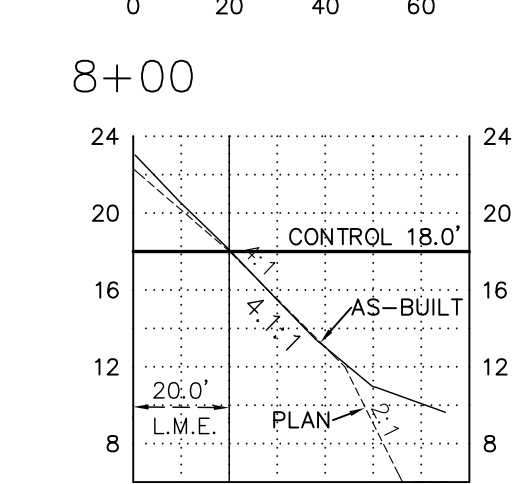
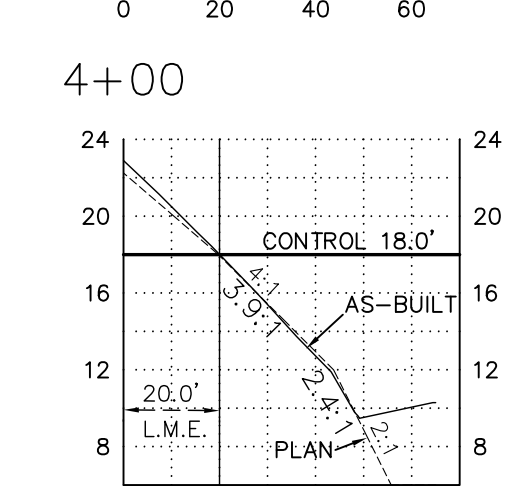
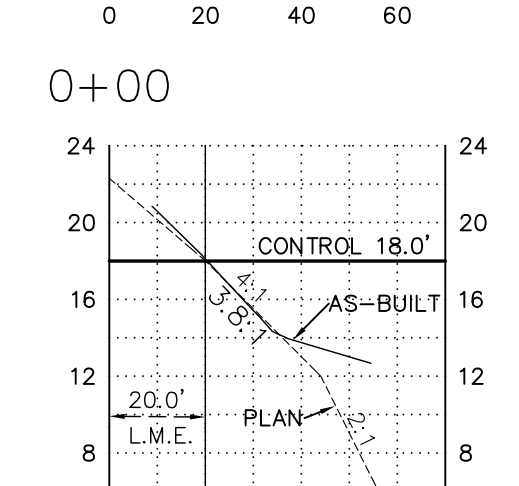
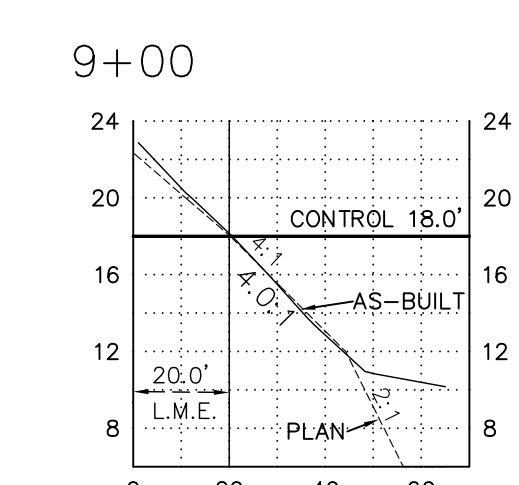
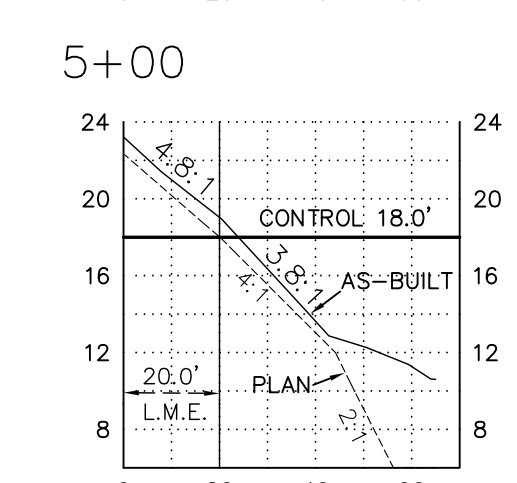
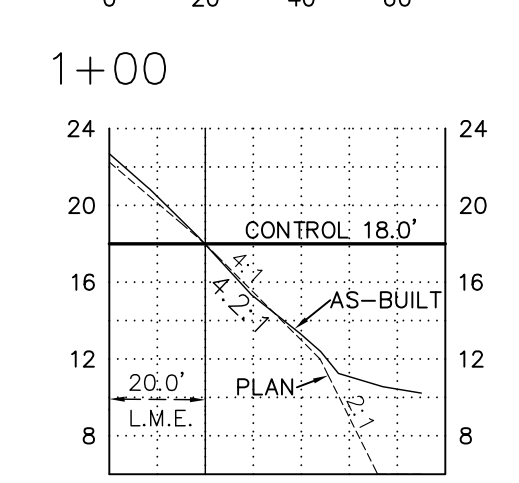
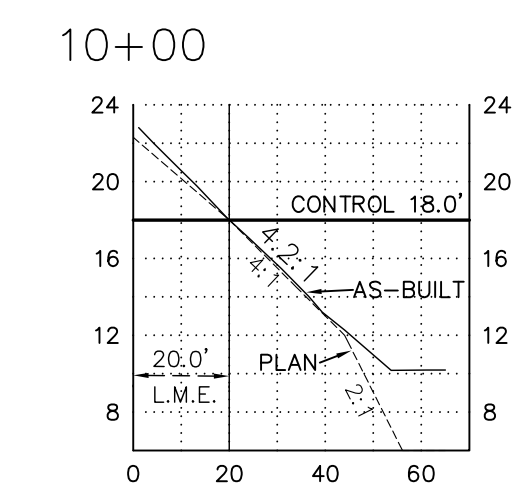
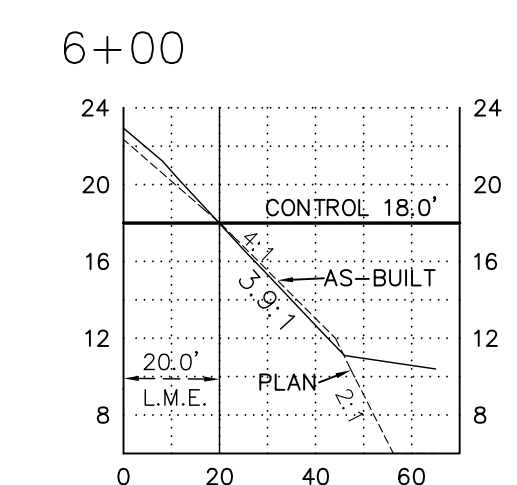
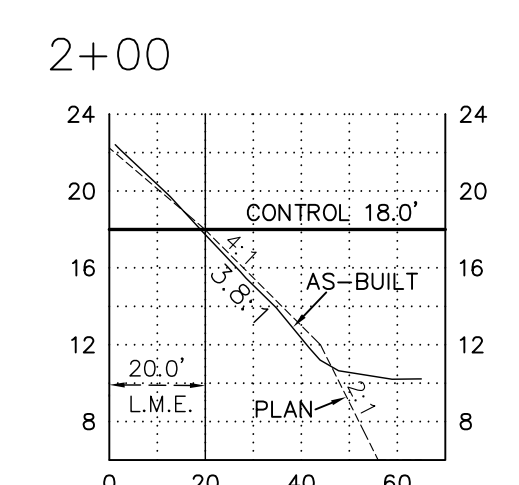
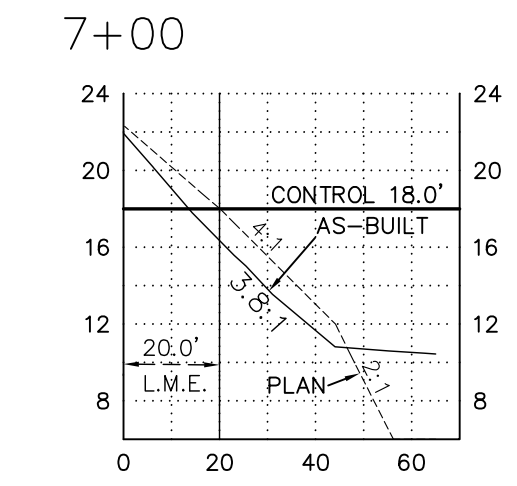
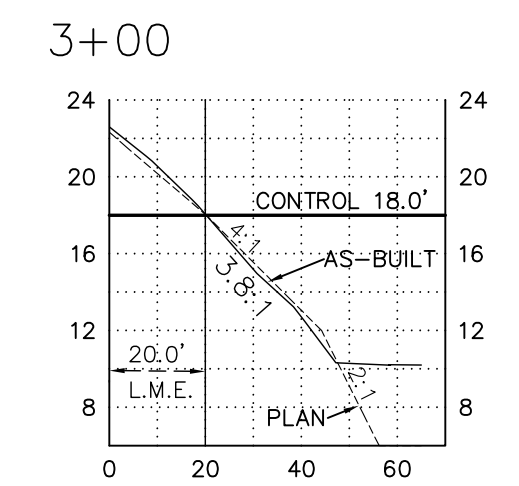
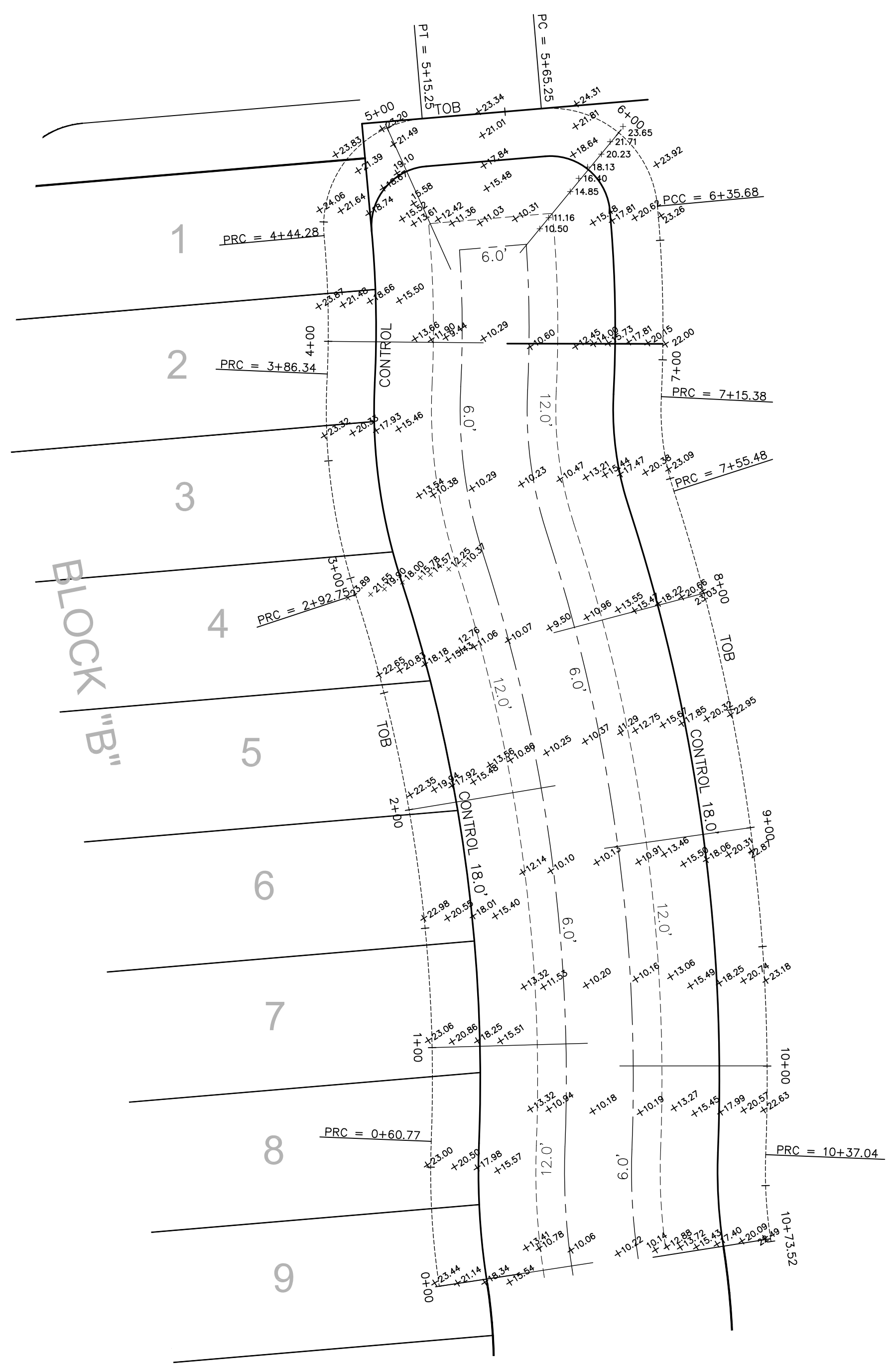
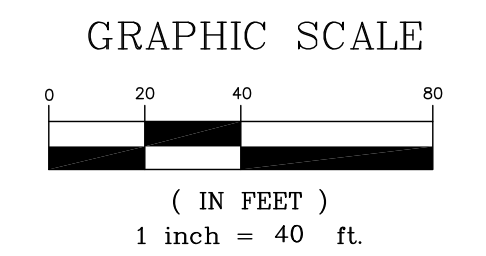
ABBREVIATIONS
B.M.E. = BEACH MAINTENANCE EASEMENT
L.M.E. = LAKE MAINTENANCE EASEMENT

BY: _____ DATE: _____
JOHN SCOTT RHODES, SR., PSM #5739

AS-BUILT SURVEY WEST SIDE LAKE 6 CERTIFIED TO: MIROMAR LAKES, LLC		drawn: JHH
		checked: JSR
bk: 795 pg: 61 date: 5-6-13		acad #: 12-389 view: LAYOUT 1
scale: HORIZ 1" = 40' VERT 1" = 10'		project #: 11-695 sheet #: 1 of 1
cogo #: 11-695		file #: 2011-695 LAKE 6 WEST PART 6-12-13
28100 BONITA GRANDE DRIVE, SUITE #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX		

Z:\CONTRACTS\MIROMAR LAKES\PHASE III\CONSTRUCTION\AS-BUILT\AS-BUILT WEST PART 13-11.dwg, 17/05/2014, 8:00:27 AM, 1:1

THE PENINSULA PHASE III
PART OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



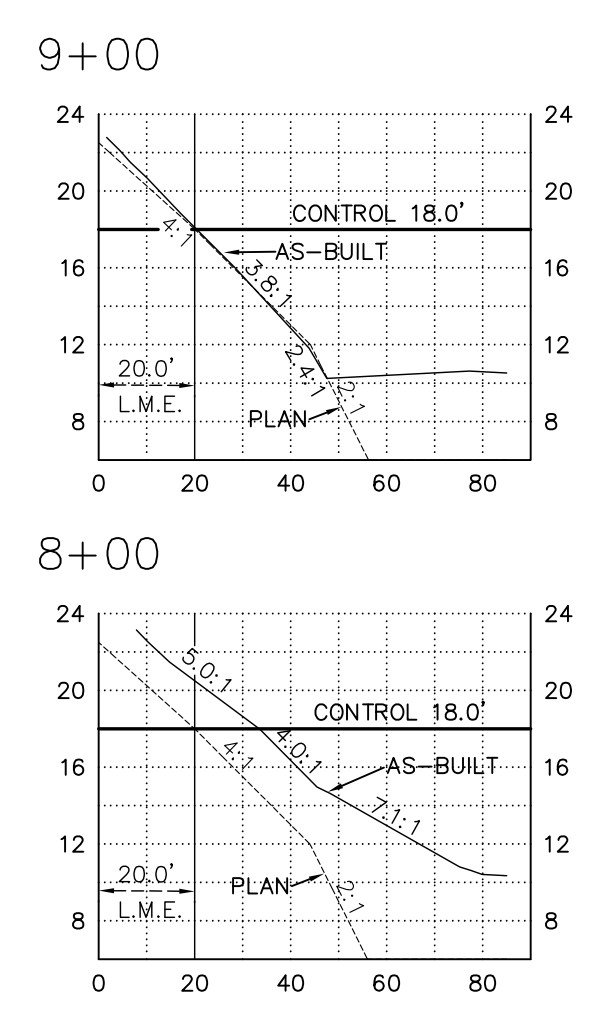
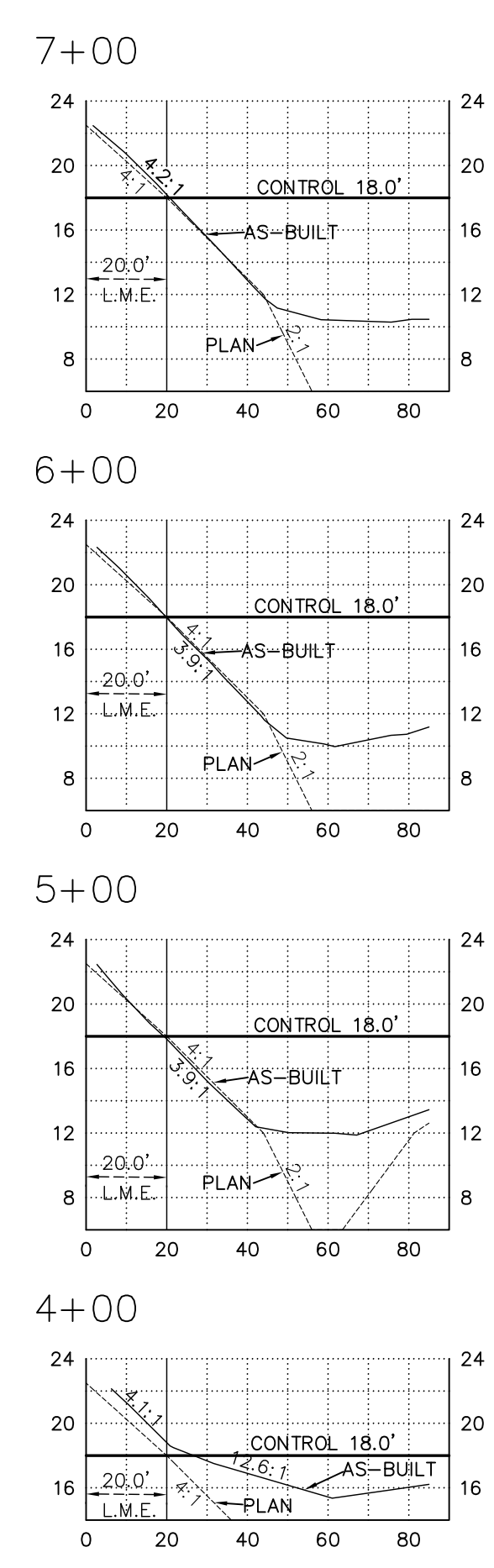
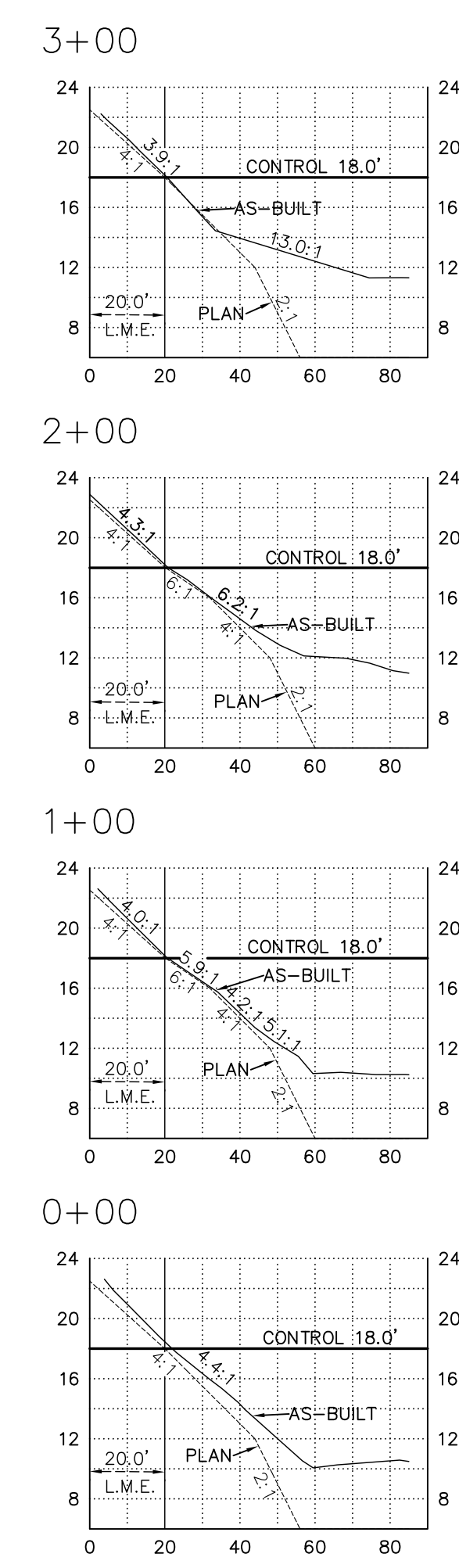
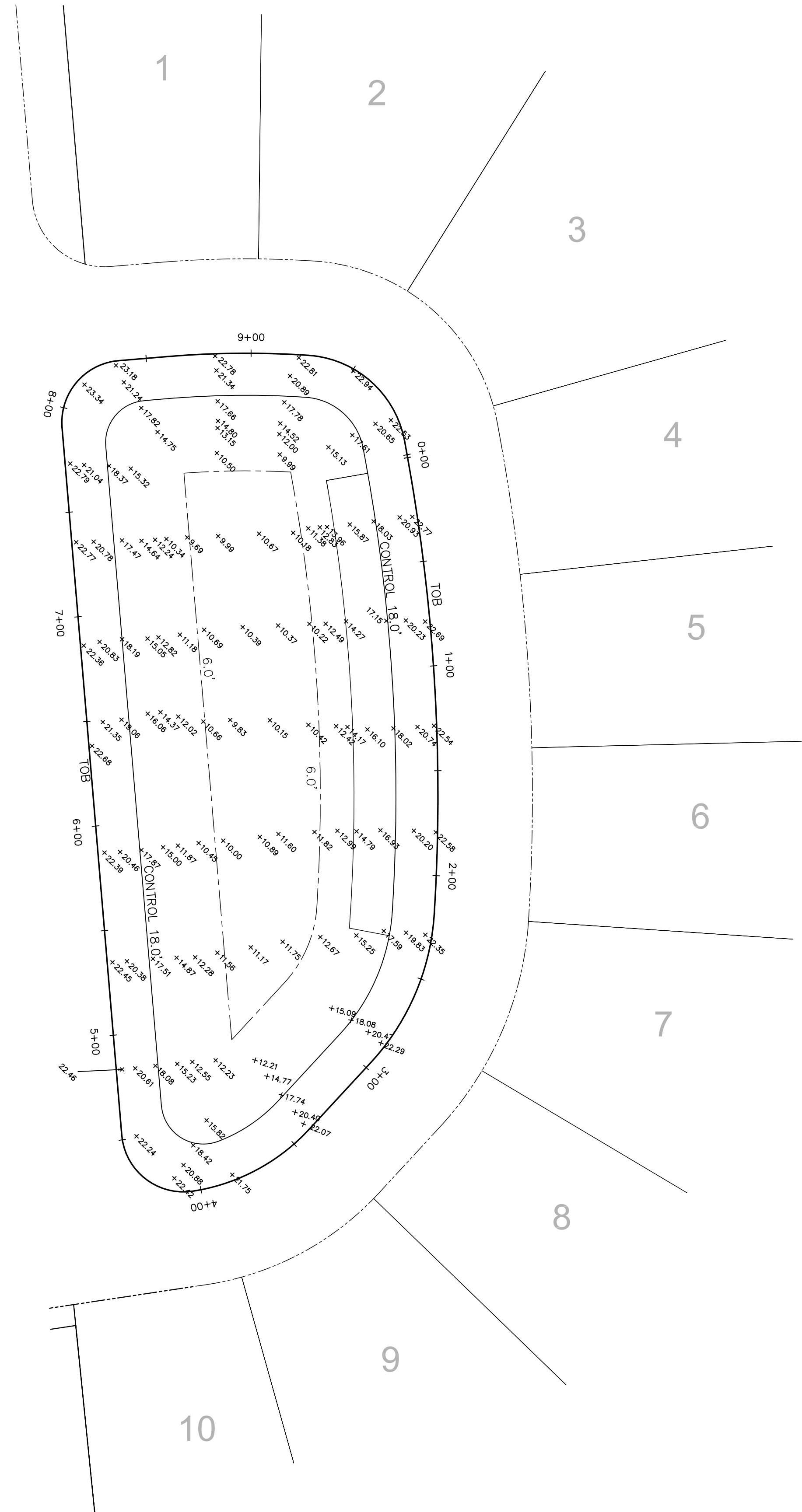
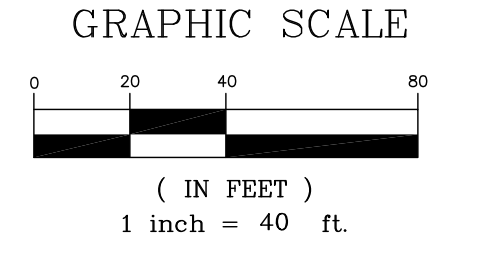
- NOTES:
- ELEVATIONS ARE BASED ON N.G.V.D., 1929.
 - CROSS-SECTIONS WERE PRODUCED WITH MEASURED GROUND ELEVATIONS THAT WERE USED TO GENERATE A TRIANGULATED IRREGULAR NETWORK.
 - LAKE 6 EXPANSION EXCAVATION: 17,968 CY.

ABBREVIATIONS
 L.M.E. = LAKE MAINTENANCE EASEMENT

BY: _____ DATE: _____
 JOHN SCOTT RHODES, SR., PSM #5739

AS-BUILT SURVEY EAST SIDE LAKE 6			drawn: JHH
CERTIFIED TO: MIROMAR LAKES, LLC			checked: JSR
bk: 795 pg: 61			acad #: 12-389
date: 5-6-13			view: LAYOUT 1
scale: HORIZ 1" = 40' VERT 1" = 10'			project#: 11-695
cogo # 11-695			sheet #: 1 of 1
RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897			file #: 2011-695 LAKE 6 EAST PART 6-12-13
28100 BONITA GRANDE DRIVE, SUITE #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX			

THE PENINSULA PHASE III
 PART OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA.



- NOTES:
- ELEVATIONS ARE BASED ON N.G.V.D., 1929.
 - CROSS-SECTIONS WERE PRODUCED WITH MEASURED GROUND ELEVATIONS THAT WERE USED TO GENERATE A TRIANGULATED IRREGULAR NETWORK.
 - LAKE 1 EXCAVATION: 14,643 CY.

