

**BEFORE THE  
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

An Amended Petition to Amend the Fiddler's)  
Creek Community Development                    )  
District 1    )  
\_\_\_\_\_    )

**AMENDED PETITION TO AMEND THE FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT 1**

Petitioner, Fiddler's Creek Community Development District 1, a special and single-purpose local government created and chartered by, and established pursuant to, the provisions of Chapter 190, *Florida Statutes*, by the Florida Land and Water Adjudicatory Commission (hereafter "FLWAC") *Rule 42X-1.001, Florida Administrative Code*, and located in Collier County, Florida (hereafter "District"), hereby petitions by this Amended Petition the FLWAC, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, and specifically section 190.046(1), *Florida Statutes*, to amend FLWAC *Rule 42X-1.002*, to contract the boundary of the District by taking out three land areas (the "Contraction Areas") that total approximately 56.16 acres and to expand the boundary of the District by adding five land areas (the "Expansion Areas") that total approximately 9.34 acres resulting in a net contraction of the District boundary by approximately 46.82 acres. In support of this Amended Petition, the District states:

1.     Location and Size. The District is located within Collier County, Florida. **Exhibit 1** depicts the general location of the existing District. The District currently contains approximately 1389.77 acres and as a result of this amendment will contain approximately 1342.95 acres.

The current metes and bounds legal description of the external boundaries of the District is set forth in **Exhibit 2**.

2. The District proposes to contract three (3) land areas that total approximately 56.16 acres which are located along its northern and eastern boundaries (the “Contraction Areas”) as shown on **Exhibit 8**. Additionally, the District proposes to expand its boundaries to include five (5) land areas that total approximately 9.34 acres which are located along its northern, eastern, and western boundaries (the “Expansion Areas”) as shown on **Exhibit 8**. The amendment will result in a net contraction of 46.82 acres from the District. These boundary changes are coordinated with the correlative boundary amendments to the contiguous Fiddler's Creek Community Development District 2 (“District 2”) which was established by the Collier County Board of Commissioners by county ordinance. When effected, these boundary changes will not exclude any real property within the amended external boundaries of the District so that, therefore, there will be no enclave as a result of the boundary amendment to the rule. The District has reviewed the Contraction and Expansion Areas and determined that it is in the best interest of the District to amend its boundaries to remove the Contraction Areas and add the Expansion Areas. The legal descriptions of each Contraction and Expansion Area proposed are set forth in **Exhibit 3**. As the total acres of the net contraction is 46.82 acres, the amendment will not result in a cumulative net total greater than 50 percent of the District’s initial acreage and will not be greater than 2,500 acres on a cumulative net basis. Therefore, neither the boundary changes from taking out the Contraction Areas nor the boundary changes from adding the Expansion Areas nor the boundary changes from the net contraction exceeds the acreage requirements of Section 190.046(1)(e)1. (as amended by Chapter 2016 - 94, Laws of Florida), Florida Statutes, and the Amended Petition may be reviewed under Section 190.046(1)(e), Florida Statutes.

3. After the net contraction, the District will encompass approximately 1342.95 acres. The metes and bounds description of the District, as amended to effect the net contraction, is set forth in **Exhibit 4**.

4. Landowner Consent. Pursuant to Section 190.046(1)(g), Florida Statutes, Petitioner has identified and obtained written consent to amend the boundaries of the District from one hundred percent of the landowners of the Contraction and Expansion Areas. Documentation of this consent is found in **Exhibit 5**.

5. Future Land Uses. Contraction of the District in this manner is not inconsistent with and consistent affirmatively with the adopted Collier County Comprehensive Plan (“Plan”). The designation of future general distribution, location, and extent of the public and private land uses of land proposed for the land in both the Contraction Areas and the Expansion Areas by the future land use plan element of the Plan are:

a. For the land in the Contraction Areas, there are no designated future general distribution, location and extent of the public uses of the land in the Plan and the designated general distribution, location and extent of the private uses of the land are urban residential;

b. For the land in the Expansion Areas, there are no designated future general distribution, location and extent of the public uses of the land in the Plan and the designated future general distribution, location and extent of the private uses of the land are urban residential.

