

STATE OF FLORIDA DEPARTMENT OF STATE

Division of Elections

I, KATHERINE HARRIS, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Lee County Ordinance No. 00-17, together with a copy of Exhibit A, which was filed in this office on September 19, 2000, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
21st., day of September, A.D., 2000.



Katherine Harris

Secretary of State

DSDE 99 (1-99)

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 X 11" document.

ORDINANCE NO. 00-17

AN ORDINANCE ESTABLISHING THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING THAT THE COUNTY MAY NOT AND SHALL NOT MODIFY OR DELETE ANY PROVISION OF THE DISTRICT CHARTER SET FORTH IN SECTIONS 190.006 - 190.041, FLORIDA STATUTES. PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Miromar Lakes, L.L.C. has petitioned the Lee County Board of County Commissioners to establish THE MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT; and

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

1. The petition is complete in that it meets the requirements of Section 190.005(1)(a), Florida Statutes; and all statements contained within the petition are true and correct.
2. The Lee County Executive Regulatory Oversight Committee has reviewed and approved the petition for establishment of the proposed district.
3. The costs to the County and government agencies from establishment of the district are nominal. There is no adverse impact on competition or employment from district establishment. The persons affected by establishment are the future landowners, present landowners, Lee County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from district establishment as the entity to manage and finance the statutory services identified. The impact of district establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the district. Methodology is set forth in the economic impact statement on file. The statement of estimated regulatory costs of this petition on district establishment is adequate.
4. Establishment of the proposed district, whose charter is Sections 190.006 - 190.041, Florida Statutes, was created by general law, is not inconsistent with the local Comprehensive Plan of Lee County or the State Comprehensive Plan.

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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

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

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

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

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

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

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

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

SECTION ONE: DISTRICT NAME

The community development district herein established will be known as Miromar Lakes Community Development District.

SECTION TWO: AUTHORITY FOR ORDINANCE

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

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

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

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

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

- | | | |
|----|--------------|---|
| 1. | Jeff Staner | c/o Miromar Lakes, L.L.C.
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134 |
| 2. | Steve Lewis | c/o Miromar Lakes, L.L.C.
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134 |
| 3. | Tim Byal | c/o Miromar Lakes, L.L.C.
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134 |
| 4. | Tom Harrison | c/o Miromar Lakes, L.L.C.
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134 |
| 5. | Jim Klecker | c/o Miromar Lakes, L.L.C.
24810 Burnt Pine Drive, Suite 4
Bonita Springs, Florida 34134 |

SECTION FIVE: STATUTORY PROVISIONS GOVERNING DISTRICT

The Miromar Lakes Community Development District will be governed by the provisions of Chapter 190, Florida Statutes.

SECTION SIX: CONFLICT AND SEVERABILITY

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

SECTION SEVEN: EFFECTIVE DATE

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

THE FOREGOING ORDINANCE was offered by Commissioner Andrew W. Coy, who moved its adoption. The motion was seconded by Commissioner Douglas St. Cerny and, being put to a vote, the vote was as follows:

JOHN E. MANNING	Absent
DOUGLAS ST. CERNY	Aye
RAY JUDAH	Absent
ANDREW W. COY	Aye
JOHN E. ALBION	Aye

DULY PASSED AND ADOPTED THIS 12th day of September, 2000.

ATTEST:
CHARLIE GREEN, CLERK

By: *Charlie Green*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: *John E. Albion*
Chairman

APPROVED AS TO FORM:

By: *John S. Pedersen*
Office of County Attorney

Exhibit "A"