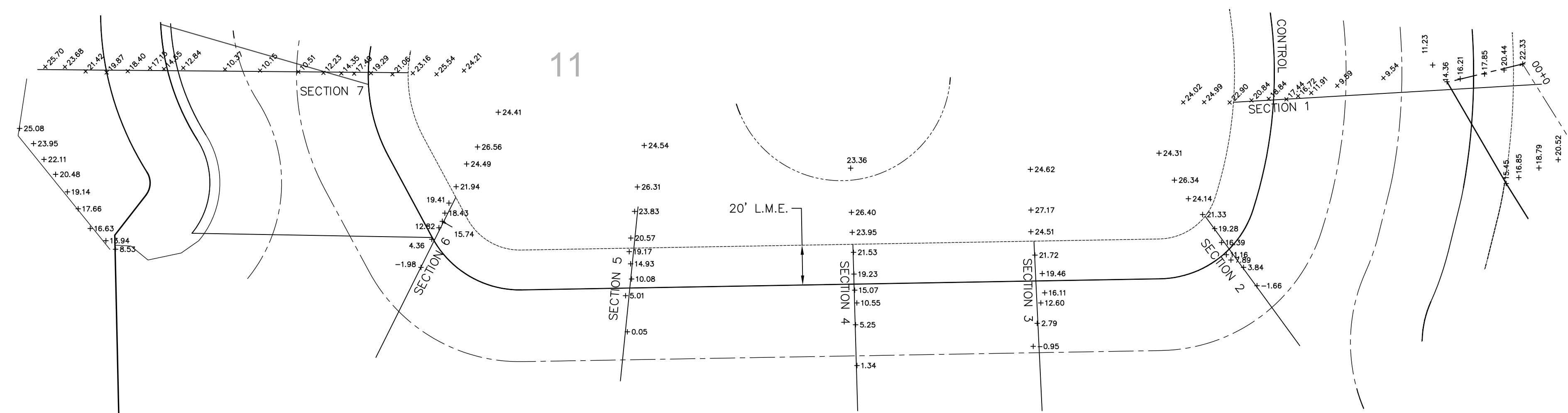
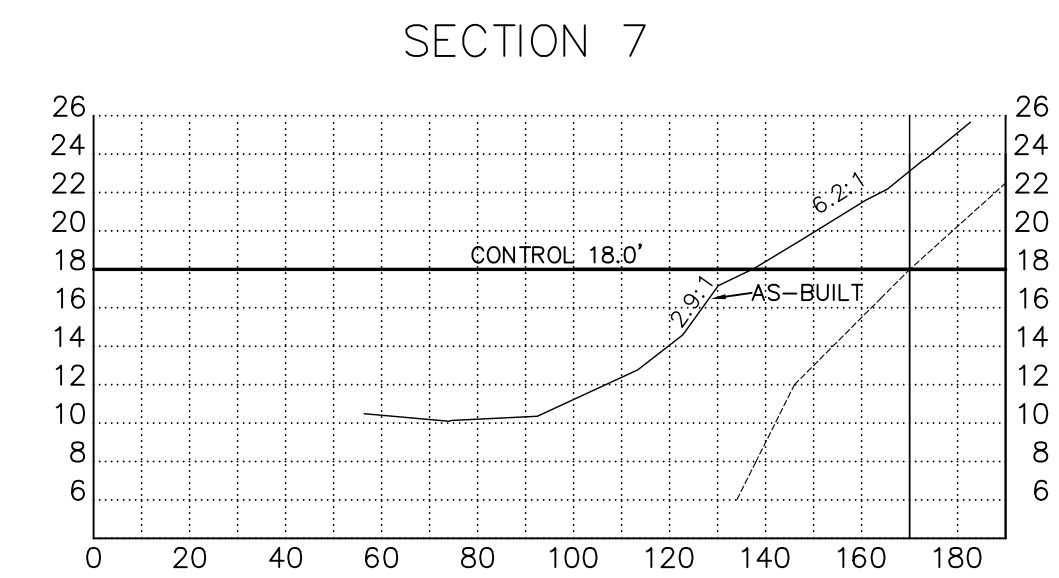
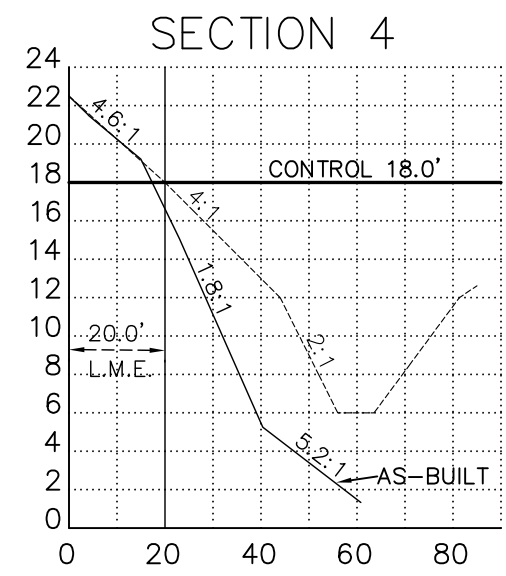
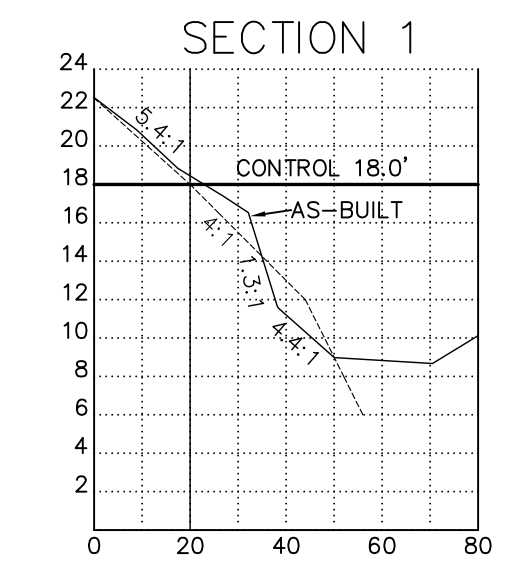
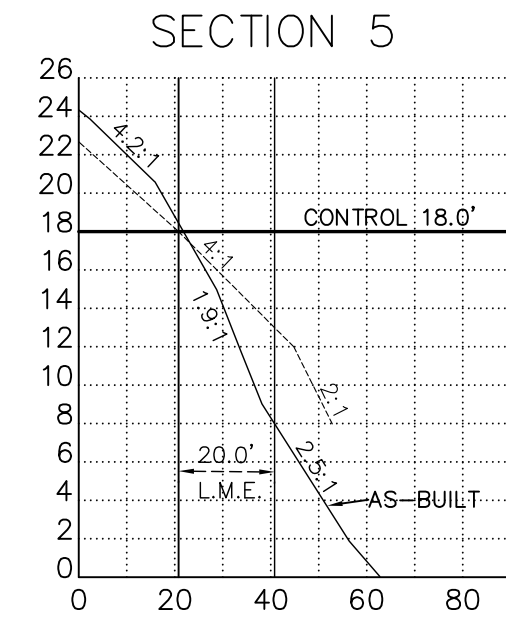
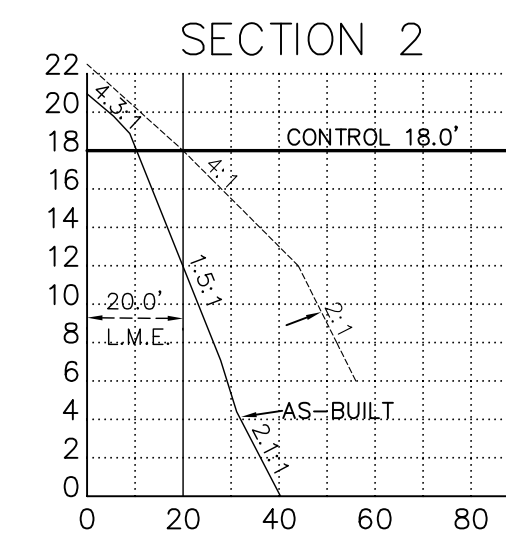
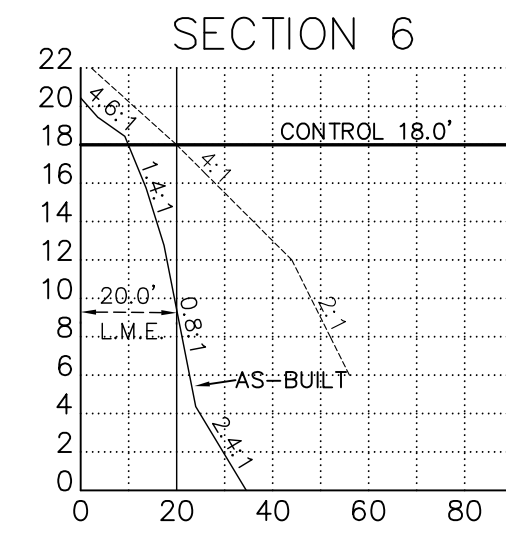
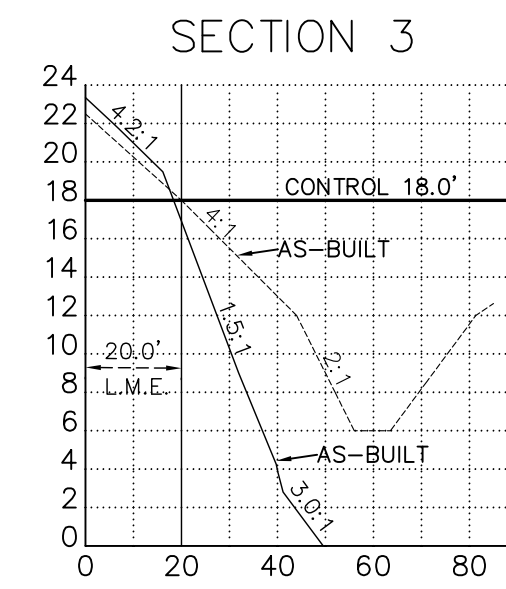
ABBREVIATIONS
 L.M.E. = LAKE MAINTENANCE EASEMENT

BY: _____ DATE: _____
 JOHN SCOTT RHODES, SR., PSM #5739

AS-BUILT SURVEY LAKE 1				drawn: JHH
CERTIFIED TO: MIROMAR LAKES, LLC				checked: JSR
				acad #:
				view: LAYOUT 1
				project #: 11-695
				sheet #: 1 of 1
				file #: 2011-695 LAKE1 5-22-13
bk: 795		pg: 61	date: 5-6-13	
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			cogo # 11-695	
28100 BONITA GRANDE DRIVE, SUITE #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX				

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THE PENINSULA PHASE III
 PART OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA.



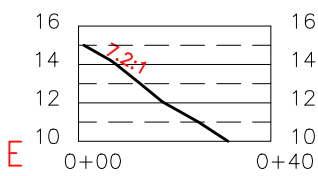
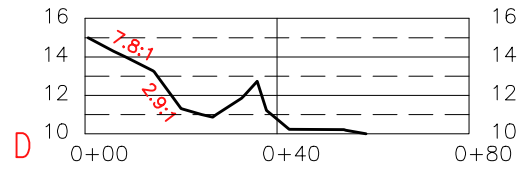
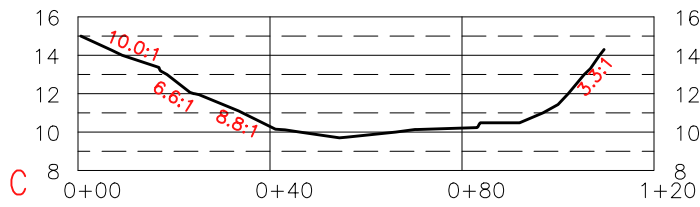
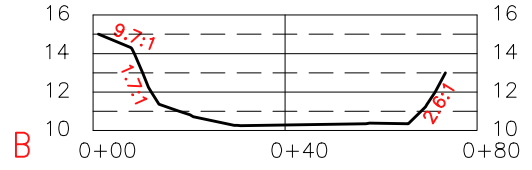
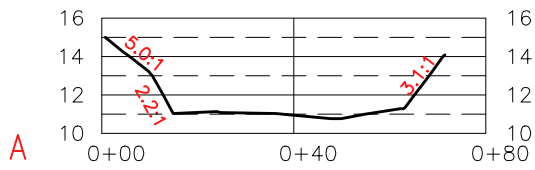
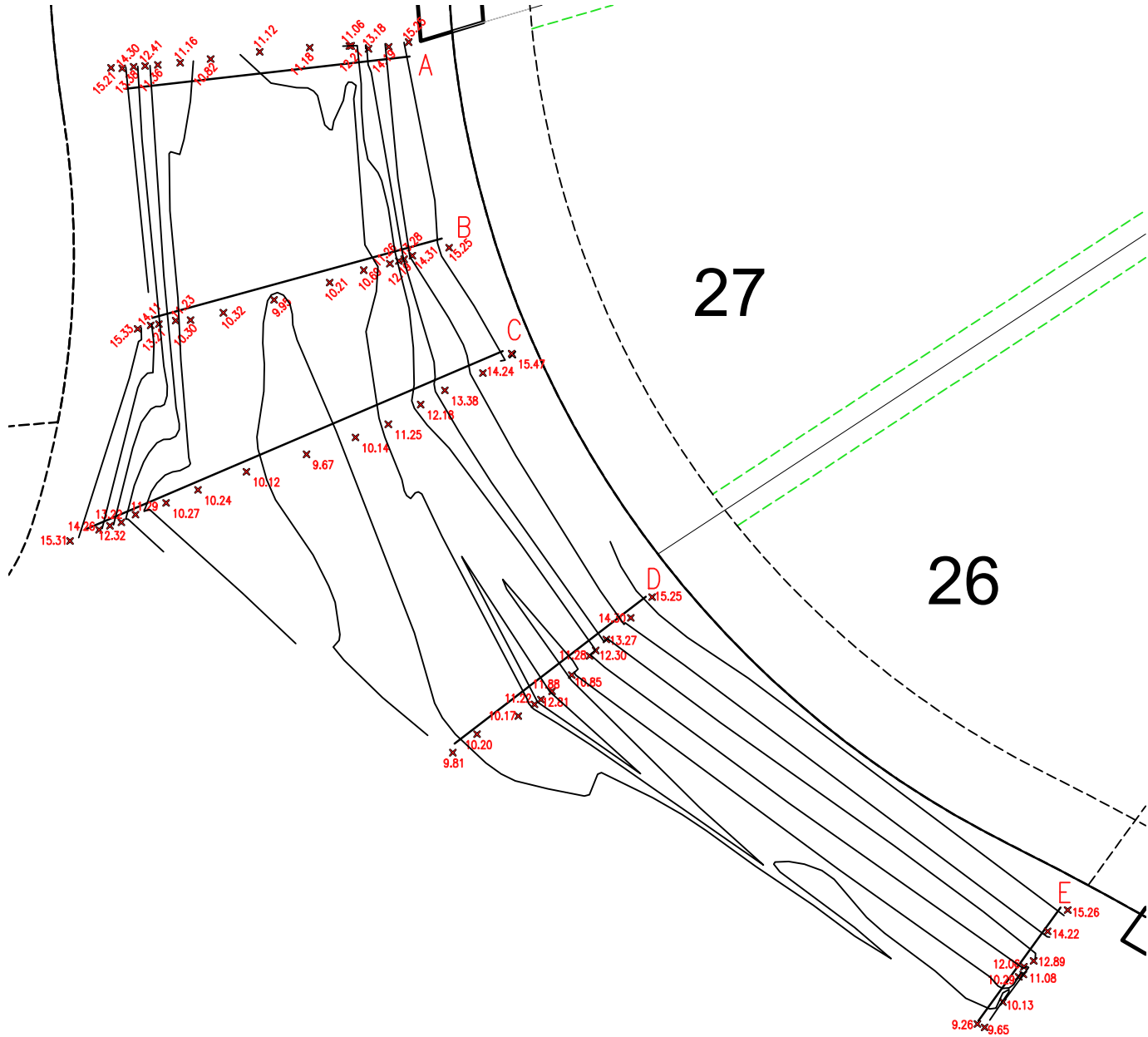
NOTES:
 1. ELEVATIONS ARE BASED ON N.G.V.D., 1929.
 2. CROSS-SECTIONS WERE PRODUCED WITH MEASURED GROUND ELEVATIONS THAT WERE USED TO GENERATE A TRIANGULATED IRREGULAR NETWORK.

ABBREVIATIONS
 L.M.E. = LAKE MAINTENANCE EASEMENT

BY: _____ DATE: _____
 JOHN SCOTT RHODES, SR., PSM #5739

AS-BUILT SURVEY SOUTH SIDE LAKE 6		drawn:	JJH
		checked:	JSR
CERTIFIED TO:		acad #:	12-389
X X X X		view:	LAYOUT 1
bk: 795 pg: 61		project#:	11-695
date: 5-6-13		sheet #:	1 of 1
scale: HORIZ 1" = 40' VERT 1" = 10'		file #:	2011-695 CANAL 6-13-13
cogo #:		11-695	
28100 BONITA GRANDE DRIVE, SUITE #107 BONITA SPRINGS, FLORIDA 34135 (239) 405-8166 (239) 405-8163 FAX			

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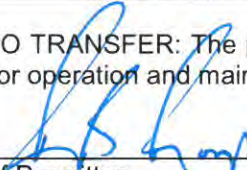
**SFWMD REQUEST FOR TRANSFER OF ERP
TO THE PERPETUAL OPERATIONS ENTITY
PHASE 3**

REQUEST FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT TO THE PERPETUAL OPERATION ENTITY

Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume 1. (see checklist below). **Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.**

Permit No.: 36-03568-P	Application No(s). 121115-1
Project Name: The Peninsula Phase 3 at Miromar Lakes	Phase (if applicable):

A. **REQUEST TO TRANSFER:** The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).

By: <u></u> Signature of Permittee Miromar Lakes LLC Company (239) 390-5100 Phone	Robert B. Roop - Vice President Name and Title 10801 Corkscrew Road - Suite 305 Company Address Estero, FL 33928 City, State, Zip
---	--

B. **AGREEMENT FOR SYSTEM OPERATION AND MAINTENANCE RESPONSIBILITY:** The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II in perpetuity. Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.

By: _____ Signature of Representative of O&M Entity James P. Ward - District Manager Name and Title jimward@jowardassociates.com Email Address (954) 658-4900 Phone	Miromar Lakes Community Development District Name of Entity for O&M C/o JPWard & Associates, LLC Address 819 NE 23rd Drive City, State, Zip Wilton Manors, FL 33305 Date
--	---

Enclosed are the following documents, as applicable:

- Copy of recorded transfer of title to the operating entity for the common areas on which the stormwater management system is located (unless dedicated by plat)
- Copy of all recorded plats
- Copy of recorded declaration of covenants and restrictions, amendments, and associated exhibits
- Copy of filed articles of incorporation and documentary evidence of active corporate status with the Department of State, Division of Corporations (for corporations)
- A completed, signed, and notarized affidavit attesting that the operating entity meets the requirements of Section 12.3 of Environmental Resource Permit Applicant's Handbook Volume I. (Note- this is optional, but aids in processing of this request)

Reset Form

Save & Print



QUIT CLAIM DEEDS

PHASE 3

This instrument was prepared by
and to be returned to:
Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida 33928
(239) 390-5100

Parcel ID No: I3-46-25-06-00003.00CE
I3-46-25-L2-07000.0040
I3-46-25-L2-07000.0050
I3-46-25-L2-07000.0060

Above space reserved for Clerk's office

consideration 606,493.00

NOTE TO CLERK: THIS SPECIAL WARRANTY DEED REPRESENTS ONE-HALF OF A LIKE-KIND EXCHANGE OF REAL PROPERTY BETWEEN GRANTOR AND GRANTEE. FOR PURPOSES OF COMPUTING DOCUMENTARY STAMP TAX, A VALUE OF \$606,493.00 WAS USED FOR THE SUBJECT PROPERTY.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 27 day of September 2016, by **MIROMAR LAKES, LLC**, a Florida limited liability company whose mailing address is 10801 Corkscrew Road, Suite 305, Estero, Florida 33928, as Grantor, to **MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT**, a community development district established and existing pursuant to Chapter 190, Florida Statutes, whose mailing address is c/o JP Ward & Associates, LLC, 2041 NE 6th Terrace, Wilton Manors, Florida 33305, as Grantee;

Grantor, in consideration and for the amount of TEN and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is acknowledged, grants, bargains, sells, conveys unto Grantee, its successors and assigns forever, Grantor's interest in those certain parcels of land situated in the County of Lee, State of Florida, which are more particularly described as follows:

Tract O-3 of the Miromar Lakes Unit XIII-Peninsula, Phase Three Plat recorded at instrument number 2013000142438, of the Public Records of Lee County, Florida

Tract O-4 of the Miromar Lakes Unit XIV-Peninsula, Phase Four Plat recorded at instrument number 2015000269567, of the Public Records of Lee County, Florida

Tract O-5 of the Miromar Lakes Unit XIV-Peninsula, Phase Four Plat recorded at instrument number 2015000269567, of the Public Records of Lee County, Florida

Tract O-6 of the Miromar Lakes Unit XIV-Peninsula, Phase Four Plat recorded at instrument number 2015000269567, of the Public Records of Lee County, Florida (collectively referred to as "Property")

THE PROPERTY IS SUBJECT TO taxes for the year 2016 and subsequent years.

THE PROPERTY IS ALSO SUBJECT TO the covenants, easements, restrictions and other matters of public record.

Together with all tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, remainder and easements belonging or in anywise appertaining to it except as reserved in this Deed.

Grantor covenants with said Grantee that Grantor is lawfully seized of the land in fee simple; that Grantor has good right and lawful authority to sell and convey the land; that Grantor fully warrants the title to the land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

Grantor has executed this Special Warranty Deed as of the day and year first written above.

WITNESSES:

Hermine Meeks
Signature of witness

HERMINE MEEKS
Print Name

Barbara O'Dowd
Signature of witness

Barbara O'Dowd
Print Name

MIROMAR LAKES, LLC, a Florida limited liability company

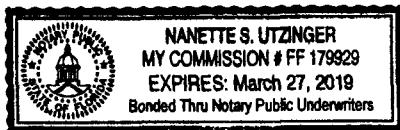
By: Miromar Development Corporation
Its: Member

By: *Robert B. Roop*
Robert B. Roop, Vice President

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 27th day of September, 2016, by **Robert B. Roop**, as Vice President of Miromar Development Corporation, a Florida corporation, the sole member of Miromar Lakes, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me.

(SEAL)



Nanette Utzinger
Notary Public, State of Florida

Print Name: Nanette S. Utzinger

My commission expires:
March 27, 2019

Rec'd Fee \$ _____
State Stamps _____
Doc. Stamps \$ _____
Total \$ _____

Parcel ID No.:

This instrument was prepared by
and to be returned to:
Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida, 33928

Above space reserved for Clerk's office

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 30th day of January, 2008, by **MIROMAR LAKES, LLC**, a Florida limited liability company, whose mailing address is c/o Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 33928, as Grantor to **MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT**, an independent special district established pursuant to Chapter 190, Florida Statutes, whose post office address is c/o Goodlette, Coleman & Johnson, P.A., 4001 Tamiami Trail North, Suite 300, Naples, Florida 34103, as Grantee;

The Grantor, for and in consideration of the sum of TEN and NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, the receipt of which is acknowledged, grants, bargains, sells, conveys unto the Grantee and its successors and assigns forever, the following described land situate, lying and being in the County of Lee, State of Florida, more particularly described on **Exhibit "A"**.

THE PROPERTY IS SUBJECT TO taxes for the year 2008 and subsequent years.

THE PROPERTY IS ALSO SUBJECT TO the covenants, easements, restrictions and other matters of public record together with all tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, remainder and easements belonging or in anywise appertaining to it except as reserved in this Deed.

Grantor reserves to itself, its successors and assigns, and grants to Miromar Lakes Master Association, Inc. ("Master Association") a non-

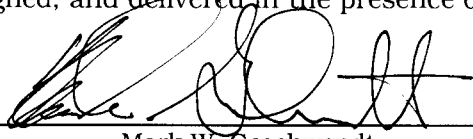
exclusive easement over and across Tract O-1 (Parcel B-6203), Tract O-2 (Parcel B-6204) and Tract O-3 (Parcel B-6206) for the following purposes: (1) ingress, egress and use across, over, in and under the Property for the recreational purposes of boating, swimming, fishing, water skiing, building docks and all other recreational rights on the Property which is part of a system of lakes, provided such use does not conflict with or interfere with Grantee's use and operation of the Property and its facilities which are located on and are a part of the Property, and (2) the discharge into and drawdown of water from the lakes for irrigation or other reasonable regulation and use of such water provided Grantor and/or Master Association obtain the necessary permits for the discharge and drawdown, such use complies with all state and Federal laws and regulations and such use does not interfere with and is not in conflict with the use or operation of Grantee and its facilities.

Grantor and Master Association, each as to their own use, indemnify and hold Grantee harmless for all claims, causes of action, liability, loss, penalties, damages, and costs and expenses (including reasonable attorney's fees and all costs of litigation) of any kind and nature arising out of Grantor's or Master Association's use of the easements. The indemnifications described herein are not intended to expand or subject Grantor or Master Association to liability on behalf of the Grantee for any amount greater than the statutory limitation on claims or actions brought against the Grantee.

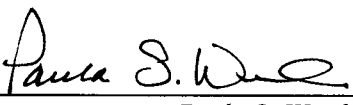
The Grantor covenants to the Grantee that at the time of delivering this Special Warranty Deed it is lawfully seized of the premises, that it has good right and lawful authority to sell and convey it; and the Grantor fully warrants the title to the land, and will defend it against lawful claims of all persons whomsoever claiming by, through or under the Grantor but against no others.

The Grantor has executed this special warranty deed as of the day and year first written above.

Signed, and delivered in the presence of:



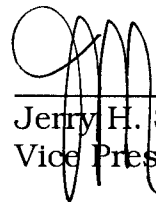
Mark W. Geschwendt



Paula S. Ward

MIROMAR LAKES, LLC, a Florida limited liability company

By: Miromar Development Corporation, a Florida corporation, as its Managing Member

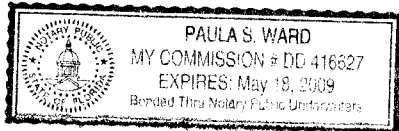
By: 

Jerry H. Schmoyer
Vice President


Address:
10801 Corkscrew Road, Suite 305
Estero, Florida 33928

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 30th day of January, 2008, by **Jerry H. Schmoyer**, as Vice President of Miromar Development Corporation, a Florida corporation, on behalf of the corporation as the Managing Member of **MIROMAR LAKES, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me.



(NOTARY SEAL)



Paula S. Ward, Notary Public, State of Florida
Commission No.: DD416627
Expiration Date: May 18, 2009

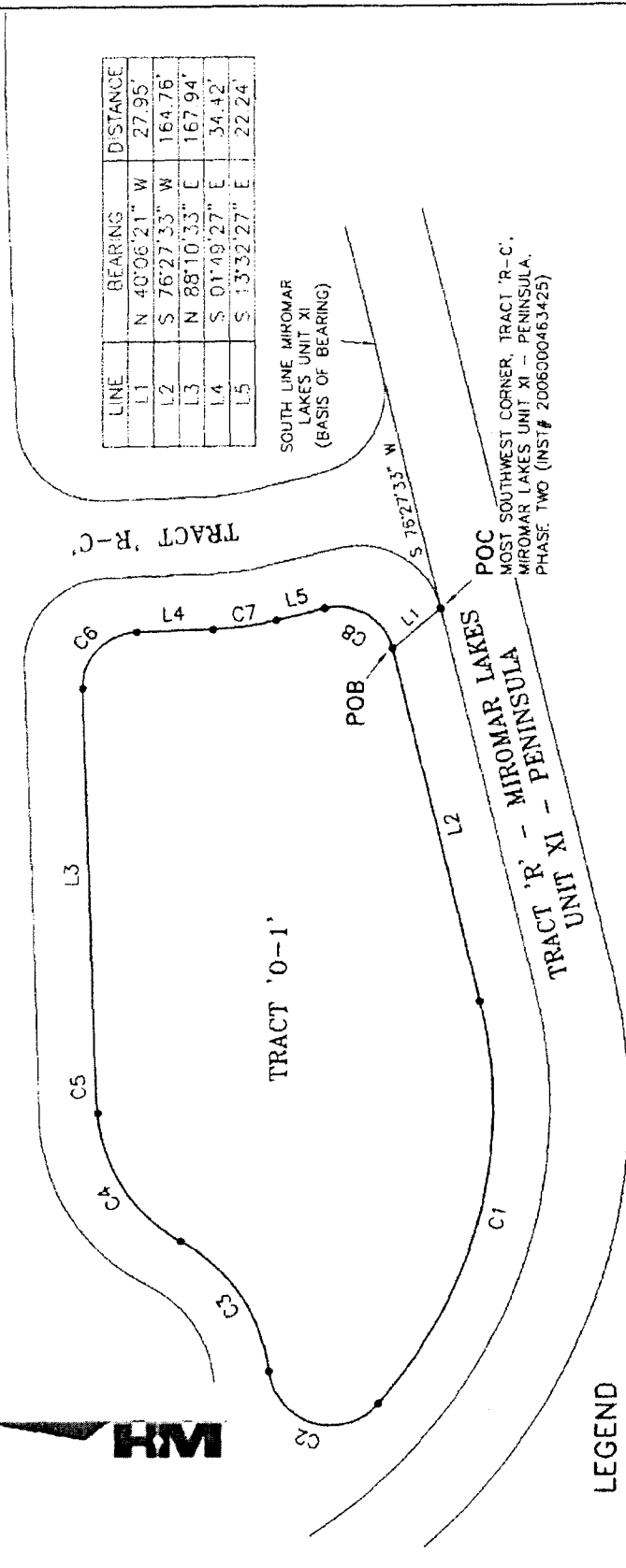
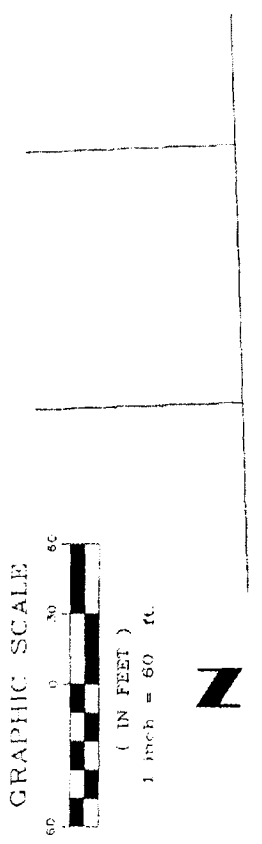
EXHIBIT "A"
Legal Descriptions

Parcel B-6203: A PARCEL OF LAND LOCATED IN A PORTION OF TRACT 'O-1', MIROMAR LAKES UNIT XII - PENINSULA, PHASE TWO ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHWEST CORNER OF TRACT 'R-C', MIROMAR LAKES UNIT XII - PENINSULA, PHASE TWO ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.40°06'21"W., FOR A DISTANCE OF 27.95 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.76°27'33"W., FOR A DISTANCE OF 164.76 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 207.50 FEET, THROUGH A CENTRAL ANGLE OF 54°12'54", SUBTENDED BY A CHORD OF 189.10 FEET AT A BEARING OF N.76°26'00"W., FOR A DISTANCE OF 196.34 FEET TO A POINT OF COMPOUND CURVE CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 28.00 FEET, THROUGH A CENTRAL ANGLE OF 132°19'06", SUBTENDED BY A CHORD OF 51.22 FEET AT A BEARING OF N.16°50'00"E., FOR A DISTANCE OF 64.66 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 53°23'08", SUBTENDED BY A CHORD OF 71.87 FEET AT A BEARING OF N.56°17'59"E., FOR A DISTANCE OF 74.54 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 55°23'26", SUBTENDED BY A CHORD OF 69.72 FEET AT A BEARING OF N.57°18'08"E., FOR A DISTANCE OF 72.51 FEET TO A POINT OF COMPOUND CURVE CONCAVE SOUTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 457.50 FEET, THROUGH A CENTRAL ANGLE OF 3°10'42", SUBTENDED BY A CHORD OF 25.38 FEET AT A BEARING OF N.86°35'12"E., FOR A DISTANCE OF 25.38 FEET TO THE END OF SAID CURVE; THENCE RUN N.88°10'33"E., FOR A DISTANCE OF 167.94 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 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 35.36 FEET AT A BEARING OF S.46°49'27"E., FOR A DISTANCE OF 39.27 FEET TO THE END OF SAID CURVE; THENCE RUN S.01°49'27"E., FOR A DISTANCE OF 34.42 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 142.50 FEET, THROUGH A CENTRAL ANGLE OF 11°43'00", SUBTENDED BY A CHORD OF 29.09 FEET AT A BEARING OF S.07°40'57"E., FOR A DISTANCE OF 29.14 FEET TO THE END OF SAID CURVE; THENCE RUN S.13°32'27"E., FOR A DISTANCE OF 22.24 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 35.36 FEET AT A BEARING OF S.31°27'33"W., FOR A DISTANCE OF 39.27 FEET TO THE POINT OF BEGINNING; CONTAINING 1.180 ACRES, MORE OR LESS.

CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C1	207.50'	54°12'54"	189.10'	N 76°26'00" W	196.34'
C2	28.00'	132°19'06"	51.22'	N 16°50'00" E	64.66'
C3	80.00'	53°23'08"	71.87'	N 56°17'59" E	74.54'
C4	75.00'	55°23'26"	69.77'	N 57°18'08" E	72.51'
C5	457.50'	3°10'42"	25.38'	N 86°35'12" E	25.38'
C6	25.00'	90°00'00"	35.36'	S 46°49'27" E	39.27'
C7	142.50'	11°43'00"	29.09'	S 07°40'57" E	29.14'
C8	25.00'	90°00'00"	35.36'	S 31°27'33" W	39.27'

LINE	BEARING	DISTANCE
L1	N 40°06'21" W	27.95'
L2	S 76°27'33" W	164.76'
L3	N 88°10'33" E	167.94'
L4	S 01°49'27" E	34.42'
L5	S 13°32'27" E	22.24'



LEGEND

POC POINT OF COMMENCEMENT
 POB POINT OF BEGINNING

SEC-TWN-RGE	13-46-25
DRAWN BY	AI
CHECKED BY	TAM
DATE	10/07
DRAWING NO.	9-8203

HM
HOLE MONTES
 SURVEYING AND ENGINEERING
 950 Encore Way
 Naples, FL 34110
 Phone: (239) 254-2000
 Florida Certificate of
 Licensed Surveyor
 Authorization No. 1772

* NOT A SURVEY *

NOT VALID WITHOUT
 THE SIGNATURE AND
 SEAL OF A FLORIDA
 LICENSED SURVEYOR
 AND MAPPER.

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

PROJECT NO.	05.126
REFERENCE NO.	CC01SL

1:\82015-5-montes\Projects by Name of Location\9-montes\2008\2008\MIROMAR LAKES\CC01SL.dwg for Week 09 16 2007 - 9:10am Plotted by: kpratt

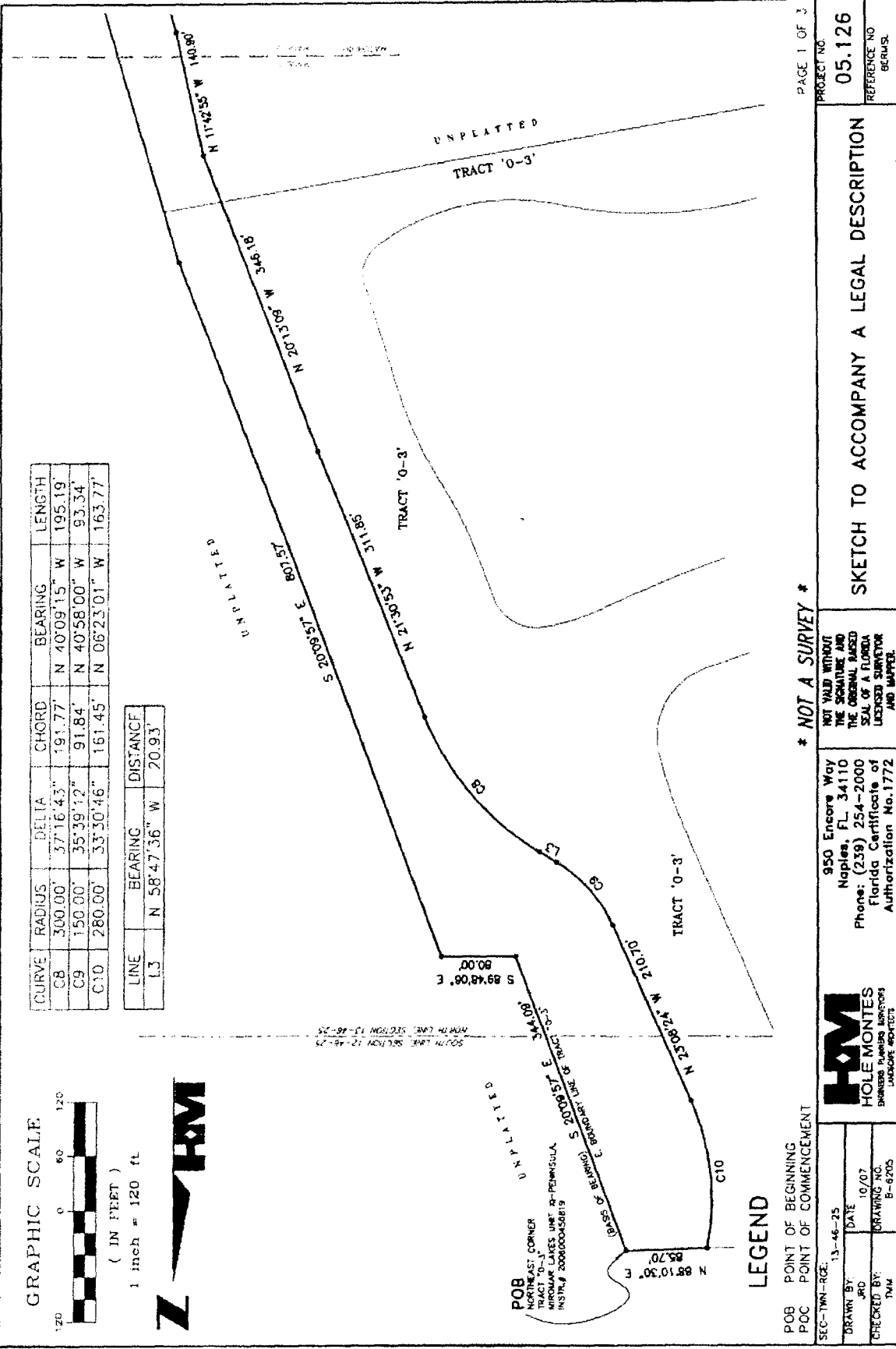
Parcel B-6204: A PARCEL OF LAND LOCATED IN A PORTION OF TRACT 'O-2', MIROMAR LAKES UNIT XII - PENINSULA, PHASE TWO ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHEAST CORNER OF TRACT 'R-C', MIROMAR LAKES UNIT XII - PENINSULA, PHASE TWO ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.13°01'27"E., FOR A DISTANCE OF 27.95 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY; WHOSE RADIUS POINT BEARS N.13°32'27"W., THEREFROM; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 35.36 FEET AT A BEARING OF N.58°32'27"W., FOR A DISTANCE OF 39.27 FEET TO THE END OF SAID CURVE; THENCE RUN N.13°32'27"W., FOR A DISTANCE OF 22.24 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 57.50 FEET, THROUGH A CENTRAL ANGLE OF 11°43'00", SUBTENDED BY A CHORD OF 11.74 FEET AT A BEARING OF N.07°40'57"W., FOR A DISTANCE OF 11.76 FEET TO THE END OF SAID CURVE; THENCE RUN N.01°49'27"W., FOR A DISTANCE OF 34.66 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", SUBTENDED BY A CHORD OF 35.36 FEET AT A BEARING OF N.43°10'33"E., FOR A DISTANCE OF 39.27 FEET TO THE END OF SAID CURVE; THENCE RUN N.88°10'33"E., FOR A DISTANCE OF 115.71 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1957.50 FEET, THROUGH A CENTRAL ANGLE OF 1°46'40", SUBTENDED BY A CHORD OF 60.74 FEET AT A BEARING OF N.89°03'53"E., FOR A DISTANCE OF 60.74 FEET TO THE END OF SAID CURVE; THENCE RUN N.89°57'13"E., FOR A DISTANCE OF 67.67 FEET; TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; WHOSE RADIUS POINT BEARS S.00°02'00"E., THEREFROM; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 75.03 FEET, THROUGH A CENTRAL ANGLE OF 58°51'05", SUBTENDED BY A CHORD OF 73.72 FEET AT A BEARING OF S.60°36'28"E., FOR A DISTANCE OF 77.07 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHEASTERLY; WHOSE RADIUS POINT BEARS N.58°50'33"E., THEREFROM; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 79.99 FEET, THROUGH A CENTRAL ANGLE OF 5°42'32", SUBTENDED BY A CHORD OF 7.97 FEET AT A BEARING OF S.34°00'43"E., FOR A DISTANCE OF 7.97 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 149°59'24", SUBTENDED BY A CHORD OF 96.59 FEET AT A BEARING OF S.38°07'43"W., FOR A DISTANCE OF 130.89 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 292.50 FEET, THROUGH A CENTRAL ANGLE OF 36°39'52", SUBTENDED BY A CHORD OF 184.00 FEET AT A BEARING OF N.85°12'31"W., FOR A DISTANCE OF 187.17 FEET TO THE END OF SAID CURVE; THENCE RUN S.76°27'33"W., FOR A DISTANCE OF 57.50 FEET, TO THE POINT OF BEGINNING CONTAINING 0.798 ACRE, MORE OR LESS.

Parcel B-6205: A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 12 AND 13, TOWNSHIP 46 SOUTH, RANGE 26 EAST, PARCEL ALSO LOCATED IN A PORTION OF TRACT '0-3', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

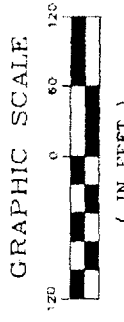
BEGIN AT THE NORTHEAST CORNER OF TRACT '0-3', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.20°09'57"E., ALONG THE EASTERLY BOUNDARY OF TRACT "0-3" OF SAID MIROMAR LAKES UNIT XI - PENINSULA, FOR A DISTANCE OF 344.09 FEET; THENCE RUN S.89°48'06"E., ALONG THE EASTERLY BOUNDARY OF TRACT "0-3" OF SAID MIROMAR LAKES UNIT XI - PENINSULA, FOR A DISTANCE OF 80.00 FEET; THENCE RUN S.20°09'57"E., ALONG THE EASTERLY BOUNDARY OF TRACT "0-3" OF SAID MIROMAR LAKES UNIT XI - PENINSULA, FOR A DISTANCE OF 807.57 FEET; THENCE RUN S.15°43'44"E., FOR A DISTANCE OF 978.45 FEET; THENCE RUN S.89°46'43"E., FOR A DISTANCE OF 516.04 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 17°13'33", SUBTENDED BY A CHORD OF 149.76 FEET AT A BEARING OF S.81°09'56"E., FOR A DISTANCE OF 150.32 FEET TO THE END OF SAID CURVE; THENCE RUN S.59°28'59"W., FOR A DISTANCE OF 23.94 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 650.00 FEET, THROUGH A CENTRAL ANGLE OF 33°32'27", SUBTENDED BY A CHORD OF 375.10 FEET AT A BEARING OF S.42°42'45"W., FOR A DISTANCE OF 380.51 FEET TO THE END OF SAID CURVE; THENCE RUN S.25°56'32"W., FOR A DISTANCE OF 299.56 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 450.00 FEET, THROUGH A CENTRAL ANGLE OF 66°22'29", SUBTENDED BY A CHORD OF 492.64 FEET AT A BEARING OF S.59°07'46"W., FOR A DISTANCE OF 521.31 FEET TO THE END OF SAID CURVE; THENCE RUN N.87°41'00"W., FOR A DISTANCE OF 227.42 FEET; THENCE RUN N.19°49'36"E., FOR A DISTANCE OF 125.38 FEET; TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY; WHOSE RADIUS POINT BEARS N.52°41'33"E., THEREFROM; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 57°21'10", SUBTENDED BY A CHORD OF 191.94 FEET AT A BEARING OF S.65°59'02"E., FOR A DISTANCE OF 200.20 FEET TO THE END OF SAID CURVE; THENCE RUN N.85°20'23"E., FOR A DISTANCE OF 33.57 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 59°53'22", SUBTENDED BY A CHORD OF 399.33 FEET AT A BEARING OF N.55°23'42"E., FOR A DISTANCE OF 418.11 FEET TO THE END OF SAID CURVE; THENCE RUN N.25°27'01"E., FOR A DISTANCE OF 364.83 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 380.00 FEET, THROUGH A CENTRAL ANGLE OF 28°10'12", SUBTENDED BY A CHORD OF 184.95 FEET AT A BEARING OF N.39°32'07"E., FOR A DISTANCE OF 186.83 FEET TO THE END OF SAID CURVE; THENCE RUN N.89°25'06"W., FOR A DISTANCE OF

446.01 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 95.00 FEET, THROUGH A CENTRAL ANGLE OF $74^{\circ}16'31''$, SUBTENDED BY A CHORD OF 114.71 FEET AT A BEARING OF $N.52^{\circ}16'50''W.$, FOR A DISTANCE OF 123.15 FEET TO THE END OF SAID CURVE; THENCE RUN $N.15^{\circ}08'34''W.$, FOR A DISTANCE OF 721.17 FEET; THENCE RUN $N.11^{\circ}42'55''W.$, FOR A DISTANCE OF 140.90 FEET; THENCE RUN $N.20^{\circ}13'09''W.$, FOR A DISTANCE OF 346.18 FEET; THENCE RUN $N.21^{\circ}30'53''W.$, FOR A DISTANCE OF 311.85 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, THROUGH A CENTRAL ANGLE OF $37^{\circ}16'43''$, SUBTENDED BY A CHORD OF 191.77 FEET AT A BEARING OF $N.40^{\circ}09'15''W.$, FOR A DISTANCE OF 195.19 FEET TO THE END OF SAID CURVE; THENCE RUN $N.58^{\circ}47'36''W.$, FOR A DISTANCE OF 20.93 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF $35^{\circ}39'12''$, SUBTENDED BY A CHORD OF 91.84 FEET AT A BEARING OF $N.40^{\circ}58'00''W.$, FOR A DISTANCE OF 93.34 FEET TO THE END OF SAID CURVE; THENCE RUN $N.23^{\circ}08'24''W.$, FOR A DISTANCE OF 210.70 FEET; TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET, THROUGH A CENTRAL ANGLE OF $33^{\circ}30'46''$, SUBTENDED BY A CHORD OF 161.45 FEET AT A BEARING OF $N.06^{\circ}23'01''W.$, FOR A DISTANCE OF 163.77 FEET TO THE END OF SAID CURVE; THENCE RUN $N.88^{\circ}10'30''E.$, FOR A DISTANCE OF 85.70 FEET, TO THE POINT OF BEGINNING CONTAINING 7.352 ACRES MORE OR LESS.



CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C8	300.00'	37°16'43"	191.77'	N 40°09'15" W	195.19'
C9	150.00'	35°39'12"	91.84'	N 40°58'00" W	93.34'
C10	280.00'	33°30'46"	161.45'	N 06°23'01" W	163.77'

LINE	BEARING	DISTANCE
L3	N 58°47'36" W	20.93'



POB
NORTHEAST CORNER
TRACT '0-1'
TRACT '0-2'
TRACT '0-3'
INSTR# 200800036958

LEGEND

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

SEC-TWA-RGE:	13-46-25
DRAWN BY:	DATE
CHECKED BY:	DRAWING NO.
T.M.	B-5205

* NOT A SURVEY *

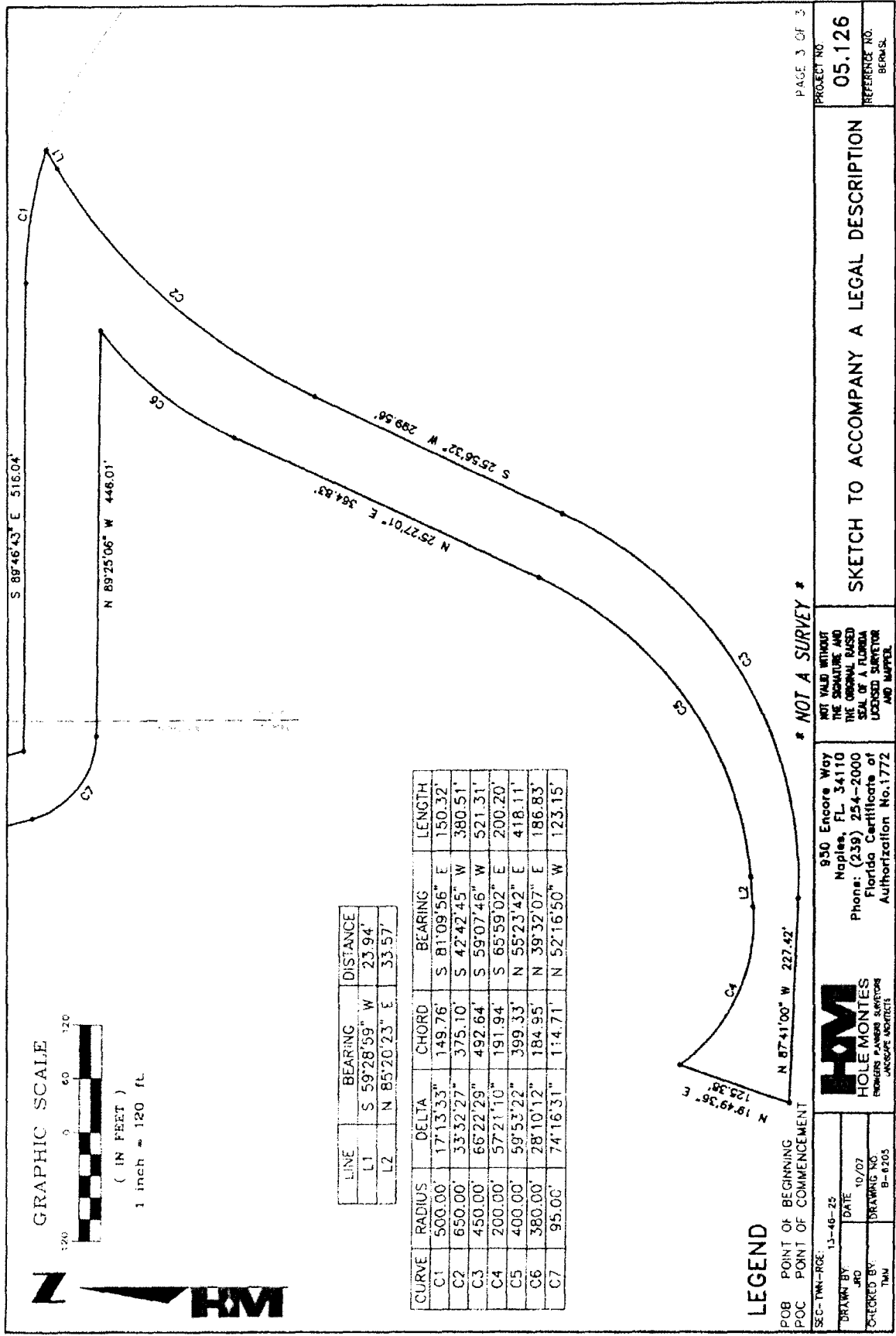
NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Authorized Surveyor
No. 1772



PROJECT NO.
05.126
REFERENCE NO.
SERIAL

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION



POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 SEC-TM-L-ROE 13-46-25
 DRAWN BY JHO DATE 10/07
 CHECKED BY THM DRAWING NO. B-8203
 PROJECT NO. 05.126
 REFERENCE NO. BEARSL.
 SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
 * NOT A SURVEY *
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 950 Encore Way
 Naples, FL 34110
 Phone: (239) 254-2000
 Florida Certificate of Authorization No. 1772
H-M
 HOLE MONTES
 SURVEYING & MAPPING
 LICENSED PROFESSIONALS

1:200 (5-Survey) Properties of Home of Local of Western (2005) 26 (SHEET) 12 of 23 (15-2007) - 8.5 inch Plotting by AutoCAD

Parcel B-6206: A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 12 AND 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND IN A PORTION OF TRACT 'O-3', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT 'O-3', MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.88°10'30"W., ALONG THE NORTH LINE OF TRACT "O-3" OF SAID MIROMAR LAKES UNIT XI - PENINSULA, FOR A DISTANCE OF 85.70 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THE SAME BEING A POINT ON A CIRCULAR CURVE, CONCAVE EASTERLY; WHOSE RADIUS POINT BEARS S.79°37'38"E., THEREFROM; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 280.00 FEET, THROUGH A CENTRAL ANGLE OF 33°30'46", SUBTENDED BY A CHORD OF 161.45 FEET AT A BEARING OF S.06°23'01"E., FOR A DISTANCE OF 163.77 FEET TO THE END OF SAID CURVE; THENCE RUN S.23°08'24"E., FOR A DISTANCE OF 210.70 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 35°39'12", SUBTENDED BY A CHORD OF 91.84 FEET AT A BEARING OF S.40°58'00"E., FOR A DISTANCE OF 93.34 FEET TO THE END OF SAID CURVE; THENCE RUN S.58°47'36"E., FOR A DISTANCE OF 20.93 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 300.00 FEET, THROUGH A CENTRAL ANGLE OF 37°16'43", SUBTENDED BY A CHORD OF 191.77 FEET AT A BEARING OF S.40°09'15"E., FOR A DISTANCE OF 195.19 FEET TO THE END OF SAID CURVE; THENCE RUN S.21°30'53"E., FOR A DISTANCE OF 311.85 FEET; THENCE RUN S.20°13'09"E., FOR A DISTANCE OF 346.18 FEET; THENCE RUN S.11°42'55"E., FOR A DISTANCE OF 140.90 FEET; THENCE RUN S.15°08'34"E., FOR A DISTANCE OF 721.17 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 95.00 FEET, THROUGH A CENTRAL ANGLE OF 74°16'31", SUBTENDED BY A CHORD OF 114.71 FEET AT A BEARING OF S.52°16'50"E., FOR A DISTANCE OF 123.15 FEET TO THE END OF SAID CURVE; THENCE RUN S.89°25'06"E., FOR A DISTANCE OF 446.01 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; WHOSE RADIUS POINT BEARS S.36°22'47"E., THEREFROM; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 380.00 FEET, THROUGH A CENTRAL ANGLE OF 28°10'12", SUBTENDED BY A CHORD OF 184.95 FEET AT A BEARING OF S.39°32'07"W., FOR A DISTANCE OF 186.83 FEET TO THE END OF SAID CURVE; THENCE RUN S.25°27'01"W., FOR A DISTANCE OF 364.83 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 59°53'22", SUBTENDED BY A CHORD OF 399.33 FEET AT A BEARING OF S.55°23'42"W., FOR A DISTANCE OF 418.11 FEET TO THE END OF SAID CURVE; THENCE RUN S.85°20'23"W., FOR A DISTANCE OF 33.57 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 55°46'34", SUBTENDED BY A CHORD OF 187.10 FEET AT A BEARING OF N.66°46'20"W., FOR A DISTANCE OF 194.69 FEET TO THE END OF SAID CURVE; THENCE RUN N.05°01'12"W., FOR A DISTANCE OF 41.12 FEET; THENCE RUN N.67°29'54"W., FOR A DISTANCE OF 99.99 FEET; THENCE RUN N.19°49'36"E., FOR A DISTANCE OF 36.68 FEET; THENCE RUN S.89°46'48"E., FOR A DISTANCE OF 224.89 FEET; THENCE RUN N.00°43'41"W., FOR A DISTANCE OF 159.23 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; WHOSE RADIUS POINT BEARS S.01°58'43"W., THEREFROM; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, THROUGH A CENTRAL ANGLE OF 57°59'13", SUBTENDED BY A CHORD OF 43.62 FEET AT A BEARING OF S.59°01'41"E., FOR A DISTANCE OF 45.54 FEET TO THE END OF SAID CURVE; THENCE RUN S.30°02'04"E., FOR A DISTANCE OF 192.50 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF