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

**DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 10, 11, 12, 13, 14, 15 & 23
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA
(MIROMAR LAKES CDD)**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 10, 11, 12, 13, 14, 15 AND 23 TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID 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 AND THE POINT OF BEGINNING; THENCE S.89°42'24"E. ALONG SAID SOUTH RIGHT-OF-WAY OF ALICO ROAD FOR 1049.81 FEET; THENCE THE FOLLOWING FORTY SIX (47) 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°46'09"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.	362.91'
22)	S.00°07'13"E.	16.50'
23)	N.89°46'48"W.	357.96'
24)	N.00°43'41"W.	176.03'
25)	N.89°21'30"W.	1846.96'
26)	N.06°34'37"W.	526.71'
27)	N.01°50'22"W.	1210.85'
28)	N.79°32'52"W.	867.76'
30)	N.41°43'09"W.	264.16'
31)	S.80°32'44"W.	908.56'
32)	S.85°56'39"W.	711.03'
33)	N.88°44'59"W.	176.88'
34)	S.09°48'24"W.	488.79'
35)	S.81°56'19"E.	145.26'
36)	S.00°34'39"E.	820.49'
37)	S.59°07'28"W.	349.34'
38)	S.86°00'53"W.	1140.64'
39)	N.06°38'29"W.	427.54'
40)	N.01°46'33"E.	839.75'
41)	S.85°52'30"W.	934.90'
42)	S.04°59'30"W.	714.95'
43)	S.05°05'22"W.	483.90'
44)	S.63°55'14"W.	291.35'
45)	S.84°13'33"W.	187.42'
46)	S.28°12'39"E.	143.38'
47)	N.89°07'51"E.	3150.88'

THENCE S.19°52'03"W. FOR 56.89 FEET TO THE NORTH LINE OF FLORIDA GULF COAST UNIVERSITY; THENCE ALONG SAID NORTH LINE THE FOLLOWING FOUR (4) COURSES:

1)	S.03°10'23"E.	430.66'
2)	S.88°17'12"W.	1027.72'
3)	S.01°42'48"E.	306.15'
4)	S.47°45'12"W.	1504.06'

THENCE S.88°27'56"W. FOR 1780.04 FEET TO THE SAID EAST RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150' WIDE); THENCE N.03°31'24"W. ALONG SAID EAST RIGHT-OF-WAY FOR 3304.77 FEET TO THE BEGINNING OF A CURVE CONCAVED TO THE EAST HAVING A RADIUS OF 2925.00 FEET; THENCE

NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 23°44'13" FOR 1211.80 FEET; THENCE N.20°12'49"E. ALONG SAID RIGHT-OF-WAY FOR 473.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 10075.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 19°11'28" FOR 3374.60 FEET; THENCE N.01°01'21"E. FOR 909.75 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PORTION OF SECTIONS 10, 11, 14, 15, AND 23, 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 TREELINE AVENUE S.01°01'21"W., 1018.81 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG 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°12'49"W., 473.55 FEET; THENCE LEAVING SAID CENTERLINE N.69°47'11"W., 75.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF TREELINE AVENUE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHWESTERLY 1273.94 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3075.00 FEET, THROUGH A CENTRAL ANGLE OF 23°44'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.08°20'42"W., 1264.85 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.03°31'24"E., 3887.79 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 717.36 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2000.00 FEET, THROUGH A CENTRAL ANGLE OF 20°33'03" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.13°47'56"E., 713.52 FEET TO A POINT OF TANGENCY; THENCE S.24°04'27"E., 1593.09 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY AND SOUTHEASTERLY, 1569.58 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2875.00 FEET, THROUGH A CENTRAL ANGLE OF 31°16'49" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.39°42'52"E., 1550.16 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.55°21'16"E., 1684.71 FEET TO A POINT OF

CURVATURE; THENCE SOUTHEASTERLY AND SOUTHERLY, 1260.95 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1325.00 FEET, THROUGH A CENTRAL ANGLE OF 54°31'33" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.28°05'29"E., 1213.90 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S.00°49'43"E., 600.19 FEET TO THE SOUTH LINE OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA; THENCE ALONG SAID SOUTH LINE, N.89°44'39"W., 2921.79 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N.18°17'51"W., 955.62 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, 1211.97 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 17026.80 FEET, THROUGH A CENTRAL ANGLE OF 04°04'42" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.16°15'30"W., 1211.72 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N.14°13'09"W., 9126.68 THENCE LEAVING SAID LINE, N.76°08'54"E., 527.61 FEET;
THENCE N.79°14'37"E., 501.77 FEET;
THENCE N.84°36'26"E., 384.54 FEET;
THENCE S.85°27'53"E., 381.51 FEET;
THENCE S.74°31'06"E., 209.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

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

PARCELS CONTAIN 972.24 ACRES, MORE OR LESS.
DESCRIPTION PREPARED JANUARY 4th, 2000.

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