30.00 FEET, THROUGH A CENTRAL ANGLE OF 81°48'54", SUBTENDED BY A CHORD OF 39.29 FEET AT A BEARING OF S.70°56'31"E., FOR A DISTANCE OF 42.84 FEET TO A POINT OF COMPOUND CURVE CONCAVE NORTHERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 220.00 FEET, THROUGH A CENTRAL ANGLE OF 19°06'55", SUBTENDED BY A CHORD OF 73.06 FEET AT A BEARING OF N.58°35'34"E., FOR A DISTANCE OF 73.40 FEET TO THE END OF SAID CURVE; THENCE RUN N.49°02'07"E., FOR A DISTANCE OF 22.12 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 20°53'08", SUBTENDED BY A CHORD OF 54.38 FEET AT A BEARING OF N.38°35'33"E., FOR A DISTANCE OF 54.68 FEET TO THE END OF SAID CURVE; THENCE RUN N.28°08'59"E., FOR A DISTANCE OF 158.47 FEET; THENCE RUN N.19°46'59"E., FOR A DISTANCE OF 93.03 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, THROUGH A CENTRAL ANGLE OF 93°34'31", SUBTENDED BY A CHORD OF 94.75 FEET AT A BEARING OF N.27°00'17"W., FOR A DISTANCE OF 106.16 FEET TO THE END OF SAID CURVE; THENCE RUN N.73°47'32"W., FOR A DISTANCE OF 155.65 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 46°12'53", SUBTENDED BY A CHORD OF 156.98 FEET AT A BEARING OF N.50°41'05"W., FOR A DISTANCE OF 161.32 FEET TO THE END OF SAID CURVE; THENCE RUN N.27°34'39"W., FOR A DISTANCE OF 70.71 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 11°51'08", SUBTENDED BY A CHORD OF 41.30 FEET AT A BEARING OF N.21°39'05"W., FOR A DISTANCE OF 41.37 FEET TO THE END OF SAID CURVE; THENCE RUN N.15°43'31"W., FOR A DISTANCE OF 617.17 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, THROUGH A CENTRAL ANGLE OF 52°21'34", SUBTENDED BY A CHORD OF 66.18 FEET AT A BEARING OF N.41°54'17"W., FOR A DISTANCE OF 68.54 FEET TO THE END OF SAID CURVE; THENCE RUN N.68°05'04"W., FOR A DISTANCE OF 113.39 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 562.29 FEET, THROUGH A CENTRAL ANGLE OF 14°14'39", SUBTENDED BY A CHORD OF 139.43 FEET AT A BEARING OF N.75°12'24"W., FOR A DISTANCE OF 139.79 FEET TO A POINT OF COMPOUND CURVE CONCAVE SOUTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 702.62 FEET, THROUGH A CENTRAL ANGLE OF 29°36'50", SUBTENDED BY A CHORD OF 359.13 FEET AT A BEARING OF S.82°51'52"W., FOR A DISTANCE OF 363.15 FEET TO A POINT OF COMPOUND CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 218.24 FEET, THROUGH A CENTRAL ANGLE OF 75°19'43", SUBTENDED BY A CHORD OF 266.71 FEET AT A BEARING OF S.30°23'36"W., FOR A DISTANCE OF 286.93 FEET TO THE END OF SAID CURVE; THENCE RUN S.07°16'15"E., FOR A DISTANCE OF 57.34 FEET; THENCE RUN S.03°46'00"E., FOR A DISTANCE OF 227.76 FEET; THENCE RUN S.03°20'44"W., FOR A DISTANCE OF 36.78 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 149.43 FEET, THROUGH A CENTRAL ANGLE OF 30°35'05", SUBTENDED BY A CHORD OF 78.82 FEET AT A BEARING OF S.18°38'17"W., FOR A DISTANCE OF 79.76 FEET TO A POINT OF COMPOUND CURVE CONCAVE NORTHERLY; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 30.16 FEET, THROUGH A CENTRAL ANGLE OF 107°48'51", SUBTENDED BY A CHORD OF 48.75 FEET AT A BEARING OF S.87°50'15"W., FOR A DISTANCE OF 56.76 FEET TO THE END OF SAID CURVE; THENCE RUN N.38°15'20"W., FOR A DISTANCE OF 34.46 FEET; THENCE RUN N.51°34'53"W., FOR A DISTANCE OF 41.69 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 46°49'54", SUBTENDED BY A CHORD OF 31.79 FEET AT A BEARING OF N.28°09'57"W., FOR A DISTANCE OF 32.69 FEET TO THE END OF SAID CURVE; THENCE RUN N.04°45'00"W., FOR A DISTANCE OF 342.09 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF

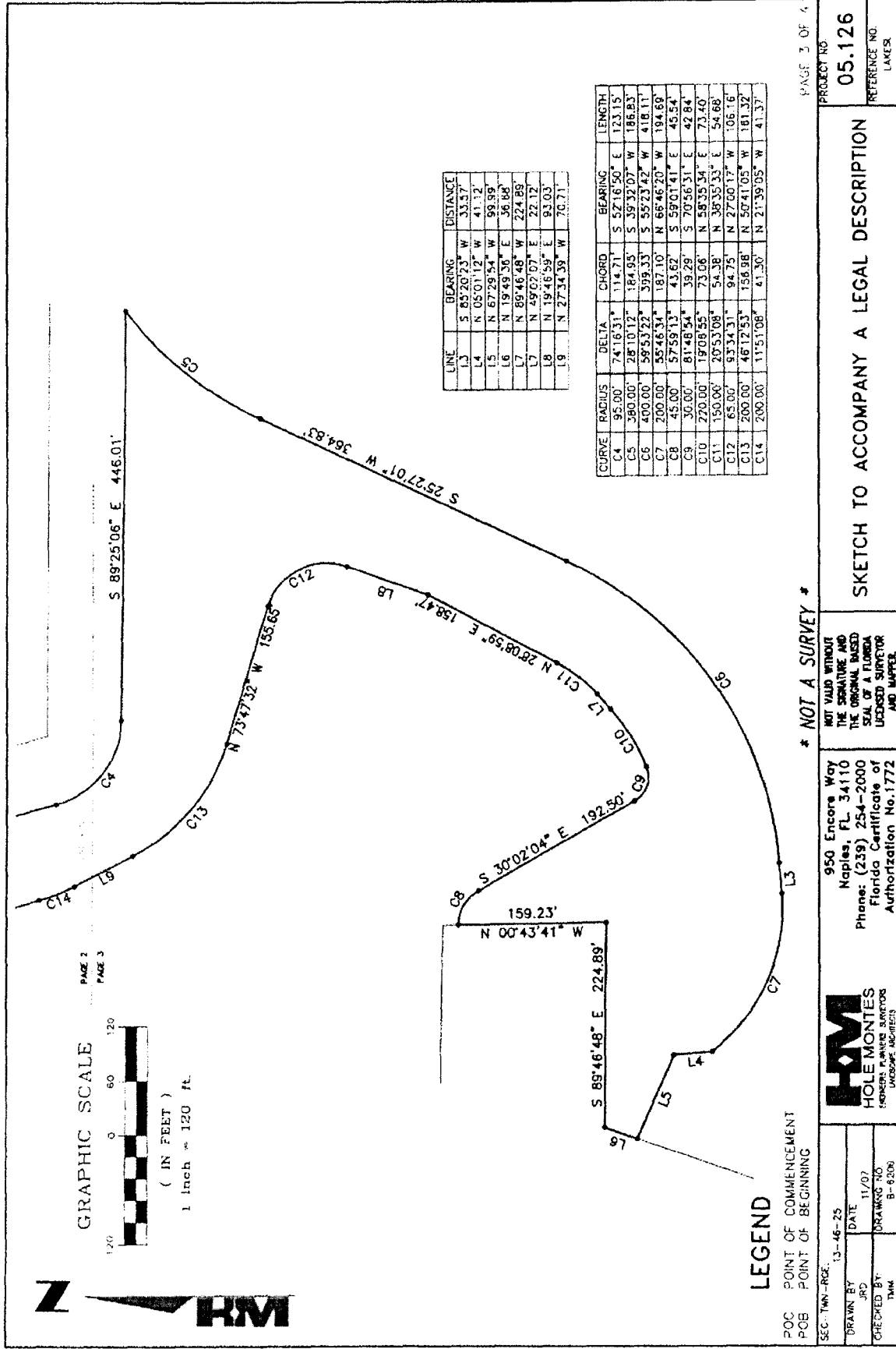
40°02'02", SUBTENDED BY A CHORD OF 34.23 FEET AT A BEARING OF N.15°16'01"E., FOR A DISTANCE OF 34.94 FEET TO THE END OF SAID CURVE; THENCE RUN N.35°37'51"E., FOR A DISTANCE OF 31.05 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE WESTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 94°06'42", SUBTENDED BY A CHORD OF 43.92 FEET AT A BEARING OF N.11°25'30"W., FOR A DISTANCE OF 49.28 FEET TO THE END OF SAID CURVE; THENCE RUN N.58°28'51"W., FOR A DISTANCE OF 14.68 FEET; THENCE RUN N.39°32'04"W., FOR A DISTANCE OF 12.35 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE EASTERLY; THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 65.00 FEET, THROUGH A CENTRAL ANGLE OF 37°32'07", SUBTENDED BY A CHORD OF 41.83 FEET AT A BEARING OF N.20°46'01"W., FOR A DISTANCE OF 42.58 FEET TO THE END OF SAID CURVE; THENCE RUN N.01°59'57"W., FOR A DISTANCE OF 65.22 FEET TO A POINT ON THE SOUTH LINE OF TRACT "0-3", SAID MIROMAR LAKES UNIT XI - PENINSULA; THENCE RUN N.04°49'14"W., ALONG THE BOUNDARY OF SAID TRACT "0-3" FOR A DISTANCE OF 24.14 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE EASTERLY; WHOSE RADIUS POINT BEARS N.85°10'46"E., THEREFROM; THENCE RUN NORTHERLY, ALONG THE BOUNDARY OF SAID TRACT "0-3" AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 28°57'18", SUBTENDED BY A CHORD OF 20.00 FEET AT A BEARING OF N.09°39'25"E., FOR A DISTANCE OF 20.21 FEET TO A POINT ON THE SOUTH LINE OF BLOCK "E-E", MIROMAR LAKES UNIT XII - PENINSULA, PHASE TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000463425 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THE SAME BEING A POINT OF COMPOUND CURVE CONCAVE SOUTHEASTERLY; THENCE THE FOLLOWING NINETEEN (19) COURSES ALONG THE BOUNDARY OF SAID BLOCK "E-E" AND TRACT "0-3":

1. THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 60°46'02", SUBTENDED BY A CHORD OF 40.46 FEET AT A BEARING OF N.54°31'05"E., FOR A DISTANCE OF 42.42 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY;
2. THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 685.00 FEET, THROUGH A CENTRAL ANGLE OF 13°36'27", SUBTENDED BY A CHORD OF 162.30 FEET AT A BEARING OF N.78°05'53"E., FOR A DISTANCE OF 162.68 FEET TO THE END OF SAID CURVE;
3. THENCE RUN N.71°17'39"E., FOR A DISTANCE OF 205.11 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY;
4. THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 429.85 FEET, THROUGH A CENTRAL ANGLE OF 31°12'51", SUBTENDED BY A CHORD OF 231.29 FEET AT A BEARING OF N.86°54'05"E., FOR A DISTANCE OF 234.18 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY;
5. THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 241.25 FEET, THROUGH A CENTRAL ANGLE OF 49°56'06", SUBTENDED BY A CHORD OF 203.66 FEET AT A BEARING OF N.77°32'27"E., FOR A DISTANCE OF 210.25 FEET TO A POINT OF COMPOUND CURVE CONCAVE WESTERLY;
6. THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 37.70 FEET, THROUGH A CENTRAL ANGLE OF 69°38'21", SUBTENDED BY A CHORD OF 43.05 FEET AT A BEARING OF N.17°45'14"E., FOR A DISTANCE OF 45.82 FEET TO THE END OF SAID CURVE;
7. THENCE RUN N.17°03'57"W., FOR A DISTANCE OF 120.81 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY;
8. THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 455.20 FEET, THROUGH A CENTRAL ANGLE OF 14°15'00", SUBTENDED BY A CHORD OF 112.92 FEET AT A BEARING OF N.24°11'27"W., FOR A DISTANCE OF 113.21 FEET TO THE END OF SAID CURVE;
9. THENCE RUN S.31°18'57"E., FOR A DISTANCE OF 6.86 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHEASTERLY;
10. THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 426.80 FEET, THROUGH A CENTRAL ANGLE OF 10°45'18", SUBTENDED BY A CHORD OF 80.00 FEET AT A BEARING OF N.25°56'18"W., FOR A DISTANCE OF 80.12 FEET TO THE END OF SAID CURVE;
11. THENCE RUN N.20°33'38"W., FOR A DISTANCE OF 51.99 FEET TO THE BEGINNING OF A

12. TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHWESTERLY;
THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 49.69 FEET, THROUGH A CENTRAL ANGLE OF 78°37'37", SUBTENDED BY A CHORD OF 62.96 FEET AT A BEARING OF N.59°52'27"W., FOR A DISTANCE OF 68.18 FEET TO A POINT OF COMPOUND CURVE CONCAVE SOUTHERLY;
 13. THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 227.08 FEET, THROUGH A CENTRAL ANGLE OF 16°05'20", SUBTENDED BY A CHORD OF 63.56 FEET AT A BEARING OF S.72°46'05"W., FOR A DISTANCE OF 63.76 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY;
 14. THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1510.00 FEET, THROUGH A CENTRAL ANGLE OF 9°31'18", SUBTENDED BY A CHORD OF 250.65 FEET AT A BEARING OF S.69°29'04"W., FOR A DISTANCE OF 250.94 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHERLY;
 15. THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1959.96 FEET, THROUGH A CENTRAL ANGLE OF 2°51'25", SUBTENDED BY A CHORD OF 97.72 FEET AT A BEARING OF S.72°49'00"W., FOR A DISTANCE OF 97.73 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY;
 16. THENCE RUN WESTERLY, AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, THROUGH A CENTRAL ANGLE OF 2°01'44", SUBTENDED BY A CHORD OF 7.08 FEET AT A BEARING OF S.72°24'10"W., FOR A DISTANCE OF 7.08 FEET TO THE END OF SAID CURVE;
 17. THENCE RUN S.73°25'02"W., FOR A DISTANCE OF 188.42 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHERLY; WHOSE RADIUS POINT BEARS N.17°44'52"W., THEREFROM;
 18. THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 291.03 FEET, THROUGH A CENTRAL ANGLE OF 12°22'53", SUBTENDED BY A CHORD OF 62.77 FEET AT A BEARING OF S.78°26'35"W., FOR A DISTANCE OF 62.89 TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY; WHOSE RADIUS POINT BEARS N.05°21'59"W., THEREFROM;
 19. THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 36.00 FEET, THROUGH A CENTRAL ANGLE OF 60°00'40", SUBTENDED BY A CHORD OF 36.01 FEET AT A BEARING OF N.65°21'39"W., FOR A DISTANCE OF 37.71 FEET TO A POINT OF COMPOUND CURVE CONCAVE EASTERLY;
- THE SAME BEING A POINT ON THE BOUNDARY OF SAID TRACT "O-3", MIROMAR LAKES UNIT XI - PENINSULA; THENCE RUN THE FOLLOWING FOURTEEN (14) COURSES ALONG THE BOUNDARY OF SAID TRACT "O-3":

1. THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 36.00 FEET, THROUGH A CENTRAL ANGLE OF 30°32'05", SUBTENDED BY A CHORD OF 18.96 FEET AT A BEARING OF N.20°05'16"W., FOR A DISTANCE OF 19.19 FEET TO THE END OF SAID CURVE;
2. THENCE RUN N.04°49'14"W., FOR A DISTANCE OF 29.33 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY;
3. THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET, THROUGH A CENTRAL ANGLE OF 56°21'06", SUBTENDED BY A CHORD OF 56.66 FEET AT A BEARING OF N.23°21'19"E., FOR A DISTANCE OF 59.01 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY;
4. THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 125.00 FEET, THROUGH A CENTRAL ANGLE OF 13°23'58", SUBTENDED BY A CHORD OF 29.17 FEET AT A BEARING OF N.44°49'53"E., FOR A DISTANCE OF 29.23 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHEASTERLY;
5. THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 47°49'21", SUBTENDED BY A CHORD OF 40.53 FEET AT A BEARING OF N.62°02'34"E., FOR A DISTANCE OF 41.73 FEET TO THE END OF SAID CURVE;
6. THENCE RUN N.85°57'15"E., FOR A DISTANCE OF 184.87 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHERLY;
7. THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 54.00 FEET, THROUGH A CENTRAL ANGLE OF 15°02'36", SUBTENDED BY A CHORD OF 14.14 FEET AT A BEARING OF N.78°25'57"E., FOR A DISTANCE OF 14.18

- FEEET TO THE END OF SAID CURVE;
8. THENCE RUN N.70°54'39"E., FOR A DISTANCE OF 243.75 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE NORTHWESTERLY;
 9. THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 78.00 FEET, THROUGH A CENTRAL ANGLE OF 83°52'07", SUBTENDED BY A CHORD OF 104.25 FEET AT A BEARING OF N.28°58'35"E., FOR A DISTANCE OF 114.18 FEET TO A POINT OF COMPOUND CURVE CONCAVE WESTERLY;
 10. THENCE RUN NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 460.00 FEET, THROUGH A CENTRAL ANGLE OF 10°08'38", SUBTENDED BY A CHORD OF 81.33 FEET AT A BEARING OF N.18°01'47"W., FOR A DISTANCE OF 81.44 FEET TO THE END OF SAID CURVE;
 11. THENCE RUN N.23°06'06"W., FOR A DISTANCE OF 287.49 FEET;
 12. THENCE RUN N.21°02'46"W., FOR A DISTANCE OF 83.17 FEET;
 13. THENCE RUN N.12°35'14"W., FOR A DISTANCE OF 119.68 FEET;
 14. THENCE RUN N.88°10'30"E., ALONG THE NORTH LINE OF SAID TRACT "O-3", MIROMAR LAKES UNIT XI - PENINSULA FOR A DISTANCE OF 141.86 FEET TO THE POINT OF BEGINNING CONTAINING 17.573 ACRES MORE OR LESS.



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GRAPHIC SCALE
(IN FEET)
1 Inch = 120 ft.



LINE	BEARING	DISTANCE
L3	S 85°20'23" W	33.37
L4	N 05°01'12" W	41.12
L5	N 67°29'54" W	99.99
L6	N 19°49'36" E	36.64
L7	N 89°46'48" W	224.89
L7	N 49°07'07" E	22.12
L8	N 19°46'59" E	93.03
L9	N 27°34'39" W	70.71

CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C4	95.00'	74°16'31"	114.71'	S 57°16'50" E	123.15'
C5	380.00'	28°10'12"	184.95'	S 39°32'07" W	186.83'
C6	400.00'	58°53'22"	399.33'	S 55°23'42" W	418.11'
C7	200.00'	55°46'34"	187.10'	N 66°46'20" W	194.60'
C8	45.00'	57°59'13"	43.62'	S 59°01'41" E	45.54'
C9	30.00'	81°48'54"	39.29'	S 70°56'31" E	42.84'
C10	270.00'	19°08'55"	73.06'	N 58°35'34" E	73.40'
C11	150.00'	20°53'08"	54.38'	N 38°35'33" E	54.68'
C12	65.00'	63°34'31"	94.75'	N 27°00'17" W	106.16'
C13	200.00'	46°12'53"	156.96'	N 56°41'05" W	161.32'
C14	200.00'	11°51'08"	41.30'	N 21°39'05" W	41.37'

LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

SEC: T1N - R3E
13-46-25
DRAWN BY: JRD
DATE: 11/07
CHECKED BY: TMM
DRAWING NO: B-6306

HMM
HOLE MONTES
REGISTERED PROFESSIONAL SURVEYOR
LICENSE NO. 14512

950 Encore Way
Naples, FL 34110
Phone: (239) 254-2000
Florida Certificate of
Licensed Surveyor
Authorization No. 1772

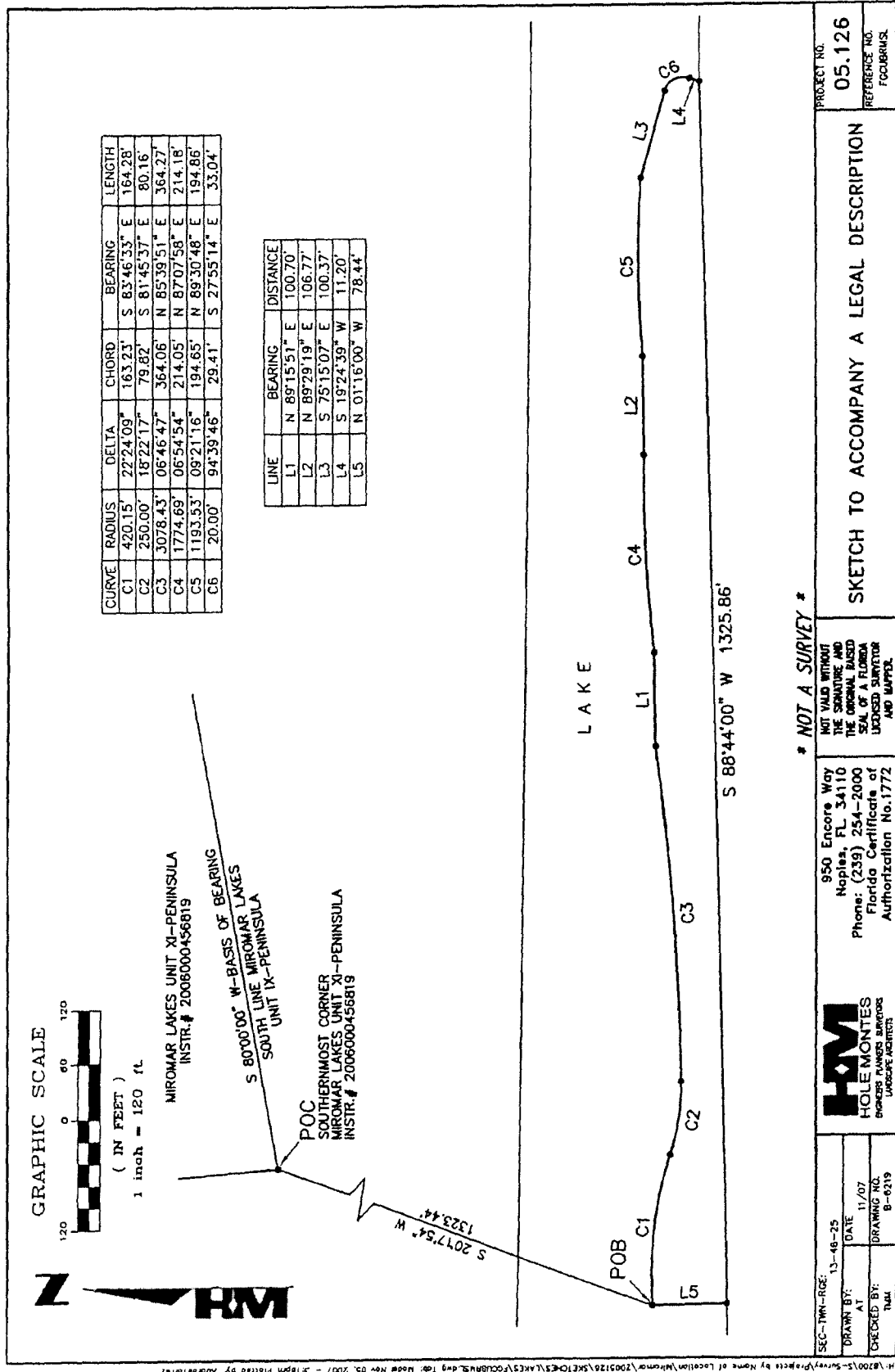
* NOT A SURVEY *

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

PAGE 3 OF 4
PROJECT NO: 05.126
REFERENCE NO: LAKES

Parcel B-6219: A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHERNMOST CORNER OF MIROMAR LAKES UNIT XI - PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED AS INSTRUMENT NUMBER 2006000456819 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.20°17'54"W., FOR A DISTANCE OF 1323.44 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHERLY; WHOSE RADIUS POINT BEARS S.04°58'38"E., THEREFROM; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 420.15 FEET, THROUGH A CENTRAL ANGLE OF 22°24'09", SUBTENDED BY A CHORD OF 163.23 FEET AT A BEARING OF S.83°46'33"E., FOR A DISTANCE OF 164.28 FEET TO A POINT OF REVERSE CURVE CONCAVE NORTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 250.00 FEET, THROUGH A CENTRAL ANGLE OF 18°22'17", SUBTENDED BY A CHORD OF 79.82 FEET AT A BEARING OF S.81°45'37"E., FOR A DISTANCE OF 80.16 FEET TO A POINT OF COMPOUND CURVE CONCAVE NORTHERLY; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 3078.43 FEET, THROUGH A CENTRAL ANGLE OF 6°46'47", SUBTENDED BY A CHORD OF 364.06 FEET AT A BEARING OF N.85°39'51"E., FOR A DISTANCE OF 364.27 FEET TO THE END OF SAID CURVE; THENCE RUN N.89°15'51"E., FOR A DISTANCE OF 100.70 FEET; TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHERLY; WHOSE RADIUS POINT BEARS S.06°19'29"E., THEREFROM; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1774.69 FEET, THROUGH A CENTRAL ANGLE OF 6°54'54", SUBTENDED BY A CHORD OF 214.05 FEET AT A BEARING OF N.87°07'58"E., FOR A DISTANCE OF 214.18 FEET TO THE END OF SAID CURVE; THENCE RUN N.89°29'19"E., FOR A DISTANCE OF 106.77 FEET; TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHERLY; WHOSE RADIUS POINT BEARS S.05°09'50"E., THEREFROM; THENCE RUN EASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1193.53 FEET, THROUGH A CENTRAL ANGLE OF 9°21'16", SUBTENDED BY A CHORD OF 194.65 FEET AT A BEARING OF N.89°30'48"E., FOR A DISTANCE OF 194.86 FEET TO THE END OF SAID CURVE; THENCE RUN S.75°15'07"E., FOR A DISTANCE OF 100.37 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 20.00 FEET, THROUGH A CENTRAL ANGLE OF 94°39'46", SUBTENDED BY A CHORD OF 29.41 FEET AT A BEARING OF S.27°55'14"E., FOR A DISTANCE OF 33.04 FEET TO THE END OF SAID CURVE; THENCE RUN S.19°24'39"W., FOR A DISTANCE OF 11.20 FEET; THENCE RUN S.88°44'00"W., FOR A DISTANCE OF 1325.86 FEET; THENCE RUN N.01°16'00"W., FOR A DISTANCE OF 78.44 FEET TO THE POINT OF BEGINNING; CONTAINING 1.849 ACRES, MORE OR LESS.



H:\2005-Survey\Projects by Name of Location\Miromar\2005126\SKETCHES\LAKE\FOOTBRUS.dwg Tab: Lake Nov 03, 2007 - 3:18pm Plotted by: AutoCAD

SFWMD CONSTRUCTION COMPLETION

CERTIFICATION ACCEPTANCE

PHASE 4



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 28, 2017

Robert Roop
Miromar Lakes LLC
10801 Corkscrew Road Ste 305
Estero, FL 33928

**Subject: The Peninsula Phase I V
Construction Completion Certification Acceptance
Permit No. 36-03568-P, Application No. 140620-1
Lee County, S13/T46S/R25E**

Dear Permittee:

This letter is to acknowledge receipt of your Florida registered professional's construction completion certification (CCC) pertaining to the stormwater management system referenced above. The submitted information has been accepted and incorporated into the permit file.

This acceptance is based on the South Florida Water Management District's (District) review of the "As-built Certification and Request for Conversion to Operation Phase", Form 62-330.310(1), and a determination that construction is in substantial conformance with the plans and specifications approved by the District, in accordance with Section 62-330.310, Florida Administrative Code (FAC). The permit file has been updated to reflect this determination.

By accepting the Florida registered professional's certification, District staff considers the stormwater management system permitted under the above-referenced application number(s) to be in compliance with permit conditions pertaining to the CCC and the above-referenced permit is hereby converted from the construction phase to the operation and maintenance phase.

Please be aware that all perpetual operation and maintenance requirements of this permit are the responsibility of the permittee and that the District reserves the right to inspect the project in the future to ensure continued compliance with the permit. If at any time it is determined that the constructed system is not operating as intended, you may be required to correct any construction deficiencies in the system necessary to meet District rule criteria.

RR

4/27/17

DISTRICT HEADQUARTERS: 3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • (800) 432-2045
LOWER WEST COAST SERVICE CENTER: 2301 McGregor Boulevard, Fort Myers, FL 33901 • (239) 338-2929 • (800) 248-1201
OKEECHOBEE SERVICE CENTER: 3800 N.W. 16th Blvd, Suite A, Okeechobee, FL 34972 • (863) 462-5260 • (800) 250-4200
ORLANDO SERVICE CENTER: 1707 Orlando Central Parkway, Suite 200, Orlando FL 32809 • (407) 858-6100 • (800) 250-4250

sfwmd.gov

According to District records, a permit transfer to the operating entity is required. In accordance with Rule 62-330.350(1)(e), FAC, "Unless the permit is transferred under Rule 62-330.340, FAC, or transferred to an operating entity under Rule 62-330.310, FAC, the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity." This transfer should be pursued via Form 62-330.310(2), *Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity*, with supporting documentation. The form and submittal instructions are enclosed.

The District now has the capability of receiving certifications, as-built plans and AGI inspection reports, conversion/transfer forms and other documents electronically via the District's ePermitting website at www.sfwmd.gov/ePermitting. For first-time users, an account will need to be created. Reports can be submitted through eCompliance/Environmental Resource.

Should you have any questions or require additional assistance, please contact me at 239-338-2929 ext 7792, or via e-mail at dgordon@sfwmd.gov, in the Lower West Coast Service Center.

Sincerely,



D'Cody Gordon, E.I.
Environmental Resource Bureau
Lower West Coast Service Center
South Florida Water Management District

Enclosure(s): Location Map
Notice of Rights
Operation Transfer Instructions and Form 62-330.310(2)

c: Spencer Casteel., E.I., Waldrop Engineering



SFWMDC GeoSpatial Services

<p>Exhibit No: 1</p>	<p>Exhibit Created On: 2017-04-10</p>	<p>LEE COUNTY, FL</p>	<div style="display: flex; align-items: center;"> <p>Application</p> </div> <p>Permit No: 36-03568-P</p> <p>Application Number: 140620-1</p>
<p>REGULATION DIVISION</p> <p>Project Name: THE PENINSULA PHASE I V</p>			
<p>sfwmd.gov</p>	<p>0 2,200 4,400</p> <p>_____ Feet</p>	<p>Created by</p> <p>South Florida Water Management District</p>	



NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

INITIATION OF AN ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401–.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.

LEE COUNTY DEVELOPMENT ORDER

CERTIFICATE OF COMPLIANCE

PHASE 4



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:
(239) 533-8356

John E. Manning
District One

February 21, 2017

Cecil L. Pendergrass
District Two

DEVELOPMENT ORDER
CERTIFICATE OF COMPLIANCE

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

PROJECT NAME: THE PENINSULA PH IV AT MIROMAR

Roger Desjarlais
County Manager

D.O. NUMBER: DOS2014-00048

Richard Wm. Wesch
County Attorney

BUILDING PERMIT: Phase 4B site only

Donna Marie Collins
Hearing Examiner

This Certificate of Compliance certifies that the above mentioned development, as determined by an on-site inspection performed by Lee County on 2/20/2017 is completed to the specifications of the approved development order plans and is hereby declared to be in substantial compliance with the Final Development Order.

LEE COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Lloyd M Nixon

Development Review Representative

RECORDED PLAT FOR

PENINSULA PHASE 4

Miromar Lakes Unit XIV - Peninsula, Phase Four

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST

AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATIONS/RESERVATIONS

STATE OF FLORIDA
COUNTY OF LEE

MIROMAR LAKES, LLC, A FLORIDA LIMITED LIABILITY COMPANY ("DEVELOPER") AND MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A COMMUNITY DEVELOPMENT DISTRICT FORMED PURSUANT TO CHAPTER 190 F.S., THE OWNERS OF THE HEREIN DESCRIBED LANDS, HAVE CAUSED THIS PLAT OF MIROMAR LAKES UNIT XIV - PENINSULA, PHASE FOUR, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA TO BE MADE AND DEDICATE THE LANDS AND THE FOLLOWING TRACTS AND EASEMENTS:

1. DEDICATE TO MIROMAR LAKES MASTER ASSOCIATION INC., A FLORIDA NOT-FOR-PROFIT CORPORATION:

- A. TRACTS "R-4" AND "R-5", FOR PRIVATE ROAD RIGHT-OF-WAY (R.O.W.), FOR THE RIGHT OF INGRESS AND EGRESS, OVER AND ACROSS SUCH TRACTS, FOR THE BENEFIT OF THE ASSOCIATION, THE MEMBERS OF THE ASSOCIATION, THEIR GUESTS, CONTRACTORS AND ASSOCIATE EMPLOYEES AND PERSONNEL, SUBJECT TO EASEMENTS DEPICTED HEREON, WITH RESPONSIBILITY FOR MAINTENANCE.
- B. TRACTS "B-14", "B-15", "B-16", "B-17", "B-18" AND "B-19" AS OPEN SPACE, FOR THE PURPOSE OF LANDSCAPING AND SIGNAGE, SUBJECT TO EASEMENTS DEPICTED HEREON, WITH RESPONSIBILITY FOR MAINTENANCE.
- C. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.), DOCK EASEMENTS (D.K.E.) AND DRAINAGE EASEMENTS (D.E.), FOR THE RIGHT OF INGRESS AND EGRESS, OVER AND ACROSS SAID EASEMENTS, WITH NO RESPONSIBILITY FOR MAINTENANCE.
- D. ALL BEACH EASEMENTS (B.E.), FOR ACCESS AND USE TO OF THE BEACH AND SIDEWALKS BY MIROMAR LAKES LLC AND MIROMAR LAKES MASTER ASSOCIATION INC., THEIR MEMBERS AND FAMILY MEMBERS, RESORT GUESTS, EMPLOYEES AGENTS AND CONTRACTORS WITH RESPONSIBILITY FOR MAINTENANCE.
- E. ALL IRRIGATION EASEMENTS (I.E.), FOR IRRIGATION SYSTEM OPERATION AND MAINTENANCE, WITH RESPONSIBILITY FOR MAINTENANCE.
- F. ALL ACCESS EASEMENTS (A.E.), FOR ACCESS TO AND USE OF SIDEWALKS, WITH RESPONSIBILITY FOR MAINTENANCE.
- G. ALL SIGN EASEMENTS (S.E.), WITH RESPONSIBILITY FOR MAINTENANCE.

2. DEDICATE TO MIROMAR LAKES MASTER ASSOCIATION INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, TROPICAL WATER SUPPLY COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND ALL PUBLIC AND PRIVATE UTILITIES, WHETHER PRIVATELY OR GOVERNMENTALLY OWNED FOR ACCESS AND USE IN PERFORMING AND DISCHARGING THEIR RESPECTIVE OFFICIAL DUTIES AND OBLIGATIONS TO PROVIDE UTILITY AND OTHER GOVERNMENTAL SERVICES, THE FOLLOWING:

- A. ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON, SOLELY FOR THE USES AND PURPOSES INDICATED.
- B. THE PUBLIC UTILITY EASEMENTS (P.U.E.) AS DESCRIBED ABOVE MAY ALSO BE USED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC AND PRIVATE UTILITIES, INCLUDING BUT NOT LIMITED TO CABLE TELEVISION, INTRANET/INTERNET, TELECOMMUNICATIONS, IRRIGATION, SECURITY, GAS AND SIMILAR SYSTEMS AND FACILITIES, PROVIDED, HOWEVER, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION (I) MUST NOT INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY, AND (II) MUST COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

3. DEDICATE TO THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, ITS SUCCESSORS AND ASSIGNS:

- A. ALL OF TRACTS "O-4", "O-5" AND, "O-6" FOR LAKE/WATER MANAGEMENT AND STORMWATER MANAGEMENT, WITH RESPONSIBILITY FOR MAINTENANCE.
- B. ALL DRAINAGE EASEMENTS (D.E.), DEPICTED HEREON, FOR DRAINAGE PURPOSES, WITH RESPONSIBILITY FOR MAINTENANCE.
- C. ALL LAKES MAINTENANCE EASEMENTS (L.M.E.), DEPICTED HEREON, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES FOR THE PURPOSE OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES, WITH RESPONSIBILITY FOR MAINTENANCE.
- D. A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS TRACTS "R-4", "R-5", TRACT "B-1" AND ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON.

4. DEDICATE TO LEE COUNTY UTILITIES:

ALL LEE COUNTY UTILITY EASEMENTS (L.C.U.E.), DEPICTED HEREON.

5. DEDICATE TO THE PENINSULA IV NEIGHBORHOOD ASSOCIATION, INC.:

- A. ALL DOCK EASEMENTS (D.K.E.), DEPICTED HEREON, FOR INGRESS, EGRESS AND ACCESS TO THE DOCKS LOCATED ON OR ADJACENT TO THE DOCK EASEMENTS (D.K.E.), WITH RESPONSIBILITY FOR MAINTENANCE OF THE DOCKS AND INSTALLATION AND MAINTENANCE OF ANY UTILITIES SERVICING THE DOCKS.
- B. ALL LANDSCAPE BUFFER EASEMENTS (L.B.E.), WITH RESPONSIBILITY FOR MAINTENANCE.
- C. ALL BEACH EASEMENTS (B.E.), WITH NO RESPONSIBILITY FOR MAINTENANCE.
- D. ALL ACCESS EASEMENTS (A.E.), FOR INGRESS/EGRESS, WITH NO REASONABILITY FOR MAINTENANCE.

6. RESERVE TO THE DEVELOPER, ITS SUCCESSOR AND ASSIGNS:

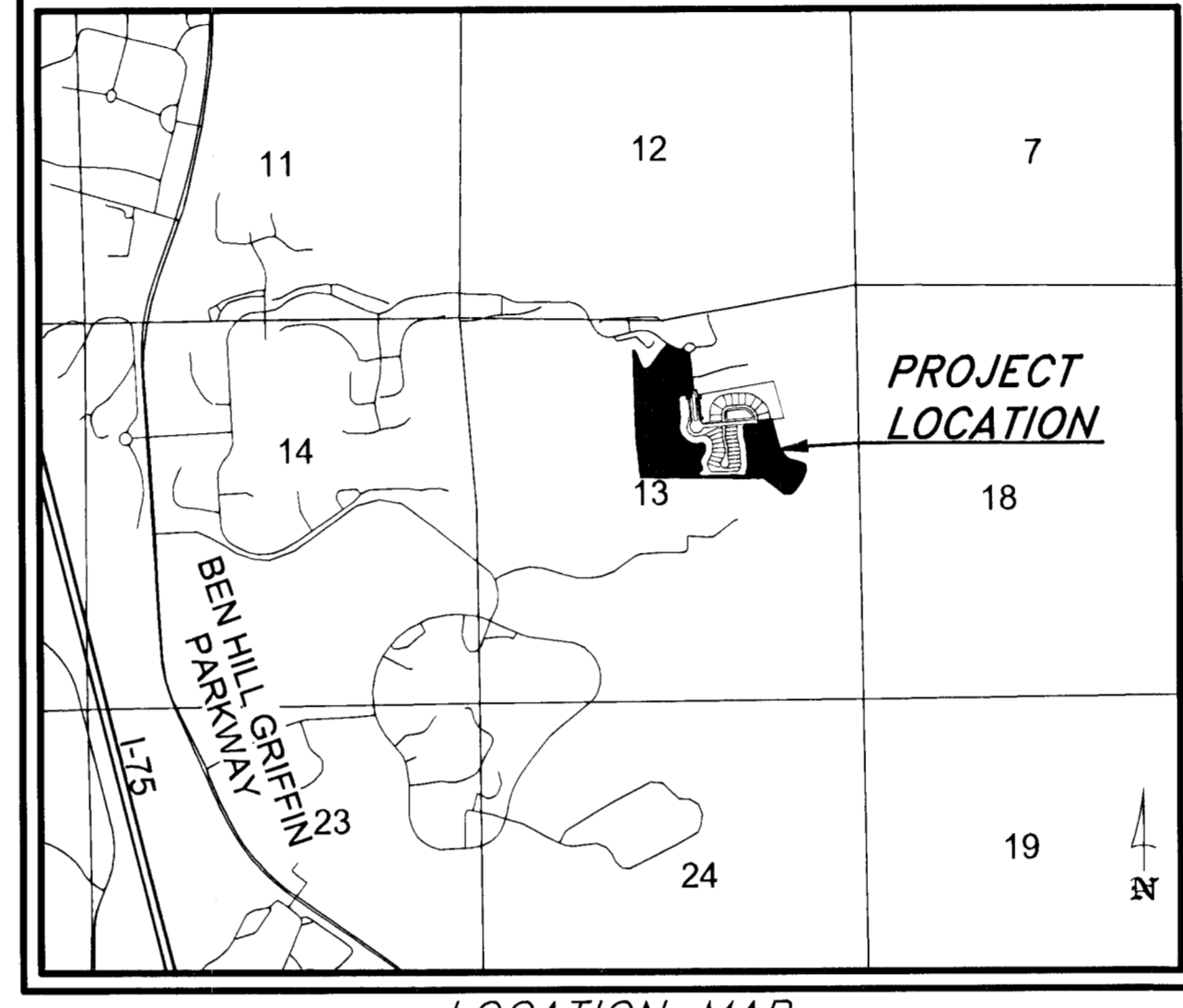
- A. ALL DOCK EASEMENTS (D.K.E.), DEPICTED HEREON, FOR INGRESS, EGRESS AND ACCESS TO IN CONJUNCTION WITH CONSTRUCTION PURPOSES.
- B. AN EASEMENT WITH A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS ALL LAKE MAINTENANCE EASEMENTS (L.M.E.), BEACH EASEMENTS (B.E.) AND DRAINAGE EASEMENTS (D.E.), DEPICTED HEREON, WITH NO RESPONSIBILITY FOR MAINTENANCE.
- C. AN EASEMENT WITH A RIGHT OF INGRESS AND EGRESS OVER AND ACROSS TRACTS "R-4", "R-5", "B-14", "B-15", "B-16" ALL DRAINAGE EASEMENTS (D.E.), ALL LAKE MAINTENANCE EASEMENTS (L.M.E.), ACCESS EASEMENTS (A.E.) AND ALL PUBLIC UTILITY EASEMENTS (P.U.E.), DEPICTED HEREON.

MIROMAR LAKES, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A COMMUNITY DEVELOPMENT DISTRICT FORMED PURSUANT TO CHAPTER 190 F.S., HAVE EXECUTED THIS PLAT THIS 10th DAY OF December, 2015.

WITNESS
MICHAEL B. ELGIN
 PRINTED NAME
Michael Rhodes
 WITNESS
SOFIA RHODES
 PRINTED NAME

MIROMAR LAKES, LLC
 A FLORIDA LIMITED LIABILITY COMPANY
 BY: **MIROMAR DEVELOPMENT CORPORATION**
 ITS MANAGING MEMBER
 BY: **ROBERT B. ROOP**
 VICE PRESIDENT

MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A UNIT OF SPECIAL PURPOSE GOVERNMENT CREATED PURSUANT TO CHAPTER 190, FLORIDA STATUTES
Michael Rhodes
 CHAIRMAN OF THE BOARD OF SUPERVISORS
 WITNESS, **TIM BYRN**
 WITNESS, **Charles L. Krebs**



LOCATION MAP NOT TO SCALE

SEE SHEET 2 FOR PROPERTY DESCRIPTION AND NOTES

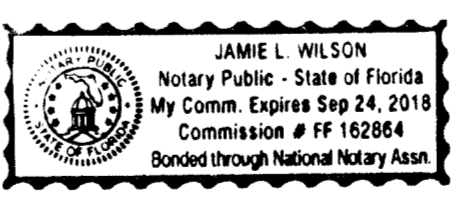
NOTICE:
 LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF December, 2015, BY ROBERT B. ROOP, VICE PRESIDENT OF MIROMAR DEVELOPMENT CORPORATION, THE MANAGING MEMBER OF AND ON BEHALF OF MIROMAR LAKES LLC, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

Jamie L. Wilson
 SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT (AFFIX SEAL)
Jamie L. Wilson
 NAME OF ACKNOWLEDGER TYPED, PRINTED OR STAMPED

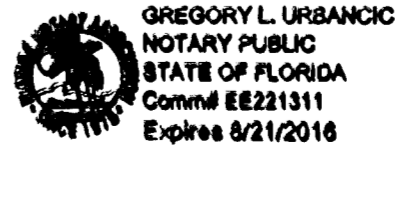
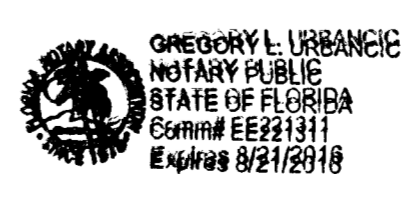


ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF Lee

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 10th DAY OF December, 2015, BY **Michael Rhodes**, AS THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT, A UNIT OF SPECIAL PURPOSE GOVERNMENT CREATED PURSUANT TO CHAPTER 190, FLORIDA STATUTES, ON BEHALF OF THE DISTRICT WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE AN OATH.

Gregory L. Urbancic
 SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT (AFFIX SEAL)
Gregory L. Urbancic
 NAME OF ACKNOWLEDGER TYPED, PRINTED OR STAMPED



APPROVALS

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 17th DAY OF December, 2015.

Franklin B. Mann
 FRANKLIN B. MANN
 CHAIR
Linda Doggett
 LINDA DOGGETT
 CLERK OF COURT
Benjamin H. Dickson
 BENJAMIN H. DICKSON
 MANAGER
 DEVELOPMENT SERVICES
David M. Loveland
 DAVID M. LOVELAND
 DIRECTOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT

REVIEW BY COUNTY PROFESSIONAL SURVEYOR AND MAPPER

REVIEW BY THE DESIGNATED COUNTY PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CHAPTER 177, PART 1.

Gary W. Rashford
 GARY W. RASHFORD, P.S.M. LS6305
 LEE COUNTY DESIGNATED P.S.M.

CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF MIROMAR LAKES UNIT XIV - PENINSULA, PHASE FOUR, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA WAS FILED FOR RECORD AT 12:26 PM, THIS 17th DAY OF December, 2015 AND DULY RECORDED AS INSTRUMENT # 2015000269567 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

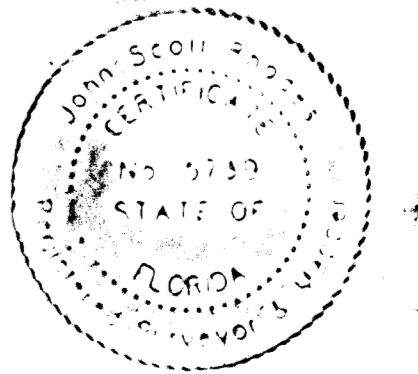
Linda Doggett
 LINDA DOGGETT
 CLERK OF CIRCUIT COURT
 IN AND FOR LEE COUNTY

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFIED THAT THE ATTACHED PLAT OF MIROMAR LAKES UNIT XIV - PENINSULA, PHASE FOUR, A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES (F.S.). I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

RHODES & RHODES LAND SURVEYING, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 6897

DATE: 12/2/15
John Scott Rhodes
 JOHN SCOTT RHODES P.S.M. #5739
 STATE OF FLORIDA



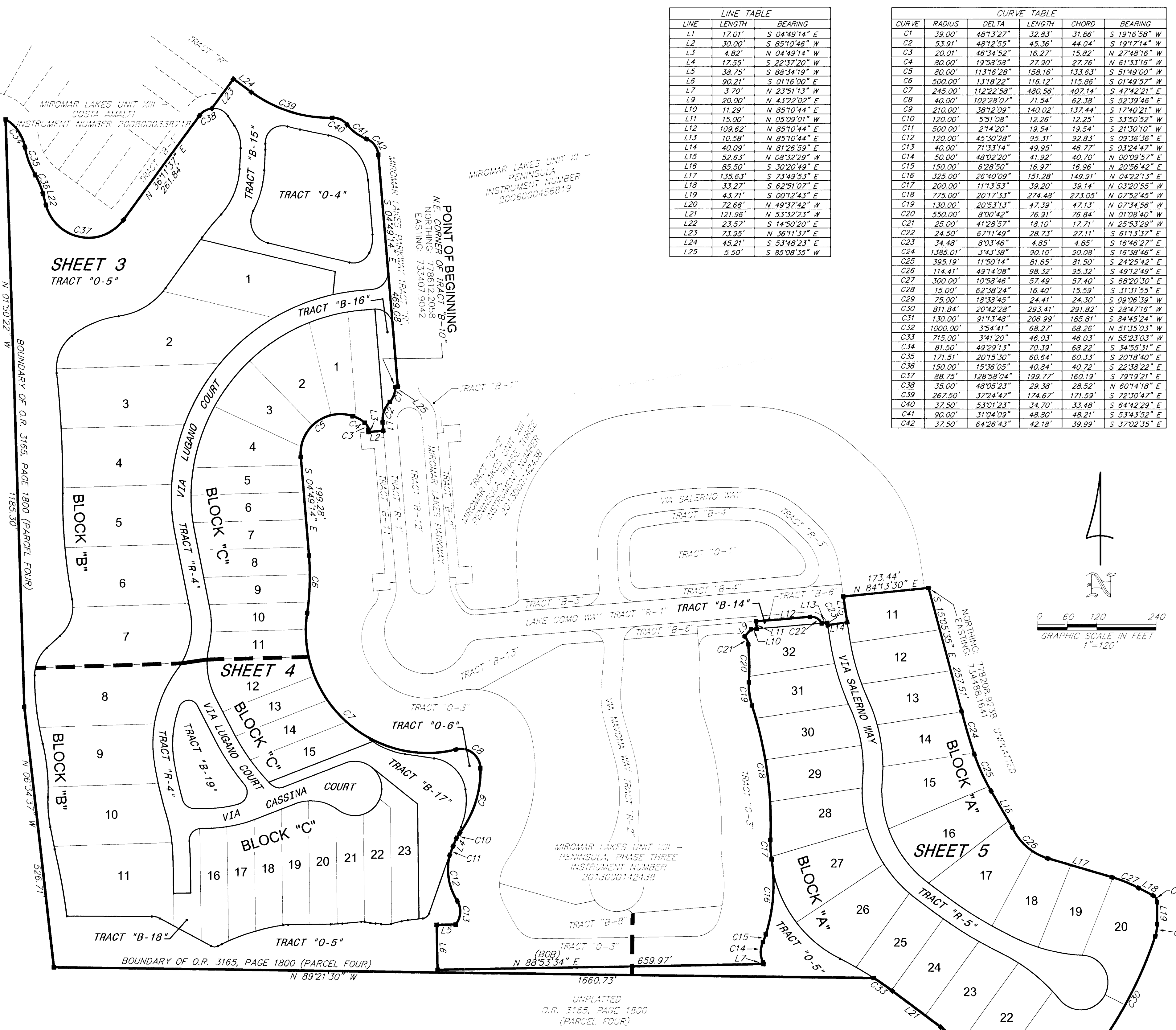
THIS INSTRUMENT PREPARED BY:
RHODES & RHODES
 LAND SURVEYING, INC.
 28100 BONITA GRANDE DRIVE - SUITE #107
 BONITA SPRINGS, FL 34135
 (239) 405-8166 FAX NO. (239) 405-8163
 FLORIDA BUSINESS LICENSE NO. LB 6897

DOS2014-00048 / PLT2014-00029

Miromar Lakes Unit XIV - Peninsula, Phase Four

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5"; "B-6"; "B-7"; AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA

INSTRUMENT# 2015000269567
SHEET 2 OF 5
KEY MAP



LINE	LENGTH	BEARING
L1	12.01'	S 04°49'14" E
L2	30.00'	S 85°10'46" W
L3	4.82'	N 04°49'14" W
L4	17.55'	S 22°37'20" W
L5	38.75'	S 88°34'19" W
L6	90.21'	S 01°16'00" E
L7	3.70'	N 23°51'13" W
L8	20.00'	N 43°22'02" E
L9	20.00'	N 85°10'44" E
L10	11.29'	N 05°09'01" W
L11	15.00'	S 23°49'53" E
L12	109.62'	N 85°10'44" E
L13	10.58'	N 85°10'44" E
L14	40.09'	N 81°26'59" E
L15	52.63'	N 08°32'29" W
L16	85.50'	S 30°20'49" E
L17	135.63'	S 23°49'53" E
L18	33.22'	S 82°51'07" E
L19	43.71'	S 00°12'43" E
L20	72.66'	N 49°37'42" W
L21	121.96'	N 53°32'23" W
L22	23.52'	S 14°50'20" E
L23	73.95'	N 36°11'37" E
L24	45.21'	S 53°48'23" E
L25	5.50'	S 85°08'35" W

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	39.00'	48°13'22"	32.83'	31.86'	S 19°16'58" W
C2	53.91'	48°12'55"	45.36'	44.04'	S 19°17'14" W
C3	20.01'	46°34'52"	16.22'	15.82'	N 27°48'16" W
C4	80.00'	19°58'58"	22.90'	22.76'	N 61°33'18" W
C5	80.00'	11°37'28"	158.16'	133.63'	S 51°49'00" W
C6	500.00'	1°19'22"	116.12'	115.96'	S 01°49'57" W
C7	245.00'	11°22'58"	480.56'	407.14'	S 47°42'21" E
C8	40.00'	102°28'02"	71.54'	62.38'	S 52°39'46" E
C9	210.00'	38°42'09"	140.02'	137.44'	S 17°49'21" E
C10	120.00'	3°51'08"	12.26'	12.25'	S 33°50'32" E
C11	500.00'	2°14'20"	19.54'	19.54'	S 21°30'10" W
C12	120.00'	45°30'28"	95.31'	92.83'	S 09°36'36" E
C13	40.00'	71°33'14"	49.95'	46.77'	S 03°24'47" W
C14	50.00'	48°02'20"	41.92'	40.70'	N 00°09'57" E
C15	150.00'	8°28'50"	16.97'	16.96'	N 20°58'42" E
C16	325.00'	28°40'09"	151.28'	149.91'	N 04°22'31" E
C17	200.00'	11°33'53"	39.20'	39.14'	N 03°20'55" W
C18	775.00'	20°17'53"	274.48'	273.05'	N 07°52'45" W
C19	130.00'	20°53'13"	47.39'	47.13'	N 07°34'56" W
C20	550.00'	8°00'42"	76.91'	76.84'	N 01°08'40" W
C21	25.00'	41°28'59"	18.10'	17.71'	N 65°53'29" E
C22	24.50'	6°11'49"	28.73'	27.11'	S 61°33'07" E
C23	34.48'	80°34'46"	4.85'	4.85'	S 16°38'46" E
C24	1,385.01'	34°33'38"	90.10'	90.08'	S 16°38'46" E
C25	395.19'	11°50'14"	81.65'	81.50'	S 24°25'42" E
C26	114.41'	49°14'08"	39.32'	35.32'	S 49°12'49" E
C27	300.00'	10°58'46"	57.49'	57.40'	S 68°20'30" E
C28	15.00'	62°38'24"	16.40'	15.99'	S 91°51'55" E
C29	75.00'	18°38'45"	24.41'	24.30'	S 09°06'39" W
C30	811.84'	20°42'28"	293.41'	291.82'	S 28°47'16" W
C31	130.00'	91°33'48"	206.99'	185.81'	S 84°45'24" W
C32	1000.00'	3°54'41"	68.27'	68.26'	N 51°59'03" W
C33	775.00'	34°12'00"	46.03'	46.03'	N 55°23'03" W
C34	81.50'	49°22'14"	70.39'	68.22'	S 34°55'31" E
C35	171.51'	20°15'50"	60.64'	60.33'	S 20°18'40" E
C36	150.00'	15°56'05"	40.84'	40.72'	S 22°38'22" E
C37	88.75'	128°58'04"	199.77'	160.19'	S 79°19'21" E
C38	35.00'	48°09'23"	29.38'	28.52'	N 60°14'18" E
C39	287.50'	22°44'21"	174.82'	171.59'	S 22°30'47" E
C40	37.50'	53°01'23"	14.70'	13.48'	S 64°42'29" E
C41	90.00'	31°04'09"	48.80'	48.21'	S 53°43'52" E
C42	37.50'	64°26'43"	42.18'	39.89'	S 37°02'35" E

LEGAL DESCRIPTION

BEING ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5"; "B-6"; "B-7"; AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2013000142438 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF TRACT "B-10", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2013000142438 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON A NON-TANGENTIAL CURVE, THE SAME BEING A POINT ON THE BOUNDARY OF TRACT "R" OF SAID PLAT; THENCE RUN THE FOLLOWING THREE (3) COURSES ALONG THE BOUNDARY OF SAID TRACT "R": COURSE NO. 1, SOUTHERLY, 32.83 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 39.00 FEET, THROUGH A CENTRAL ANGLE OF 48°13'22" WEST, 31.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 2, SOUTHERLY, 45.36 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 53.91 FEET, THROUGH A CENTRAL ANGLE OF 48°12'55" WEST, 44.04 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 3, NORTHEASTERLY, 16.22 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.01 FEET, THROUGH A CENTRAL ANGLE OF 46°34'52" WEST, 15.82 FEET TO A POINT ON A NON-TANGENTIAL CURVE, COURSE NO. 4, NORTHEASTERLY, 22.90 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 19°58'58" WEST, 22.76 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 5, SOUTHWESTERLY, 158.16 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 80.00 FEET, THROUGH A CENTRAL ANGLE OF 11°37'28" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 6, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 7, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 8, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 9, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 10, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 11, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 12, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 13, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 14, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 15, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 16, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 17, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 18, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 19, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 20, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 21, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 22, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 23, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 24, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 25, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 26, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 27, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 28, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 29, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 30, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 31, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 32, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 33, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 34, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 35, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 36, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 37, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 38, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 39, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 40, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 41, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 42, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 43, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 44, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 45, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 46, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 47, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 48, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 49, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 50, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 51, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 52, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 53, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 54, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 55, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 56, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 57, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 58, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 59, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 60, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 61, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 62, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 63, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 64, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 65, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 66, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 67, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 68, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 69, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 70, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 71, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 72, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 73, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 74, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 11°22'58" WEST, 115.86 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 75, SOUTHWESTERLY, 480.56 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 245.00 FEET, THROUGH A CENTRAL ANGLE OF 1°19'22" WEST, 407.14 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 76, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 2°14'20" WEST, 115.96 FEET TO A POINT OF REVERSE CURVATURE, COURSE NO. 77, SOUTHWESTERLY, 116.12 FEET ALONG THE ARC

Miromar Lakes Unit XIV - Peninsula, Phase Four

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA

CURVE TABLE (SHEET 3)

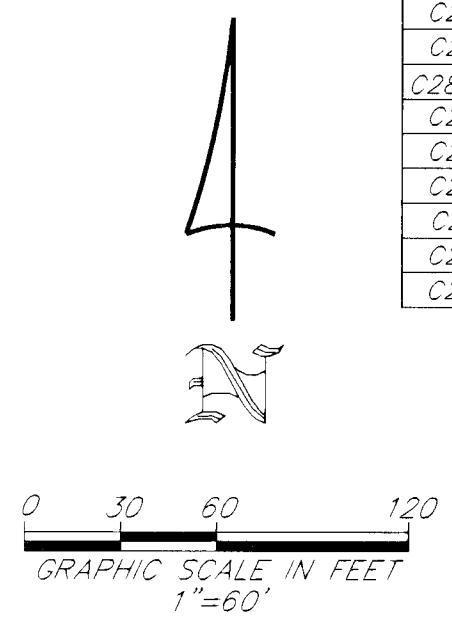
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C269	500.00'	6'20"51"	55.39'	55.36'	N 02'44"11" E
C270	500.00'	2'34"32"	22.48'	22.47'	N 07'11"52" E
C271	245.00'	7'46"08"	33.22'	33.19'	N 04'36"04" E
C272	245.00'	13'05"02"	55.95'	55.83'	N 05'49"31" W
C286	200.00'	0'48"11"	2.80'	2.80'	N 03'18"25" E
C287(E)	200.00'	23'45"02"	82.90'	82.31'	N 15'55"01" E
C288	370.00'	9'01"16"	58.26'	58.20'	N 75'55"19" E
C289	365.00'	3'27"33"	22.04'	22.03'	N 89'44"00" E
C290	365.00'	4'15"50"	27.16'	27.16'	N 85'52"19" E
C291	370.00'	1'20"83"	11.07'	11.03'	N 85'09"31" E
C292	205.00'	3'57"46"	14.18'	14.18'	N 02'14"29" W
C293	200.00'	10'36"05"	37.01'	36.95'	N 01'53"21" W

CURVE TABLE (SHEET 3)

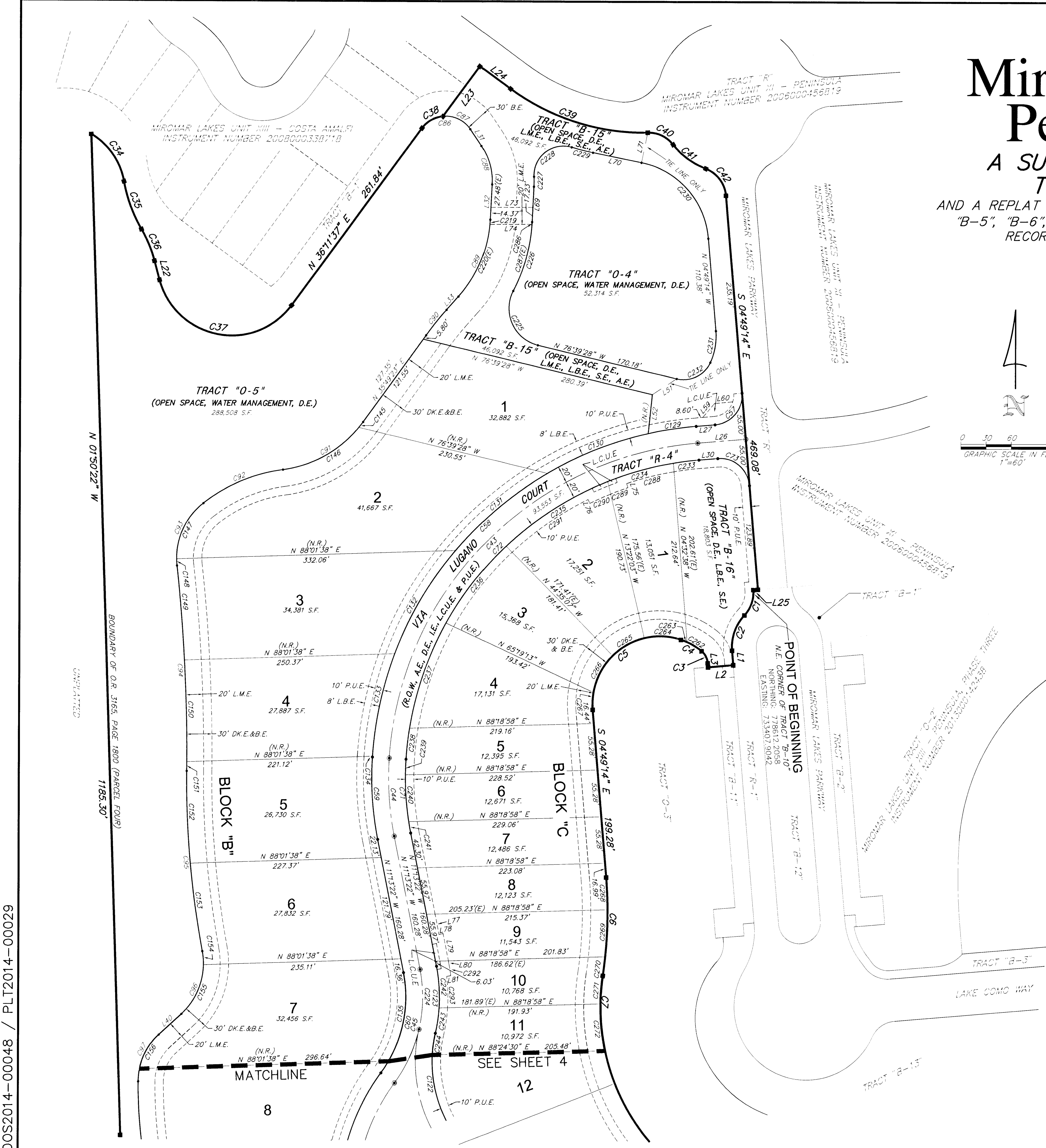
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	39.00'	48'13"27"	32.83'	31.86'	N 19'16"58" E
C2	53.91'	48'12"55"	45.36'	44.04'	S 19'17"14" W
C3	20.01'	46'34"52"	16.27'	15.82'	N 27'48"16" W
C4	80.00'	19'38"58"	27.90'	27.76'	N 61'33"16" W
C5	80.00'	11'31'6"	158.16'	133.63'	S 51'49"00" W
C6	500.00'	1'17'22"	116.12'	115.86'	N 01'49"57" E
C7	245.00'	11'22'58"	480.56'	407.14'	S 47'42"21" E
C34	81.50'	49'29"13"	70.39'	68.22'	S 34'55"31" W
C35	171.51'	20'15"30"	60.64'	60.33'	S 20'18"40" E
C36	150.00'	15'36"05"	40.84'	40.72'	N 22'38"22" W
C37	88.75'	12'8"38"	199.77'	160.19'	S 20'18"40" E
C38	35.00'	48'05"23"	29.38'	28.52'	S 60'14"18" W
C39	267.50'	37'24"47"	174.67'	171.59'	S 72'30"47" E
C40	37.50'	53'01"23"	34.70'	33.48'	N 64'42"29" W
C41	90.00'	31'04"09"	48.80'	48.21'	S 53'43"52" E
C42	37.50'	64'26"43"	42.18'	39.99'	S 37'02"35" W
C43	400.00'	81'39"51"	570.12'	523.08'	N 44'20"51" E
C44	360.00'	14'44"17"	92.60'	92.35'	N 03'51"13" W
C45	35.00'	90'00"00"	54.98'	49.50'	S 49'00"00" E
C58	420.00'	81'39"51"	598.63'	549.23'	N 44'20"51" E
C59	380.00'	14'44"17"	97.75'	97.48'	N 03'51"13" W
C71	340.00'	14'44"17"	87.46'	87.22'	N 03'51"14" W
C72	380.00'	81'39"51"	541.62'	496.92'	N 44'20"51" E
C73	35.00'	90'00"00"	54.98'	49.50'	N 49'49"14" W
C86	35.00'	110'02"33"	67.22'	57.36'	N 88'47"07" W
C87	35.00'	61'57"09"	37.84'	36.03'	N 64'44"25" W
C88	75.00'	36'40"10"	48.00'	47.19'	N 15'25"46" W
C89	150.00'	38'29"20"	100.76'	98.88'	N 22'08"59" E
C90	400.00'	5'34"17"	38.89'	38.88'	N 38'36"31" E
C91	140.00'	46'37"03"	113.91'	110.79'	N 59'07"54" E
C92	195.00'	30'32"42"	103.96'	102.73'	N 67'10"04" E
C93	83.00'	58'10"21"	84.28'	80.89'	N 22'48"42" E
C94	2080.00'	6'42"20"	24.43'	24.32'	N 02'55"00" W
C95	1098.39'	11'10"04"	214.09'	213.76'	N 05'09"01" W
C96	80.00'	58'15"22"	81.34'	77.88'	N 18'21"38" E
C123	190.00'	24'02"31"	79.73'	79.14'	N 06'47"54" E
C124	20.00'	131'41"58"	45.97'	36.50'	N 86'39"58" E
C129	420.00'	7'52"45"	57.76'	57.71'	N 81'14"24" E
C130	420.00'	17'40"05"	129.51'	129.00'	N 68'27"59" E
C131	420.00'	19'31"11"	143.09'	142.40'	N 49'52"20" E
C132	420.00'	19'30"03"	142.95'	142.26'	N 30'21"44" E
C133	420.00'	16'58"08"	124.39'	123.93'	N 12'07"38" E
C134	420.00'	0'07"39"	0.94'	0.94'	N 03'34"45" E
C135	150.00'	41'27"12"	108.52'	106.17'	N 09'30"15" E
C145	140.00'	3'28"59"	8.43'	8.43'	S 37'32"52" E
C146	140.00'	43'10"21"	105.48'	103.00'	N 60'51"24" E
C147	83.00'	52'18"09"	78.25'	76.01'	N 25'34"30" E
C148	83.00'	5'31"53"	8.01'	8.01'	N 03'30"22" W
C149	2080.00'	3'10"40"	112.34'	112.32'	N 04'43"29" W
C150	2080.00'	3'18"42"	120.22'	120.20'	N 01'31"18" W
C151	2080.00'	0'17"58"	10.87'	10.87'	N 00'17"02" E
C152	1098.39'	5'42"21"	109.38'	109.34'	N 02'25"09" W
C153	1098.39'	5'27"44"	104.71'	104.67'	N 08'00"11" W
C154	80.00'	11'34"16"	16.16'	16.13'	N 04'56"55" W
C155	80.00'	46'41"06"	65.18'	63.40'	N 24'10"46" E
C156	75.00'	35'57"51"	47.08'	46.31'	N 29'32"23" E
C219	150.00'	20'09"52"	5.67'	5.67'	N 03'59"15" E
C220(E)	150.00'	36'19"28"	95.10'	93.51'	N 23'13"55" E
C224	170.00'	24'02"31"	71.33'	70.81'	N 00'47"54" E
C225	45.00'	104'07"00"	81.77'	70.98'	N 24'35"58" W
C226	200.00'	24'31"19"	85.71'	85.05'	N 15'10"56" E
C227	125.00'	5'28"19"	11.87'	11.86'	N 00'11"09" E
C228	35.00'	102'05"33"	66.64'	57.02'	N 52'00"46" E
C229	297.50'	5'02"17"	26.16'	26.15'	N 75'57"36" W
C230	100.00'	73'39"31"	128.56'	119.89'	N 41'58"59" W
C231	75.00'	29'18"52"	38.37'	37.96'	N 09'50"12" E
C232	35.00'	78'50"44"	48.16'	44.45'	N 63'55"10" E
C233	380.00'	4'36"52"	30.60'	30.60'	N 82'52"20" E
C234	380.00'	12'14"51"	81.23'	81.07'	N 74'26"28" E
C235	380.00'	21'45"41"	144.33'	143.46'	N 57'26"12" E
C236	380.00'	17'33"46"	116.48'	116.03'	N 37'46"28" E
C237	380.00'	19'52"57"	131.87'	131.20'	N 19'03"07" E
C238	380.00'	5'35"44"	37.11'	37.10'	N 06'18"47" E
C239	340.00'	3'07"06"	18.50'	18.50'	N 01'57"22" E
C240	340.00'	9'19"19"	55.32'	55.26'	N 04'15"50" W
C241	140.00'	2'17"53"	13.64'	13.64'	N 10'04"26" W
C242	190.00'	14'54"11"	49.42'	49.28'	N 03'46"16" W
C243	190.00'	9'08"20"	30.31'	30.27'	N 08'14"59" E
C244	150.00'	9'54"03"	25.92'	25.89'	N 07'52"08" E
C262	80.00'	14'34"42"	20.36'	20.30'	N 88'50"37" W
C263	80.00'	5'24"17"	7.55'	7.54'	N 88'50"37" W
C264	80.00'	31'49"18"	44.43'	43.86'	N 87'22"24" W
C265	80.00'	31'13"03"	43.59'	43.05'	N 61'01"25" E
C266	80.00'	35'33"02"	49.64'	48.85'	N 27'38"22" E
C267	80.00'	14'41"05"	20.50'	20.45'	N 02'31"19" E
C268	500.00'	4'22"59"	38.25'	38.24'	N 02'37"44" W

LINE TABLE (SHEET 3)

LINE	LENGTH	BEARING
L1	17.01'	S 04'49"14" E
L2	30.00'	S 85'10"46" W
L3	4.82'	N 04'49"14" W
L2	23.57'	S 14'50"20" E
L23	13.95'	N 36'11"37" E
L24	45.21'	S 53'48"23" E
L25	5.50'	S 85'08"15" W
L26	57.51'	N 85'10"46" E
L27	22.51'	N 85'10"46" E
L30	22.51'	N 85'10"46" E
L31	23.89'	N 33'45"11" W
L32	41.86'	N 02'54"19" E
L33	21.19'	N 41'23"39" E
L51	34.51'	N 56'55"11" E
L52	46.63'	N 05'52"40" E
L59	21.85'	N 40'10"44" E
L60	21.62'	N 84'50"57" E
L69	41.86'	N 02'54"19" E
L70	59.04'	N 78'28"45" W
L71	36.59'	N 11'26"32" E
L73	50.08'	N 89'38"06" E
L74	50.17'	N 89'38"06" E
L75	5.01'	N 20'07"22" W
L76	4.99'	N 24'43"15" W
L77	24.30'	N 11'13"22" W
L78	5.00'	N 78'46"38" E
L79	32.51'	N 11'13"22" W
L80	3.51'	N 11'13"22" W
L81	5.01'	N 79'56"39" E



- LEGEND:
- BOB BASIS OF BEARING
 - LB LICENSED BUSINESS
 - P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
 - CH CHAPTER
 - O.R. OFFICIAL RECORDS BOOK
 - R.O.W. RIGHT-OF-WAY
 - (N.R.) INDICATES NON-RADIAL
 - S.F. SQUARE FEET
 - (E) EASEMENT DE
 - L.C.U.E. LEE COUNTY UTILITY EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - L.M.E. LAKE MAINTENANCE EASEMENT
 - L.B.E. LANDSCAPE BUFFER EASEMENT
 - D.E. DRAINAGE EASEMENT
 - A.E. ACCESS EASEMENT
 - B.E. INDICATES BEACH EASEMENT
 - S.E. SIGN EASEMENT
 - I.E. IRRIGATION EASEMENT
 - D.K.E. DOCK EASEMENT
 - SET PERMANENT REFERENCE MONUMENT (5/8"X18" IRON ROD CAPPED "PRM LB 6897") (UNLESS OTHERWISE NOTED)
 - PERMANENT CONTROL POINT
 - POINT OF INTERSECTION, POINT OF CURVATURE, POINT OF TANGENCY OR POINT OF REVERSE CURVATURE



Miromar Lakes Unit XIV - Peninsula, Phase Four

A SUBDIVISION OF A PORTION OF SECTION 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST

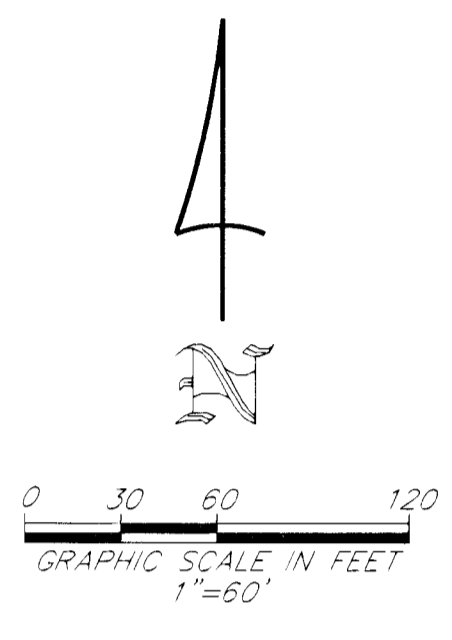
AND A REPLAT OF ALL OF TRACTS "B-9" AND "B-10" TOGETHER WITH PORTIONS OF TRACTS "B-5", "B-6", "B-7", AND "O-3", MIROMAR LAKES UNIT XIII - PENINSULA, PHASE THREE, RECORDED AS INSTRUMENT NUMBER 2013000142438, LEE COUNTY, FLORIDA

LINE TABLE (SHEET 5)

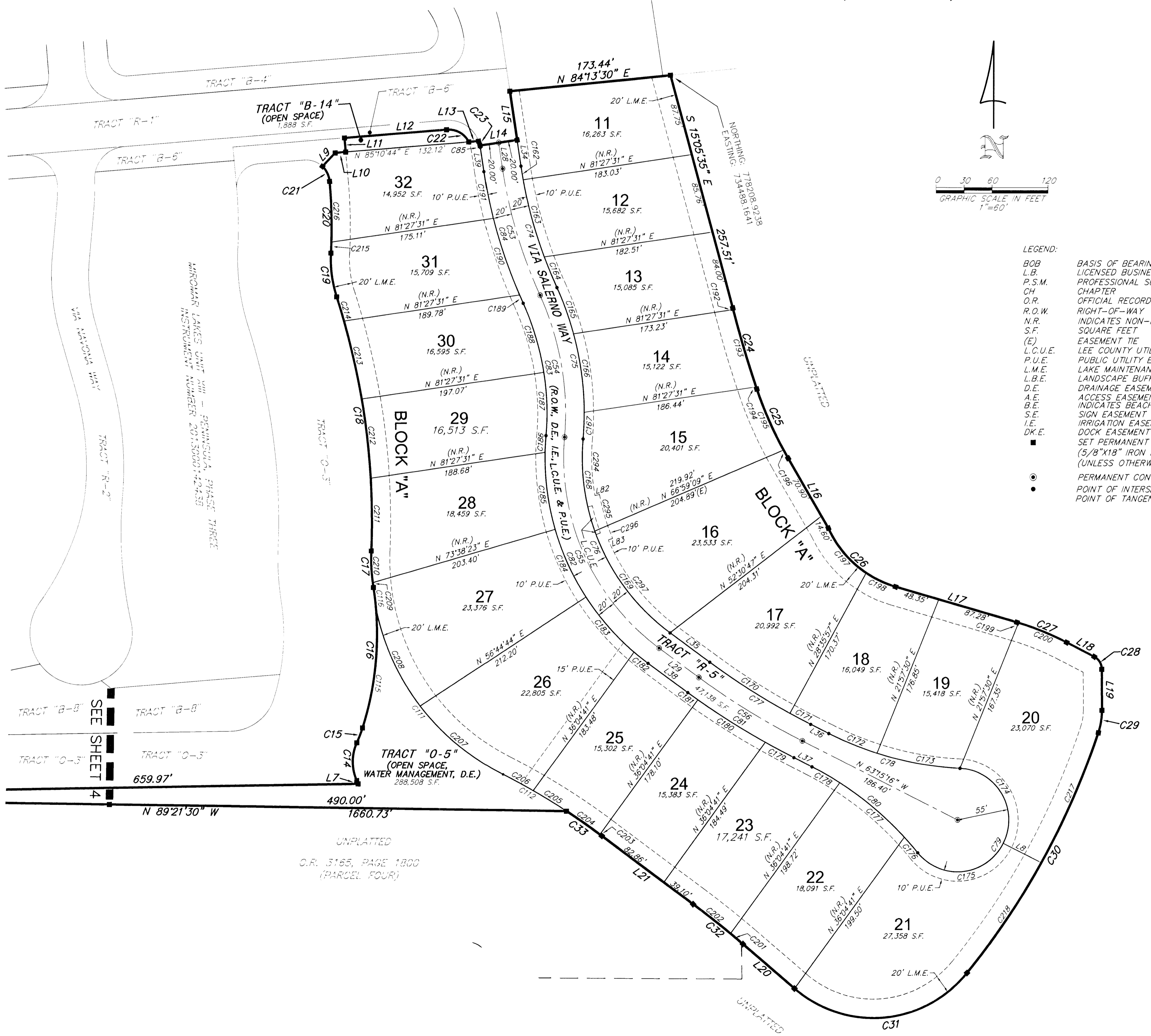
LINE	LENGTH	BEARING
L7	3.70'	S 23°51'13" E
L8	45.68'	N 63°15'16" W
L9	20.00'	N 43°22'02" E
L10	11.29'	N 85°10'44" E
L11	15.00'	N 05°09'01" W
L12	109.62'	N 85°10'44" E
L13	10.58'	N 85°10'44" E
L14	40.09'	N 81°26'59" W
L15	52.63'	N 08°32'29" W
L16	85.50'	S 30°20'49" E
L17	135.63'	S 73°49'53" E
L18	33.27'	S 62°51'07" E
L19	43.71'	S 00°12'43" E
L20	72.66'	N 49°37'42" W
L21	121.96'	N 53°32'23" W
L22	28.13'	N 08°32'29" W
L23	52.72'	N 53°55'19" W
L24	28.14'	N 08°32'29" W
L25	52.72'	N 53°55'19" W
L26	21.70'	N 63°15'16" W
L27	21.70'	N 63°15'16" W
L28	52.72'	N 53°55'19" W
L29	26.00'	N 08°32'29" W
L30	5.00'	N 76°52'33" E
L31	5.01'	N 69°14'31" E

CURVE TABLE (SHEET 5)

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C14	50.00'	48°02'20"	41.92'	40.70'	S 00°09'57" W
C15	150.00'	6°28'50"	16.97'	16.96'	N 20°56'42" E
C16	325.00'	26°40'09"	151.28'	149.91'	N 04°22'13" E
C17	200.00'	11°13'53"	39.20'	39.14'	S 03°20'55" E
C18	275.00'	20°17'33"	274.48'	273.05'	N 07°52'45" W
C19	130.00'	20°53'13"	47.39'	47.13'	S 07°34'56" E
C20	550.00'	8°00'42"	76.91'	76.84'	N 01°08'40" W
C21	25.00'	41°28'52"	18.10'	17.71'	N 25°53'29" W
C22	24.50'	67°11'49"	28.73'	27.11'	N 61°13'37" W
C23	34.48'	8°03'46"	4.85'	4.85'	N 16°46'27" W
C24	1385.01'	3°43'38"	90.10'	90.08'	S 16°38'46" E
C25	395.19'	11°50'14"	81.65'	81.50'	S 24°25'42" E
C26	114.41'	49°14'08"	98.32'	95.32'	S 49°12'49" E
C27	300.00'	10°58'46"	57.49'	57.40'	N 68°20'30" W
C28	15.00'	62°38'24"	16.40'	15.99'	N 31°31'56" W
C29	75.00'	16°39'45"	24.41'	24.30'	N 09°06'39" E
C30	811.84'	20°42'28"	293.41'	291.82'	N 28°47'16" E
C31	130.00'	91°13'48"	206.99'	185.81'	N 84°45'24" E
C32	1000.00'	3°54'41"	68.27'	68.26'	N 51°35'03" W
C33	715.00'	3°41'20"	46.03'	46.03'	N 55°23'03" W
C34	21.70'	16°14'16"	141.70'	141.23'	N 16°39'37" W
C35	500.00'	29°43'40"	155.65'	153.91'	N 09°54'56" W
C36	250.00'	58°52'13"	256.87'	245.72'	N 24°29'13" W
C37	800.00'	9°19'56"	130.30'	130.16'	N 58°35'17" W
C38	480.00'	16°14'16"	136.03'	135.58'	N 16°39'37" W
C39	320.00'	29°43'40"	166.03'	164.17'	N 09°54'56" W
C40	230.00'	58°52'13"	236.32'	226.06'	N 24°29'13" W
C41	780.00'	9°19'56"	127.05'	126.91'	N 58°35'17" W
C42	350.00'	22°59'42"	146.58'	145.51'	N 25°15'07" W
C43	55.00'	113°59'42"	109.43'	92.25'	N 83°44'36" E
C44	325.00'	3°49'19"	21.68'	21.68'	N 07°03'12" W
C45	480.00'	14°52'52"	14.78'	14.78'	N 09°25'25" W
C46	480.00'	10°15'28"	85.94'	85.82'	N 15°26'05" W
C47	480.00'	4°12'57"	35.32'	35.31'	N 22°40'17" W
C48	320.00'	9°19'56"	52.07'	52.02'	N 20°07'03" W
C49	320.00'	15°18'06"	85.46'	85.21'	N 07°48'17" W
C50	320.00'	5°06'08"	28.50'	28.49'	N 06°23'50" E
C51	168.00'	24°42'05"	99.16'	98.39'	N 07°24'09" W
C52	168.00'	34°10'08"	132.16'	135.14'	N 36°50'15" W
C53	270.00'	7°28'44"	101.81'	101.74'	N 57°39'41" W
C54	780.00'	1°51'13"	25.23'	25.23'	N 62°19'39" W
C55	350.00'	14°51'03"	90.72'	90.46'	N 79°49'27" W
C56	55.00'	113°59'42"	109.43'	92.25'	N 83°44'36" E
C57	55.00'	113°59'42"	109.43'	92.25'	N 83°44'36" E
C58	350.00'	3°34'04"	21.79'	21.79'	N 41°02'35" W
C59	350.00'	14°48'18"	90.44'	90.19'	N 50°13'47" W
C60	350.00'	5°37'20"	34.34'	34.33'	N 60°26'36" W
C61	820.00'	2°26'01"	34.83'	34.83'	N 62°02'15" W
C62	820.00'	0°55'44"	13.29'	13.29'	N 54°23'11" W
C63	270.00'	4°04'29"	19.20'	19.20'	N 51°51'05" W
C64	270.00'	16°35'54"	78.19'	77.92'	N 41°33'03" W
C65	270.00'	16°35'54"	78.19'	77.92'	N 41°33'03" W
C66	270.00'	17°30'06"	82.42'	82.15'	N 07°16'34" W
C67	270.00'	3°48'26"	17.94'	17.94'	N 03°02'41" E
C68	280.00'	13°57'47"	68.24'	68.07'	N 02°01'59" W
C69	280.00'	15°45'53"	72.04'	76.80'	N 16°53'49" W
C70	520.00'	1°03'18"	9.57'	9.57'	N 24°15'07" W
C71	520.00'	9°33'21"	86.72'	86.62'	N 18°56'47" W
C72	520.00'	5°37'38"	51.07'	51.05'	N 11°21'18" W
C73	1385.01'	0°04'22"	1.76'	1.76'	N 14°49'08" W
C74	1385.01'	3°33'38"	86.07'	86.06'	N 16°38'08" W
C75	395.19'	10°24'02"	71.74'	71.64'	N 23°42'36" W
C76	395.19'	12°6'12"	9.91'	9.91'	N 29°37'43" W
C77	114.41'	31°45'13"	63.41'	62.60'	N 40°28'21" W
C78	300.00'	17°28'55"	34.91'	34.77'	N 65°05'25" W
C79	300.00'	0°19'49"	1.73'	1.73'	N 73°19'58" W
C80	300.00'	10°38'56"	55.76'	55.68'	N 68°10'35" W
C81	1000.00'	0°52'35"	17.33'	17.33'	N 50°07'29" W
C82	1000.00'	2°55'06"	50.94'	50.93'	N 52°04'50" W
C83	715.00'	0°11'14"	2.34'	2.34'	N 53°38'00" W
C84	715.00'	3°30'06"	43.70'	43.69'	N 55°28'40" W
C85	715.00'	3°20'27"	41.69'	41.68'	N 58°53'57" W
C86	715.00'	2°56'58"	36.81'	36.80'	N 62°02'39" W
C87	255.00'	26°00'41"	115.77'	114.77'	N 50°30'48" W
C88	255.00'	25°59'36"	115.69'	114.70'	N 24°30'39" W
C89	200.00'	1°30'20"	5.26'	5.26'	N 08°12'41" W
C90	200.00'	9°43'32"	33.95'	33.91'	N 02°35'45" W
C91	775.00'	5°40'57"	76.86'	76.83'	N 00°34'27" W
C92	775.00'	6°18'21"	85.29'	85.25'	N 06°34'06" W
C93	775.00'	6°19'13"	85.49'	85.44'	N 12°52'53" W
C94	775.00'	1°59'03"	26.84'	26.84'	N 17°02'00" W
C95	550.00'	17°32'4"	11.74'	11.74'	N 02°14'59" E
C96	550.00'	6°47'18"	65.16'	65.12'	N 01°45'22" W
C97	811.84'	10°42'12"	151.66'	151.44'	N 23°47'08" E
C98	220.00'	15°27'42"	59.37'	59.19'	N 02°46'57" W
C99	215.00'	9°04'21"	34.04'	34.01'	N 14°59'25" W
C100	215.00'	3°53'55"	14.63'	14.63'	N 21°28'33" W
C101	220.00'	30°33'31"	117.34'	115.95'	N 38°38'34" W



- LEGEND:
- BOB BASIS OF BEARING
 - L.B. LICENSED BUSINESS
 - P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
 - CH. CHAPTER
 - O.R. OFFICIAL RECORDS BOOK
 - R.O.W. RIGHT-OF-WAY
 - N.R. INDICATES NON-RADIAL
 - S.F. SQUARE FEET
 - (E) EASEMENT TIE
 - L.C.U.E. LEE COUNTY UTILITY EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - L.M.E. LAKE MAINTENANCE EASEMENT
 - L.B.E. LANDSCAPE BUFFER EASEMENT
 - D.E. DRAINAGE EASEMENT
 - A.E. ACCESS EASEMENT
 - B.E. INDICATES BEACH EASEMENT
 - S.E. SIGN EASEMENT
 - I.E. IRRIGATION EASEMENT
 - D.K.E. DOCK EASEMENT
 - SET PERMANENT REFERENCE MONUMENT (5/8"X1/8" IRON ROD CAPPED "PRM LB 6897") (UNLESS OTHERWISE NOTED)
 - PERMANENT CONTROL POINT
 - POINT OF INTERSECTION, POINT OF CURVATURE, POINT OF TANGENCY OR POINT OF REVERSE CURVATURE



SFWMD REQUEST FOR TRANSFER OF ERP

TO THE PERPETUAL OPERATIONS ENTITY

PHASE 4

REQUEST FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT TO THE PERPETUAL OPERATION ENTITY

Instructions: Complete this form to transfer to the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume 1. (see checklist below). **Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.**

Permit No.: 36-03568-P	Application No(s). 140620-1
Project Name: The Peninsula Phase IV	Phase (if applicable):

A. **REQUEST TO TRANSFER:** The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).

By:	Robert B. Roop - Vice President
Signature of Permittee	Name and Title
Miromar Lakes LLC	10801 Corkscrew Road - Suite 305
Company	Company Address
(239) 390-5100	Estero, FL 33928
Phone	City, State, Zip

B. **AGREEMENT FOR SYSTEM OPERATION AND MAINTENANCE RESPONSIBILITY:** The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II in perpetuity. Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.

By: _____	Miromar Lakes Community Development District
Signature of Representative of O&M Entity	Name of Entity for O&M
James P. Ward - District Manager	C/o JPWard & Associates, LLC
Name and Title	Address
jimward@jpwardassociates.com	819 NE 23rd Drive
Email Address	City, State, Zip
(954) 658-4900	Wilton Manors, FL 33305
Phone	Date

Enclosed are the following documents, as applicable:

- Copy of recorded transfer of title to the operating entity for the common areas on which the stormwater management system is located (unless dedicated by plat)
- Copy of all recorded plats
- Copy of recorded declaration of covenants and restrictions, amendments, and associated exhibits
- Copy of filed articles of incorporation and documentary evidence of active corporate status with the Department of State, Division of Corporations (for corporations)
- A completed, signed, and notarized affidavit attesting that the operating entity meets the requirements of Section 12.3 of Environmental Resource Permit Applicant's Handbook Volume I. (Note- this is optional, but aids in processing of this request)

Reset Form

Save & Print



QUIT CLAIM DEEDS

PHASE 4

This instrument was prepared by
and to be returned to:
Mark W. Geschwendt, Esq.
Miromar Development Corporation
10801 Corkscrew Road, Suite 305
Estero, Florida 33928
(239) 390-5100

Above space reserved for Clerk's office

QUITCLAIM DEED

THIS QUITCLAIM DEED made this 16th day of December, 2011, by **MIROMAR LAKES, LLC**, a Florida limited liability company, whose mailing address is c/o Miromar Development Corporation, 10801 Corkscrew Road, Suite 305, Estero, Florida 33928, as Grantor to **MIROMAR LAKES MASTER ASSOCIATION, INC**, whose mailing address is 10801 Corkscrew Road, Suite 305, Estero, Florida 33928, as Grantee;

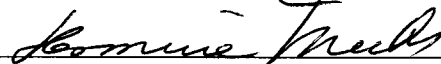
The Grantor, in consideration and for the amount of TEN and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is acknowledged, quitclaims and assigns unto the Grantee, its successors and assigns forever Grantor's interest in that certain parcel of land situated in the County of Lee, State of Florida, which is more particularly described as follows:

Tract R of the Miromar Lakes – Unit XI – Peninsula Plat recorded Instrument Number 2006000456819, of the Public Records of Lee County, Florida.


Parcel ID. No. 13-46-25-01-0000R.00CE

The Grantor has executed this quitclaim deed as of the day and year first written above.

Signed, and delivered in the presence of:


Signature of witness

HERMINE MEEKS
Printed name of witness


Signature of witness

LYNA PARRINO
Printed name of witness

MIROMAR LAKES, LLC a Florida limited liability company

By: Miromar Development Corporation, a Florida corporation, its Managing Member

By: 
Robert Roop, Vice President

Address: 10801 Corkscrew Road, Suite 305
Estero, Florida 33928

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 16th day of December, 2011, by **Robert Roop**, as Vice President of Miromar Development Corporation, a Florida corporation, on behalf of the corporation as the Managing Member of **MIROMAR LAKES, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me.

(SEAL)



PATRICIA A. DESTEFANO
MY COMMISSION # EE 114516
EXPIRES: August 6, 2015
Bonded Thru Budget Notary Services

Patricia A. DeStefano
Notary Public, State of Florida

Name: _____
(type or print)

My commission expires:



Civil Engineering/Roadway & Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection (CEI)
Construction Services
Contract Government Services
Data Technologies & Development
Electrical Engineering
Emergency Management Engineering
Environmental Services
Facilities Management
Geographic Information Systems (GIS)
Indoor Air Quality
Land Development
Landscape Architecture
Municipal Engineering Planning
Redevelopment
Surveying & Mapping
Traffic Engineering
Transportation Planning
Urban Design
Water/Wastewater Treatment Facilities
Website Development/Computer Graphics

GSA Contract Holder

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954.921.8807 fax

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Memorandum

Date: September 1, 2017
To: James P. Ward- District Manager
From: Bruce Bernard - Field Manager
Paul Cusmano – Asset Manager
Subject: Miromar Lakes CDD
Asset Management Report - August 2017
CGA Project # 13-5692

Lake Maintenance

CDD staff has completed preparation of new bid documents for the aquatic and aeration services (CDD Lake Maintenance) for the Miromar Lakes CDD maintained shorelines and mitigation parcels. Staff has provided these bid packages for the Lake Maintenance to four qualified vendors to provide quotes for this contractual service. Upon review of the returned bids, staff will be reviewing and making a recommendation to the Board of Supervisors for approval / award of contractual agreement in November 2017.

CDD staff attended the Bellini Subdivision HOA meeting on August 29, 2017, to confer with homeowners on community drainage system and necessary procedures required to convey Lake 6L to the CDD for future maintenance obligations. The HOA will be proceeding forward to process the documents required to complete the transfer of the lake's maintenance obligations to the CDD.

The aerator electrical blower units for both of the lakes at St. Moritz and Tivoli, that are located on the lake bank slopes of the developments, had been



Civil Engineering/Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering
& Inspection (CEI)
Construction Services
Contract Government
Services
Data Technologies &
Development
Electrical Engineering
Emergency Management
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Indoor Air Quality
Land Development
Landscape Architecture
Municipal Engineering
Planning
Redevelopment
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submerged due to the one hundred year rain event from August 24th thru the 27th. The electrical power has now been disconnected to the blower units in hopes of allowing for them to dry out. At a date in the near future, staff will assess what damage may have occurred, and attempt to have the units back in operation.

Landscape Maintenance

BrightView Landscape LLC (BrightView) has also continued the herbicide spraying program for weed control of the medians to achieve acceptable standards required by the CDD staff. The contractor has also installed numerous pallets of Empire Zoysia sod in the medians of Ben Hill Griffin Parkway in areas which had not rejuvenated over the course of the herbicide treatment process. The completion of this process has also been hampered by several heavy rain events in the past two month period.

The contractor has been put on notice by CDD staff as a result of the perceived deficient median maintenance, and vehicular parking within the median. Staff has communicated that continued non-compliance could lead to termination of the landscape maintenance contract if the situation persists.

During the August 24-27 rain event, a forty foot (40') tall Royal Palm tree located within the entrance feature for Porta Romano/San Marino was struck by lightning, and has been deemed fatally damaged. CDD staff had our contractor remove the stricken palm tree, and had it replaced with a like size tree.

Stormwater Maintenance

CDD staff has requested M.R.I. to video record the drainage lines between lakes 6C and 6D in order to determine if there is a blockage within the pipe(s). The lake elevations are higher upstream of the outfall lake which indicates that the pipe(s) is likely impeded. A control structure /weir exists within the drainage line which could also be contributing to the slow drainage of the upstream lakes.



Civil Engineering/Roadway & Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection (CEI)
Construction Services
Contract Government Services
Data Technologies & Development
Electrical Engineering
Emergency Management Engineering
Environmental Services
Facilities Management
Geographic Information Systems (GIS)
Indoor Air Quality
Land Development
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Permit Compliance

SFWMD Notice of Inspection letter dated September 18, 2015, remaining open items / updates are as follows:

1. Application – Miromar Lakes Phase 1
 - a. Lake bank erosion - Erosion to the lake shoreline has occurred in some areas of Lakes 6H, 6I, and 6J. Lake 6I has a drop of four (4) feet between lots. Also, erosion has occurred near control structure CS#1. Restore the lake shorelines to substantial compliance with permit.

Shoreline erosion mitigation efforts have been incorporated into the CCD Capital Improvements budget(s) from 2016-2020. The CDD itself has taken efforts to implement the maintenance repairs with prior approval from affected Homeowners Associations (HOA's) (shoreline erosion mitigation has begun and has been completed in four of the fourteen subdivisions to be repaired)

2. Application 030128-2 Mediterranean Village Phase 4 Vivaldi
 - a. Lake bank erosion - Erosion to lake shoreline has occurred in some areas on Lake 6H. Restore the lake shoreline to comply with permit.

Shoreline erosion mitigation efforts for this permit will be addressed within the Capital Improvements budget year 2017-2018.

Miromar Lakes Community Development District
Exhibit B

CALVIN, GIORDANO & ASSOCIATES, INC.																	
13-5692 MIROMAR LAKES CDD	YEAR 2																
Agreement Terms																	
Description of Service	Hourly Rate	Hours	Total Fee	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	YTD	Budget Variance
WATER MANAGEMENT SERVICES																	
Procurement and Bidding Services	\$ 100.00	12	\$ 1,200.00		2	2		1	4	2	1		2			14	(2.00)
Prepare Scope of Service for Contract	\$ 100.00	16	\$ 1,600.00		2			4	4			3		3		16	0.00
NDPES Compliance/Reporting	\$ 100.00	50	\$ 5,000.00	4	4	2	3	8		2		8	2	8		41	9.00
Negotiation and Contract Execution	\$ 100.00	12	\$ 1,200.00					4	2		1		1			8	4.00
Operations and Maintenance Services	\$ 80.00	148	\$ 11,840.00	8	14	16	16	12	18	20	14	10	7	8		143	5.00
Sub-Total:		238	\$ 20,840.00	12	22	20	19	29	28	24	16	21	12	19		222	16
LANDSCAPING SERVICES																	
Procurement and Bidding Services	\$ 100.00	12	\$ 1,200.00	3	2	3	4		3							15	(3.00)
Prepare Scope of Service for Contract	\$ 100.00	20	\$ 2,000.00	2	3	2	3	2	4	3	2					21	(1.00)
Prepare Specifications and Exhibits	\$ 100.00	12	\$ 1,200.00	6	3				1	2						12	0.00
Negotiation and Contract Execution	\$ 100.00	12	\$ 1,200.00	2	2	2		2		1				2		11	1.00
Operations and Maintenance Services	\$ 80.00	269	\$ 21,520.00	24	16	26	24	28	25	24	22	10	18	19		236	33.00
Sub-Total:		325	\$ 27,120.00	37	26	33	31	32	33	30	24	10	16	21		293	32
ASSET MONITORING																	
Procurement and Bidding Services	\$ 100.00	12	\$ 1,200.00			2		2								4	8.00
Prepare Scope of Service for Contract	\$ 100.00	12	\$ 1,200.00		2		2	4	2	2			1			13	(1.00)
Prepare Specifications and Exhibits	\$ 100.00	15	\$ 1,500.00	2	3	1								2		8	7.00
Negotiation and Contract Execution	\$ 100.00	15	\$ 1,500.00		2		4							3		9	6.00
Operations and Maintenance Services	\$ 80.00	148	\$ 11,840.00	12	16	18	16	18	11	14	12	14	14	11		156	(8.00)
Sub-Total:		202	\$ 17,240.00	14	23	21	22	24	13	16	12	14	15	16		190	12
ADMINISTRATIVE MATTERS																	
Maintain electronic files, attendance at Board Meeting, general matters (all)	\$100	100	\$ 10,000.00	8	9	8	8	8	8	8	9	8	9	8		91	9.00
Sub-Total:		100	\$ 75,200.00	8	9	8	8	8	8	8	9	8	9	8	0	91	9.00
Total: All Hours		865		71	80	82	80	93	82	78	61	63	52	64		796	69



Memorandum

Date: October 1, 2017
To: James P. Ward- District Manager
From: Bruce Bernard - Field Manager
Paul Cusmano – Asset Manager
Subject: Miromar Lakes CDD
Asset Management Report- Sept. 2017
CGA Project # 13-5692

Civil Engineering/Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering
& Inspection (CEI)
Construction Services
Contract Government
Services
Data Technologies &
Development
Electrical Engineering
Emergency Management
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Indoor Air Quality
Land Development
Landscape Architecture
Municipal Engineering
Planning
Redevelopment
Surveying & Mapping
Traffic Engineering
Transportation Planning
Urban Design
Water/Wastewater
Treatment Facilities
Website Development/
Computer Graphics

GSA Contract Holder

1800 Eller Drive
Suite 600
Fort Lauderdale, FL
33316
954.921.7781 phone
954.921.8807 fax

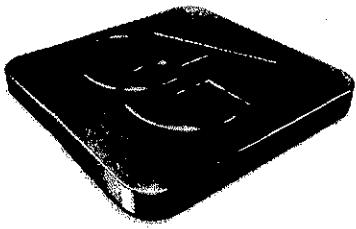
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Hurricane Irma has impacted the CDD in a major way. Landscape crews and additional forces are being utilized in the debris recovery from the storm. CDD contractor manpower, since the storm, has been concentrating on debris removal within CDD maintained properties with monitoring by CDD staff. Additional bank erosion has occurred in select subdivisions and staff is evaluating restoration options at this time within Isola Bella, Bellini, and Castelli.

Lake Maintenance

CDD staff has completed new bid documents for aquatic and aeration services for the Miromar Lakes CDD maintained shorelines and mitigation parcels. Staff will be providing the proposals for the Lake Maintenance to four select vendors to provide quotes for this contractual service. Staff will be recommending to the Board of Supervisors for approval / award of contractual agreement in Dec. or Jan.

CDD staff attended Bellini subdivision HOA meeting on August 29, 2017 to confer with homeowners on necessary procedures required to convey Lake 6L to the CDD for future maintenance obligations. The HOA will be preceding



Civil Engineering/Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering
& Inspection (CEI)
Construction Services
Contract Government
Services
Data Technologies &
Development
Electrical Engineering
Emergency Management
Engineering
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Facilities Management
Geographic Information
Systems (GIS)
Indoor Air Quality
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forward to process the documents required to complete the transfer of the lakes maintenance obligations to the CDD.

The aerator electrical blower units for both St. Moritz and Tivoli, that are located on the bank slopes of lakes for the developments, were underwater due to the one hundred year rain event from August 24-27. The electrical power has been disconnected to the blower units so they can dry out and at that time we can access what damage may have occurred and get them back in operation.

Landscape Maintenance

BrightView Landscape LLC has installed numerous pallets of Empire Zoysia sod in the medians on Ben Hill Griffin Parkway in areas which had not rejuvenated themselves through the herbicide process. The contractor has also continued the herbicide spraying program for weed control of the medians to achieve acceptable standards required by the CDD staff. The contractor was put on notice by CDD staff with the displeasure of their median maintenance and the vehicular parking within the median and that continued non-compliance could lead to termination of the landscape maintenance contract if the situation persists. The completion of this process has also been hampered by several heavy rain events in the past two month period and Hurricane Irma

During the August 24-27 rain event a forty foot Royal Palm Tree located within the entrance feature for Porta Romano/San Marino was struck by lightning and damaged beyond repair. CDD staff had our contractor put on notice to remove the dead palm and have it replaced with one of like size.

Stormwater Maintenance

CDD staff has requested M.R.I. to video record the drainage lines between lakes 6C and 6D to see if there is a blockage within the pipes. The lake elevations are higher upstream of the outfall lake which indicates an impediment within the line. There also is a control structure /weir within the drainage line that could be causing the slow drainage of the upstream lakes.

CDD staff has filed the NPDES report with Lee County for the six month period from October 2016 to March 2017. This compliance report is the interim report to put all Lee County permittees on the new May 2-17 to April 2018 schedule.



Permit Compliance

SFWMD Notice of Inspection letter dated September 18, 2015, remaining open items / updates are as follows:

1. Application – Miromar Lakes Phase 1
 - a. Lake bank erosion - Erosion to the lake shoreline has occurred in some areas of Lakes 6H, 6I, and 6J. Lake 6I has a drop of four (4) feet between lots. Also, erosion has occurred near control structure CS#1. Restore the lake shorelines to substantial compliance with permit.

Shoreline erosion mitigation efforts have been incorporated into the CCD Capital Improvements budget(s) from 2016-2020. The CDD itself has taken efforts to implement the maintenance repairs with prior approval from affected Homeowners Associations (HOA's) (shoreline erosion mitigation has begun and has been completed in four of the fourteen subdivisions to be repaired)

2. Application 030128-2 Mediterranean Village Phase 4 Vivaldi
 - a. Lake bank erosion - Erosion to lake shoreline has occurred in some areas on Lake 6H. Restore the lake shoreline to comply with permit.

Shoreline erosion mitigation efforts for this permit will be addressed within the Capital Improvements budget year 2017-2018.

Civil Engineering/Roadway & Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection (CEI)
Construction Services
Contract Government Services
Data Technologies & Development
Electrical Engineering
Emergency Management Engineering
Environmental Services
Facilities Management
Geographic Information Systems (GIS)
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Surveying & Mapping
Traffic Engineering
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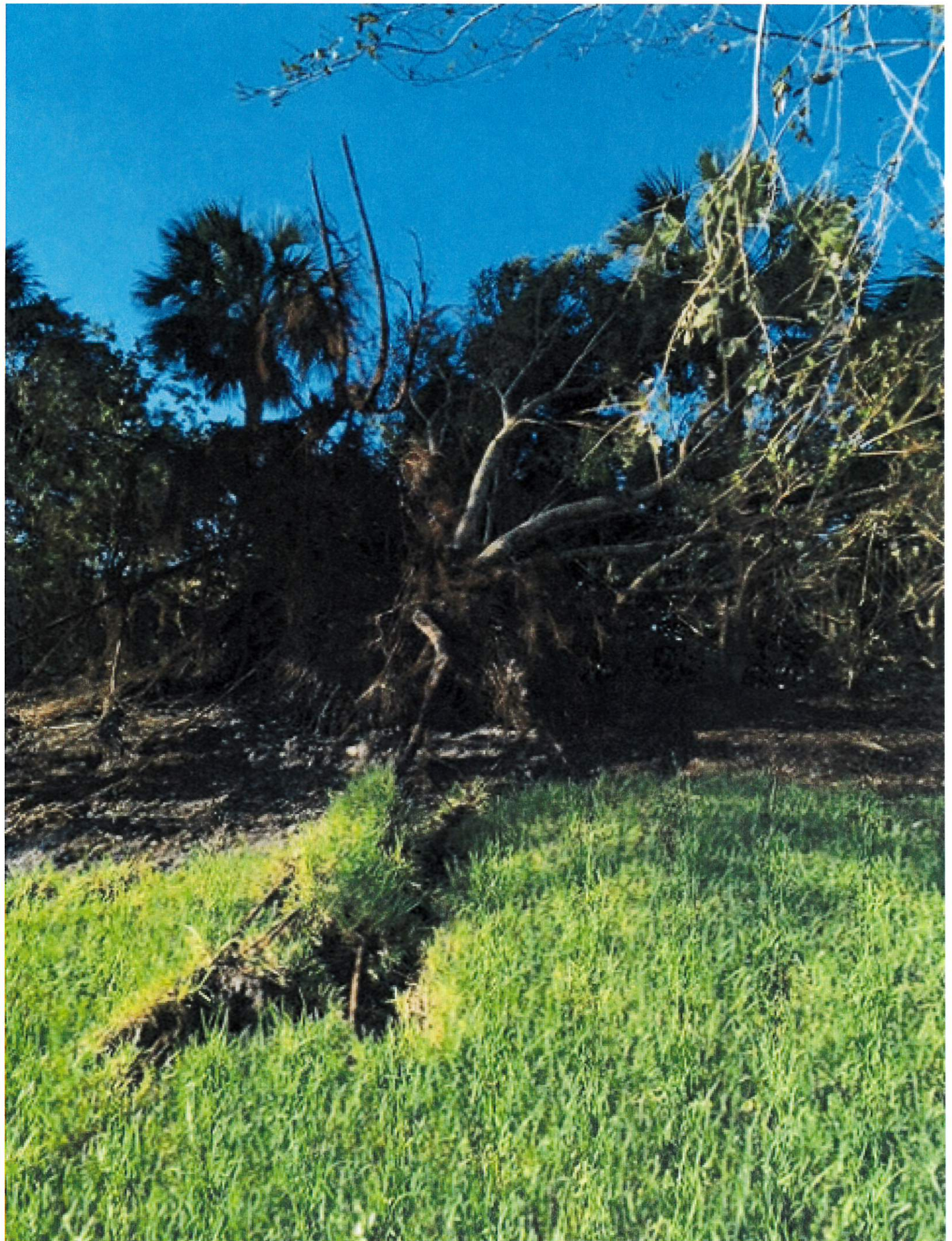
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Miromar Lakes Community Development District

Financial Statements

August 31, 2017



Visit our web site: www.miromarlakescdd.org

Prepared by:

JPWARD AND ASSOCIATES, LLC

*2900 Northeast 12th Terrace
Suite 1*

OAKLAND PARK, FLORIDA 33334

E-MAIL: JIMWARD@JPWARDASSOCIATES.COM

PHONE: (954) 658-4900

Miromar Lakes Community Development District

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<i>Debt Service Fund</i>	
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<i>Series 2015 Bonds</i>	<i>7</i>

JPWard & Associates, LLC
2900 Northeast 12th Terrace
Suite 1
Oakland Park, Florida 33334
(954) 658-4900

**Miromar Lakes Community Development District
Balance Sheet
for the Period Ending August 31, 2017**

	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds				Account Groups			
	General Fund	Series 2012	Series 2015	Capital Project Fund	General Long Term Debt	General Fixed Assets		
Assets								
Cash and Investments								
General Fund - Invested Cash	\$ 690,368	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 690,368
Debt Service Fund								
Interest Account	-	4	-	-	-	-	-	4
Sinking Account	-	-	-	-	-	-	-	-
Reserve Account	-	453,763	888,181	-	-	-	-	1,341,944
Revenue	-	395,028	644,993	-	-	-	-	1,040,021
Prepayment Account	-	0	-	-	-	-	-	0
Due from Other Funds								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund(s)	-	-	-	-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-	-	-
Accrued Interest Receivable	-	-	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-	-	-
Accounts Receivable	-	-	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	-	848,795	-	-	848,795
Amount to be Provided by Debt Service Funds	-	-	-	-	28,386,205	-	-	28,386,205
Investment in General Fixed Assets (net of depreciation)	-	-	-	-	-	36,514,917	-	36,514,917
Total Assets	<u>\$ 690,368</u>	<u>\$ 848,795</u>	<u>\$ 1,533,174</u>	<u>\$ -</u>	<u>\$ 29,235,000</u>	<u>\$ 36,514,917</u>	<u>\$ -</u>	<u>\$ 68,822,254</u>

Miromar Lakes Community Development District
Balance Sheet
for the Period Ending August 31, 2017

	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds				Account Groups			
	General Fund	Series 2012	Series 2015	Capital Project Fund	General Long Term Debt	General Fixed Assets		
Liabilities								
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Due to Other Funds								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund(s)	-	-	-	-	-	-	-	-
Bonds Payable								
Current Portion	-	-	-	-	1,075,000	-	1,075,000	-
Long Term	-	-	-	-	28,160,000	-	28,160,000	-
Total Liabilities	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ -</u></u>
Fund Equity and Other Credits								
Investment in General Fixed Assets	-				-	36,514,917	36,514,917	-
Fund Balance								
Restricted								
Beginning: October 1, 2016 (Audited)	-	828,498	1,485,341	-	-	-	2,313,839	-
Results from Current Operations	-	20,298	47,833	-	-	-	68,131	-
Unassigned								
Beginning: October 1, 2016 (Audited)	463,308				-	-	463,308	-
Results from Current Operations	227,060				-	-	227,060	-
Total Fund Equity and Other Credits	<u><u>\$ 690,368</u></u>	<u><u>\$ 848,795</u></u>	<u><u>\$ 1,533,174</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 36,514,917</u></u>	<u><u>\$ 39,587,254</u></u>	<u><u>\$ -</u></u>
Total Liabilities, Fund Equity and Other Credits	<u><u>\$ 690,368</u></u>	<u><u>\$ 848,795</u></u>	<u><u>\$ 1,533,174</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ 36,514,917</u></u>	<u><u>\$ 68,822,254</u></u>	<u><u>\$ -</u></u>

**Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2017**

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest														
Interest - General Checking	14	14	41	43	25	88	31	32	28	26	24	363	300	121%
Special Assessment Revenue														
Special Assessments - On-Roll	337	196,696	555,587	33,321	24,460	10,276	23,056	7,777	10,573	-	-	862,084	859,717	100%
Special Assessments - Off-Roll	112,721	-	-	-	-	-	225,441	-	-	112,721	-	450,882	450,882	100%
Miscellaneous Revenue														
	-	-	-	-	-	-	-	-	-	-	-	-	0	N/A
Intragovernmental Transfer In														
	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenue and Other Sources:	\$ 113,071	\$ 196,710	\$ 555,628	\$ 33,364	\$ 24,485	\$ 10,363	\$ 248,528	\$ 7,809	\$ 10,601	\$ 112,746	\$ 24	1,313,329	\$ 1,310,899	100%
Expenditures and Other Uses														
Legislative														
Board of Supervisor's - Fees	1,000	-	2,000	-	1,000	1,000	-	1,000	800	1,200	1,000	9,000	12,000	75%
Board of Supervisor's - Taxes	153	-	153	-	77	77	-	77	61	92	77	765	918	83%
Executive														
Professional Management	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	36,667	40,000	92%
Financial and Administrative														
Audit Services	-	-	-	-	-	5,100	-	-	-	-	-	5,100	5,100	100%
Accounting Services	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Assessment Roll Services	-	-	18,000	-	-	-	-	-	-	-	-	18,000	18,000	100%
Arbitrage Rebate Services	-	-	-	-	1,500	-	1,000	-	-	-	-	2,500	1,000	250%
Other Contractual Services														
Legal Advertising	76	-	51	-	637	-	-	-	-	-	-	764	1,200	64%
Trustee Services	-	-	3,091	-	-	5,859	-	-	-	-	-	8,949	7,900	113%
Property Appraiser/Tax Collector Fees	-	-	-	-	-	1,132	-	-	-	-	-	1,132	2,400	47%
Bank Services	32	48	34	34	35	33	38	48	32	35	47	417	550	76%
Travel and Per Diem														
	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Communications & Freight Services														
Postage, Freight & Messenger	-	-	73	128	-	121	-	51	93	-	51	516	400	129%
Insurance														
	5,778	-	-	-	-	-	-	-	-	-	-	5,778	5,800	100%
Printing & Binding														
	174	-	-	101	-	214	173	64	-	286	107	1,119	1,200	93%
Website Development														
	-	-	-	-	-	-	-	-	-	-	-	-	1,000	0%
Office Supplies														
	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Subscription & Memberships														
	175	-	-	-	-	-	-	-	-	-	-	175	175	100%
Legal Services														
Legal - General Counsel	-	-	6,516	-	699	1,918	-	-	3,868	2,779	-	15,779	30,000	53%
Legal - Litigation	-	-	-	-	-	-	-	-	-	-	270	270	-	N/A
Legal - Center Place - Special Counsel	-	-	861	-	-	-	-	-	-	-	-	861	100,000	1%

Prepared by:

JPWARD and Associates, LLC

Unaudited

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Legal - Center Place	-	-	-	-	-	-	495	-	-	-	-	495	-	N/A
Land Exchange - Salerno	-	-	4,615	-	-	-	-	-	-	-	-	4,615	-	N/A
Other General Government Services														
Engineering Services - General Fund	-	2,524	303	-	893	460	2,352	-	1,101	-	5,050	12,683	20,000	63%
NPDES	-	-	560	-	-	-	-	-	-	-	-	560	250	224%
Asset Administration Services	-	833	1,667	-	1,667	-	1,667	-	1,667	-	833	8,333	10,000	83%
Center Place	-	-	-	-	-	-	618	-	-	-	-	618	-	N/A
Sub-Total:	10,721	6,739	41,256	3,596	9,841	19,246	9,676	4,573	10,955	7,725	10,768	135,095	257,893	52%
Stormwater Management Services														
Professional Management														
Asset Management	-	2,317	4,633	-	4,633	-	4,633	-	4,633	-	2,317	23,167	27,800	83%
Mitigation Monitoring	-	-	-	-	-	-	-	-	-	-	-	-	500	0%
Utility Services														
Electric - Aeration Systems	-	113	396	452	161	389	428	419	845	39	429	3,670	500	734%
Lake System														
Aquatic Weed Control	-	10,928	5,464	5,464	5,464	5,464	5,464	5,464	5,464	5,464	-	54,640	101,568	54%
Lake Bank Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	1,500	0%
Water Quality Testing	-	-	3,460	-	-	-	-	-	6,920	-	-	10,380	11,800	88%
Water Control Structures	-	-	6,800	-	-	-	-	-	-	-	-	6,800	7,000	97%
Grass Carp Installation	-	-	-	-	-	-	2,609	-	-	-	-	2,609	-	N/A
Litoral Shelf Barrier/Replanting	-	-	-	-	-	-	497	-	-	-	-	497	-	N/A
Aeration System	-	-	-	-	-	-	-	-	-	-	-	-	2,000	0%
Wetland System														
Routine Maintenance	-	6,267	3,133	3,133	3,133	3,133	3,133	3,133	3,133	3,133	-	31,333	42,100	74%
Other Current Charges	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Capital Outlay														
Aerator's	-	-	-	-	-	-	-	13,917	-	-	-	13,917	13,900	
Littortal Shelf Replanting/Barrier	-	-	-	-	-	-	-	1,180	-	-	-	1,180	3,000	
Lake Bank Restoration	-	-	-	-	-	-	-	56,386	28,758	-	-	85,143	-	
Erosion Restoration	-	-	-	-	4,055	1,650	31,469	7,700	19,090	106,620	5,200	175,785	223,238	79%
Sub-Total:	-	19,624	23,886	9,049	17,446	10,636	48,234	88,199	68,844	115,257	7,945	409,121	434,906	94%
Landscaping Services														
Professional Management														
Asset Management	-	3,117	6,233	-	6,233	-	6,233	-	6,233	-	3,117	31,167	37,400	83%
Utility Services														
Electric	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Irrigation Water	-	-	-	1,777	-	-	-	2,703	-	2,703	-	7,183	5,000	144%
Repairs & Maintenance														

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Public Area Landscaping	-	27,434	15,756	137,767	26,836	27,739	57,939	1,393	36,031	30,908	26,836	388,638	444,000	88%
Landscape Lighting	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Irrigation System	-	1,643	-	232	1,197	859	816	275	-	-	-	5,021	8,000	63%
Well System	-	-	-	-	-	-	-	-	-	-	-	-	1,000	0%
Plant Replacement	-	-	-	408	-	-	36,425	-	3,272	223	-	40,328	49,000	82%
Other Current Charges												-		
Lee County -Ben Hill Griffin Landscape	-	50,691	-	-	-	-	-	-	-	-	-	50,691	54,000	94%
Hendry County - Panther Habitat Taxes	-	372	-	-	-	-	-	-	-	-	-	372	700	53%
Operating Supplies														
Mulch	-	14,400	-	3,275	-	-	-	-	978	-	-	18,653	19,000	98%
Sub-Total:	-	97,658	21,990	143,459	34,267	28,597	101,413	4,370	46,514	33,834	29,953	542,053	618,100	88%
Total Expenditures and Other Uses:	\$ 10,721	\$ 124,021	\$ 87,132	\$ 156,104	\$ 61,554	\$ 58,479	\$ 159,323	\$ 97,142	\$ 126,313	\$ 156,815	\$ 48,666	1,086,269	\$ 1,310,899	83%
Net Increase/ (Decrease) in Fund Balance	102,350	72,689	468,496	(122,740)	(37,069)	(48,116)	89,205	(89,333)	(115,712)	(44,069)	(48,642)	227,060	-	
Fund Balance - Beginning	463,308	565,658	638,347	1,106,843	984,103	947,034	898,919	988,124	898,791	783,079	739,009	463,308	526,359	
Fund Balance - Ending	\$ 565,658	\$ 638,347	\$ 1,106,843	\$ 984,103	\$ 947,034	\$ 898,919	\$ 988,124	\$ 898,791	\$ 783,079	\$ 739,009	\$ 690,368	690,368	\$ 526,359	

Miromar Lakes Community Development District
Debt Service Fund - Series 2012 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income														
Reserve Account	47,570	1,839	0	7	15	14	22	7,384	33	43	53	56,980	40,000	142%
Prepayment Account	-	0	-	-	-	-	-	-	-	-	-	0	-	N/A
Revenue Account	2	2	1	15	86	124	201	281	121	157	197	1,186	30	3955%
Interest Account	4	-	-	-	-	-	-	-	-	-	-	4	-	N/A
Special Assessment Revenue														
Special Assessments - On-Roll	326	183,770	519,075	31,131	22,853	9,601	21,541	7,266	9,878	-	-	805,440	803,283	100%
Special Assessments - Off-Roll	-	-	-	-	-	-	160,662	-	-	-	-	160,662	160,662	100%
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)														
	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 47,902	\$ 185,611	\$ 519,076	\$ 31,153	\$ 22,954	\$ 9,739	\$ 182,426	\$ 14,931	\$ 10,031	\$ 200	\$ 250	1,024,273	\$ 1,003,975	N/A
Expenditures and Other Uses														
Debt Service														
Principal Debt Service - Mandatory														
Series 2012 Bonds	-	-	-	-	-	-	-	445,000	-	-	-	445,000	\$ 445,000	100%
Principal Debt Service - Early Redemptions														
Series 2012 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interest Expense														
Series 2012 Bonds	-	279,488	-	-	-	-	-	279,488	-	-	-	558,975	558,975	100%
Operating Transfers Out (To Other Funds)														
	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 279,488	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 724,488	\$ -	\$ -	\$ -	1,003,975	\$ 1,003,975	N/A
Net Increase/ (Decrease) in Fund Balance	47,902	(93,876)	519,076	31,153	22,954	9,739	182,426	(709,556)	10,031	200	250	20,298	-	
Fund Balance - Beginning	828,498	876,400	782,524	1,301,600	1,332,753	1,355,707	1,365,446	1,547,872	838,315	848,347	848,546	828,498	870,552	
Fund Balance - Ending	\$ 876,400	\$ 782,524	\$ 1,301,600	\$ 1,332,753	\$ 1,355,707	\$ 1,365,446	\$ 1,547,872	\$ 838,315	\$ 848,347	\$ 848,546	\$ 848,796	848,796	\$ 870,552	

Miromar Lakes Community Development District
Debt Service Fund - Series 2015 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through August 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	August	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources														
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	N/A
Interest Income														
Reserve Account	112,874	4,267	0	3	7	7	11	17,465	18	25	31	134,707	90,000	150%
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	832	132	1	21	64	75	119	348	201	257	319	2,368	-	N/A
Special Assessment Revenue														
Special Assessments - On-Roll	89	63,744	180,051	10,798	7,927	3,330	7,472	2,520	3,426	-	-	279,358	278,561	100%
Special Assessments - Off-Roll	-	-	-	-	-	-	1,149,324	-	-	-	-	1,149,324	1,149,364	100%
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)														
Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 113,794	\$ 68,143	\$ 180,053	\$ 10,823	\$ 7,998	\$ 3,412	\$ 1,156,926	\$ 20,333	\$ 3,645	\$ 282	\$ 349	\$ 1,565,758	\$ 1,517,925	N/A
Expenditures and Other Uses														
Debt Service														
Principal Debt Service - Mandatory														
Series 2015 Bonds	-	-	-	-	-	-	-	630,000	-	-	-	630,000	\$ 630,000	100%
Principal Debt Service - Early Redemptions														
Series 2015 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interest Expense														
Series 2015 Bonds	-	443,963	-	-	-	-	-	443,963	-	-	-	887,925	887,925	100%
Operating Transfers Out (To Other Funds)														
Total Expenditures and Other Uses:	\$ -	\$ 443,963	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,073,963	\$ -	\$ -	\$ -	\$ 1,517,925	\$ 1,517,925	N/A
Net Increase/ (Decrease) in Fund Balance	113,794	(375,820)	180,053	10,823	7,998	3,412	1,156,926	(1,053,629)	3,645	282	349	47,833	-	
Fund Balance - Beginning	1,485,341	1,599,135	1,223,315	1,403,368	1,414,191	1,422,190	1,425,601	2,582,527	1,528,898	1,532,543	1,532,825	1,485,341	-	
Fund Balance - Ending	\$ 1,599,135	\$ 1,223,315	\$ 1,403,368	\$ 1,414,191	\$ 1,422,190	\$ 1,425,601	\$ 2,582,527	\$ 1,528,898	\$ 1,532,543	\$ 1,532,825	\$ 1,533,174	\$ 1,533,174	\$ -	

Miromar Lakes Community Development District

Financial Statements

July 31, 2017



Visit our web site: www.miromarlakescdd.org

Prepared by:

JPWARD AND ASSOCIATES, LLC

*819 NE 23rd DRIVE, #3
WILTON MANORS, FLORIDA 33305
E-MAIL: JIMWARD@JPWARDASSOCIATES.COM
PHONE: (954) 658-4900*

Miromar Lakes Community Development District

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JPWard & Associates, LLC
819NE 23rd Drive, #3
Wilton Manors, Florida 33305
(954) 658-4900

**Miromar Lakes Community Development District
Balance Sheet
for the Period Ending July 31, 2017**

	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds				Account Groups			
	General Fund	Series 2012	Series 2015	Capital Project Fund	General Long Term Debt	General Fixed Assets		
Assets								
Cash and Investments								
General Fund - Invested Cash	\$ 739,009	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 739,009
Debt Service Fund								
Interest Account	-	4	-	-	-	-	-	4
Sinking Account	-	-	-	-	-	-	-	-
Reserve Account	-	453,763	888,181	-	-	-	-	1,341,944
Revenue	-	394,778	644,644	-	-	-	-	1,039,422
Prepayment Account	-	0	-	-	-	-	-	0
Due from Other Funds								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund(s)	-	-	-	-	-	-	-	-
Market Valuation Adjustments	-	-	-	-	-	-	-	-
Accrued Interest Receivable	-	-	-	-	-	-	-	-
Assessments Receivable	-	-	-	-	-	-	-	-
Accounts Receivable	-	-	-	-	-	-	-	-
Amount Available in Debt Service Funds	-	-	-	-	848,546	-	-	848,546
Amount to be Provided by Debt Service Funds	-	-	-	-	28,386,454	-	-	28,386,454
Investment in General Fixed Assets (net of depreciation)	-	-	-	-	-	36,514,917	-	36,514,917
Total Assets	<u>\$ 739,009</u>	<u>\$ 848,546</u>	<u>\$ 1,532,825</u>	<u>\$ -</u>	<u>\$ 29,235,000</u>	<u>\$ 36,514,917</u>	<u>\$ -</u>	<u>\$ 68,870,297</u>

Miromar Lakes Community Development District
Balance Sheet
for the Period Ending July 31, 2017

	Governmental Funds							Totals (Memorandum Only)
	Debt Service Funds				Account Groups			
	General Fund	Series 2012	Series 2015	Capital Project Fund	General Long Term Debt	General Fixed Assets		
Liabilities								
Accounts Payable & Payroll Liabilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Due to Other Funds								
General Fund	-	-	-	-	-	-	-	-
Debt Service Fund(s)	-	-	-	-	-	-	-	-
Bonds Payable								
Current Portion	-	-	-	-	1,075,000	-	1,075,000	-
Long Term	-	-	-	-	28,160,000	-	28,160,000	-
Total Liabilities	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ -</u></u>
Fund Equity and Other Credits								
Investment in General Fixed Assets						36,514,917		36,514,917
Fund Balance								
Restricted								
Beginning: October 1, 2016 (Audited)	-	828,498	1,485,341	-	-	-	2,313,839	-
Results from Current Operations	-	20,048	47,484	-	-	-	67,532	-
Unassigned								
Beginning: October 1, 2016 (Audited)	463,308				-	-	463,308	
Results from Current Operations	275,702				-	-	275,702	
Total Fund Equity and Other Credits	<u><u>\$ 739,009</u></u>	<u><u>\$ 848,546</u></u>	<u><u>\$ 1,532,825</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 36,514,917</u></u>	<u><u>\$ 39,635,298</u></u>	<u><u>\$ -</u></u>
Total Liabilities, Fund Equity and Other Credits	<u><u>\$ 739,009</u></u>	<u><u>\$ 848,546</u></u>	<u><u>\$ 1,532,825</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 29,235,000</u></u>	<u><u>\$ 36,514,917</u></u>	<u><u>\$ 68,870,298</u></u>	<u><u>\$ -</u></u>

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through July 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources													
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest													
Interest - General Checking	14	14	41	43	25	88	31	32	28	26	339	300	113%
Special Assessment Revenue													
Special Assessments - On-Roll	337	196,696	555,587	33,321	24,460	10,276	23,056	7,777	10,573	-	862,084	859,717	100%
Special Assessments - Off-Roll	112,721	-	-	-	-	-	225,441	-	-	112,721	450,882	450,882	100%
Miscellaneous Revenue													
	-	-	-	-	-	-	-	-	-	-	-	0	N/A
Intragovernmental Transfer In													
	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenue and Other Sources:	\$ 113,071	\$ 196,710	\$ 555,628	\$ 33,364	\$ 24,485	\$ 10,363	\$ 248,528	\$ 7,809	\$ 10,601	\$ 112,746	1,313,305	\$ 1,310,899	100%
Expenditures and Other Uses													
Legislative													
Board of Supervisor's - Fees	1,000	-	2,000	-	1,000	1,000	-	1,000	800	1,200	8,000	12,000	67%
Board of Supervisor's - Taxes	153	-	153	-	77	77	-	77	61	92	689	918	75%
Executive													
Professional Management	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	33,333	40,000	83%
Financial and Administrative													
Audit Services	-	-	-	-	-	5,100	-	-	-	-	5,100	5,100	100%
Accounting Services	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Assessment Roll Services	-	-	18,000	-	-	-	-	-	-	-	18,000	18,000	100%
Arbitrage Rebate Services	-	-	-	-	1,500	-	1,000	-	-	-	2,500	1,000	250%
Other Contractual Services													
Legal Advertising	76	-	51	-	637	-	-	-	-	-	764	1,200	64%
Trustee Services	-	-	3,091	-	-	5,859	-	-	-	-	8,949	7,900	113%
Property Appraiser/Tax Collector Fees	-	-	-	-	-	1,132	-	-	-	-	1,132	2,400	47%
Bank Services	32	48	34	34	35	33	38	48	32	35	370	550	67%
Travel and Per Diem													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Communications & Freight Services													
Postage, Freight & Messenger	-	-	73	128	-	121	-	51	93	-	466	400	116%
Insurance													
	5,778	-	-	-	-	-	-	-	-	-	5,778	5,800	100%
Printing & Binding													
	174	-	-	101	-	214	173	64	-	286	1,012	1,200	84%
Website Development													
	-	-	-	-	-	-	-	-	-	-	-	1,000	0%
Office Supplies													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Subscription & Memberships													
	175	-	-	-	-	-	-	-	-	-	175	175	100%
Legal Services													

Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through July 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Legal - General Counsel	-	-	6,516	-	699	1,918	-	-	3,868	2,779	15,779	30,000	53%
Legal - Litigation	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Legal - Center Place - Special Counsel	-	-	861	-	-	-	-	-	-	-	861	100,000	1%
Legal - Center Place	-	-	-	-	-	-	495	-	-	-	495	-	N/A
Land Exchange - Salerno	-	-	4,615	-	-	-	-	-	-	-	4,615	-	N/A
Other General Government Services													
Engineering Services - General Fund	-	2,524	303	-	893	460	2,352	-	1,101	-	7,633	20,000	38%
NPDES	-	-	560	-	-	-	-	-	-	-	560	250	224%
Asset Administration Services	-	833	1,667	-	1,667	-	1,667	-	1,667	-	7,500	10,000	75%
Center Place	-	-	-	-	-	-	618	-	-	-	618	-	N/A
Sub-Total:	10,721	6,739	41,256	3,596	9,841	19,246	9,676	4,573	10,955	7,725	124,327	257,893	48%
Stormwater Management Services													
Professional Management													
Asset Management	-	2,317	4,633	-	4,633	-	4,633	-	4,633	-	20,850	27,800	75%
Mitigation Monitoring	-	-	-	-	-	-	-	-	-	-	-	500	0%
Utility Services													
Electric - Aeration Systems	-	113	396	452	161	389	428	419	845	39	3,241	500	648%
Lake System													
Aquatic Weed Control	-	10,928	5,464	5,464	5,464	5,464	5,464	5,464	5,464	5,464	54,640	65,568	83%
Lake Bank Maintenance	-	-	-	-	-	-	-	-	-	-	-	1,500	0%
Water Quality Testing	-	-	3,460	-	-	-	-	-	6,920	-	10,380	11,800	88%
Water Control Structures	-	-	6,800	-	-	-	-	-	-	-	6,800	7,000	97%
Grass Carp Installation	-	-	-	-	-	-	2,609	-	-	-	2,609	-	N/A
Litoral Shelf Barrier/Replanting	-	-	-	-	-	-	497	-	-	-	497	-	N/A
Aeration System	-	-	-	-	-	-	-	-	-	-	-	2,000	0%
Wetland System													
Routine Maintenance	-	6,267	3,133	3,133	3,133	3,133	3,133	3,133	3,133	3,133	31,333	42,100	74%
Other Current Charges	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Capital Outlay													
Aerator's	-	-	-	-	-	-	-	13,917	-	-	13,917	13,900	
Littortal Shelf Replanting/Barrier	-	-	-	-	-	-	-	1,180	-	-	1,180	3,000	
Lake Bank Restoration	-	-	-	-	-	-	-	56,386	28,758	-	85,143	-	
Erosion Restoration	-	-	-	-	4,055	1,650	31,469	7,700	19,090	106,620	170,585	259,238	66%
Sub-Total:	-	19,624	23,886	9,049	17,446	10,636	48,234	88,199	68,844	115,257	401,175	434,906	92%

Landscaping Services

Professional Management

**Miromar Lakes Community Development District
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Through July 31, 2017**

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Asset Management	-	3,117	6,233	-	6,233	-	6,233	-	6,233	-	28,050	37,400	75%
Utility Services													
Electric	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Irrigation Water	-	-	-	1,777	-	-	-	2,703	-	2,703	7,183	5,000	144%
Repairs & Maintenance													
Public Area Landscaping	-	27,434	15,756	137,767	26,836	27,739	57,939	1,393	36,031	30,908	361,802	444,000	81%
Landscape Lighting	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Irrigation System	-	1,643	-	232	1,197	859	816	275	-	-	5,021	8,000	63%
Well System	-	-	-	-	-	-	-	-	-	-	-	1,000	0%
Plant Replacement	-	-	-	408	-	-	36,425	-	3,272	223	40,328	49,000	82%
Other Current Charges											-		
Lee County -Ben Hill Griffin Landscape	-	50,691	-	-	-	-	-	-	-	-	50,691	54,000	94%
Hendry County - Panther Habitat Taxes	-	372	-	-	-	-	-	-	-	-	372	700	53%
Operating Supplies													
Mulch	-	14,400	-	3,275	-	-	-	-	978	-	18,653	19,000	98%
Sub-Total:	-	97,658	21,990	143,459	34,267	28,597	101,413	4,370	46,514	33,834	512,101	618,100	83%
Total Expenditures and Other Uses:	\$ 10,721	\$ 124,021	\$ 87,132	\$ 156,104	\$ 61,554	\$ 58,479	\$ 159,323	\$ 97,142	\$ 126,313	\$ 156,815	1,037,603	\$ 1,310,899	79%
Net Increase/ (Decrease) in Fund Balance	102,350	72,689	468,496	(122,740)	(37,069)	(48,116)	89,205	(89,333)	(115,712)	(44,069)	275,702	-	
Fund Balance - Beginning	463,308	565,658	638,347	1,106,843	984,103	947,034	898,919	988,124	898,791	783,079	463,308	526,359	
Fund Balance - Ending	\$ 565,658	\$ 638,347	\$ 1,106,843	\$ 984,103	\$ 947,034	\$ 898,919	\$ 988,124	\$ 898,791	\$ 783,079	\$ 739,009	739,009	\$ 526,359	

Miromar Lakes Community Development District
Debt Service Fund - Series 2012 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through July 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources													
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income													
Reserve Account	47,570	1,839	0	7	15	14	22	7,384	33	43	56,927	40,000	142%
Prepayment Account	-	0	-	-	-	-	-	-	-	-	0	-	N/A
Revenue Account	2	2	1	15	86	124	201	281	121	157	989	30	3298%
Interest Account	4	-	-	-	-	-	-	-	-	-	4	-	N/A
Special Assessment Revenue													
Special Assessments - On-Roll	326	183,770	519,075	31,131	22,853	9,601	21,541	7,266	9,878	-	805,440	803,283	100%
Special Assessments - Off-Roll	-	-	-	-	-	-	160,662	-	-	-	160,662	160,662	100%
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 47,902	\$ 185,611	\$ 519,076	\$ 31,153	\$ 22,954	\$ 9,739	\$ 182,426	\$ 14,931	\$ 10,031	\$ 200	1,024,023	\$ 1,003,975	N/A
Expenditures and Other Uses													
Debt Service													
Principal Debt Service - Mandatory													
Series 2012 Bonds	-	-	-	-	-	-	-	445,000	-	-	445,000	\$ 445,000	100%
Principal Debt Service - Early Redemptions													
Series 2012 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interest Expense													
Series 2012 Bonds	-	279,488	-	-	-	-	-	279,488	-	-	558,975	558,975	100%
Operating Transfers Out (To Other Funds)													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 279,488	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 724,488	\$ -	\$ -	1,003,975	\$ 1,003,975	N/A
Net Increase/ (Decrease) in Fund Balance	47,902	(93,876)	519,076	31,153	22,954	9,739	182,426	(709,556)	10,031	200	20,048	-	
Fund Balance - Beginning	828,498	876,400	782,524	1,301,600	1,332,753	1,355,707	1,365,446	1,547,872	838,315	848,347	828,498	870,552	
Fund Balance - Ending	\$ 876,400	\$ 782,524	\$ 1,301,600	\$ 1,332,753	\$ 1,355,707	\$ 1,365,446	\$ 1,547,872	\$ 838,315	\$ 848,347	\$ 848,546	848,546	\$ 870,552	

Miromar Lakes Community Development District
Debt Service Fund - Series 2015 Bonds
Statement of Revenues, Expenditures and Changes in Fund Balance
Through July 31, 2017

Description	October	November	December	January	February	March	April	May	June	July	Year to Date	Total Annual Budget	% of Budget
Revenue and Other Sources													
Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	N/A
Interest Income													
Reserve Account	112,874	4,267	0	3	7	7	11	17,465	18	25	134,677	90,000	150%
Prepayment Account	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Revenue Account	832	132	1	21	64	75	119	348	201	257	2,050	-	N/A
Special Assessment Revenue													
Special Assessments - On-Roll	89	63,744	180,051	10,798	7,927	3,330	7,472	2,520	3,426	-	279,358	278,561	100%
Special Assessments - Off-Roll	-	-	-	-	-	-	1,149,324	-	-	-	1,149,324	1,149,364	100%
Special Assessments - Prepayments	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Operating Transfers In (From Other Funds)													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Bond Proceeds													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Revenue and Other Sources:	\$ 113,794	\$ 68,143	\$ 180,053	\$ 10,823	\$ 7,998	\$ 3,412	\$ 1,156,926	\$ 20,333	\$ 3,645	\$ 282	\$ 1,565,409	\$ 1,517,925	N/A
Expenditures and Other Uses													
Debt Service													
Principal Debt Service - Mandatory													
Series 2015 Bonds	-	-	-	-	-	-	-	630,000	-	-	630,000	\$ 630,000	100%
Principal Debt Service - Early Redemptions													
Series 2015 Bonds	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Interest Expense													
Series 2015 Bonds	-	443,963	-	-	-	-	-	443,963	-	-	887,925	887,925	100%
Operating Transfers Out (To Other Funds)													
	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Total Expenditures and Other Uses:	\$ -	\$ 443,963	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,073,963	\$ -	\$ -	\$ 1,517,925	\$ 1,517,925	N/A
Net Increase/ (Decrease) in Fund Balance	113,794	(375,820)	180,053	10,823	7,998	3,412	1,156,926	(1,053,629)	3,645	282	47,484	-	
Fund Balance - Beginning	1,485,341	1,599,135	1,223,315	1,403,368	1,414,191	1,422,190	1,425,601	2,582,527	1,528,898	1,532,543	1,485,341	-	
Fund Balance - Ending	\$ 1,599,135	\$ 1,223,315	\$ 1,403,368	\$ 1,414,191	\$ 1,422,190	\$ 1,425,601	\$ 2,582,527	\$ 1,528,898	\$ 1,532,543	\$ 1,532,825	1,532,825	\$ -	