6. Impact of the District On, and Provision of Its Services to, the Contraction Areas and the Expansion Areas. If its boundaries are expanded and contracted by the rule amendment as prayed for in this Petition and in compliance with Section 190.046(1)(a):

a. The limited impact of the District on each of the land areas constituting the land in the

Contraction Areas:

- 1) for Land Area 1 is discontinuance of the services the District currently provides to this land area which, however, are stormwater management. The existing storm water management facilities will be relocated and constructed as necessary and will be provided and funded by the developer of Land Area 1 subject to, not inconsistent with, and in compliance with all regulatory permits as required;
- 2) for Land Area 2 is discontinuance of the services the District currently provides to this land area which are ~~is~~ non-existent;
- 3) for Land Area 3 is discontinuance of the services the District currently provides to this land area which, however, are storm water management. The existing storm water facilities will be relocated and constructed as necessary and will be provided and funded by the developer of Land Area 3 subject to, not inconsistent with, and in compliance with all regulatory permits as required;

b. The limited impact of the District on each of the land areas constituting the land in the

Expansion Areas:

- 1) for Land Area 4 is the provision to this land area of the stormwater management services currently provided by the District to other land within its jurisdiction which are non-existent currently as to Land Area 4; the proposed storm water management facilities will be funded and constructed by the developer of Land Area 4 subject to, not inconsistent with, and in compliance with all regulatory permits as required; and,

- 2) for Land Area 5 is the provision to this land area of the services currently provided by the District to other land within its jurisdiction which are non-existent currently as to Land Area 5; the proposed storm water management facilities will be funded and constructed by the developer of Land Area 5 subject to, not inconsistent with, and in compliance with all regulatory permits as required;
- 3) for Land Area 7 is the provision to this land area of the services currently provided by the District to the land within its jurisdiction; however, there are no services provided by the District;
- 4) for Land Area 8 is the provision to this land area of the services currently provided by the District to the land within its jurisdiction; however, there are no services provided by the District;
- 5) for Land Area 9 (the buffer tract owned by the Mulberry ROW Village Association, Inc.) while there are no District facilities within the land area, the land area does receive special benefits that flow peculiar to the lands from the District constructed infrastructure (as a logical connection from storm drainage, and wetland mitigation and monitoring).

c. As to the land within the Expansion Areas the timetable for, and the estimated cost of, construction of any district services to each of the land areas are set forth in **Exhibit 6**.

7. Statement of Estimated Regulatory Costs. The statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes is set forth in **Exhibit 7**. The SERC is based upon presently available data. The data and methodology used in the preparing the SERC accompany it.

8. Filing Fee. The District has submitted the Amended Petition and the requisite \$1,500 filing fee, in conjunction with the Petition to Collier County, suffices for this Amended Petition.

9. Reasons for the Contraction and Expansion Amendments Per Each Land Area. The reasons for the boundary contractions and expansions are:

a. As for Land Area 1, undeveloped land will be removed from the District and integrated into a new development section of Fiddler's Creek so that landowners within the District will not have to pay for infrastructure to serve this undeveloped land. Further, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

b. As for Land Area 2, undeveloped land will be removed from the District and integrated into a new development section of Fiddler's Creek so that landowners within the District will not have to pay for infrastructure to serve this undeveloped land. Further, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

c. As for Land Area 3, a lake in the District will be filled in and integrated with productive developable land within District 2 so that landowners in the District will not have to pay for infrastructure to serve this developable land. Further, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

d. As for Land Area 4, land within District 2 will be excavated and added to an existing lake within the District which forms a water boundary amenity with the golf course located within the District. Integrating the lake into a single district will increase the efficiency of lake maintenance. In addition, landowners within District 2 will not have to pay for infrastructure to serve this new water boundary amenity within the District. Finally, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

e. As for Land Area 5, land within District 2 will be excavated and added to an existing lake within the District which forms a water boundary amenity with the golf course located within the District. Integrating the lake into a single district will increase the efficiency of lake maintenance. In addition, landowners within District 2 will not have to pay for infrastructure to serve this new water boundary amenity within the District. Finally, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

f. As for Land Area 6, undeveloped land will be removed from District 2 and integrated into a new development section of Fiddler's Creek currently not part of any CDD so that landowners within District 2 will not have to pay for infrastructure to serve this undeveloped land. Further, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

g. As for Land Area 7, undeveloped land in the District adjacent to other undeveloped land will be integrated with such other undeveloped land (not currently within a district) to promote future land use as amenity (such as a golf course). The integration will promote

future land use (such as a golf course) as well as the efficient maintenance of such future amenity within a single district.<sup>1</sup> In addition, landowners within the District will not have to pay for infrastructure to serve this future amenity. Finally, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

h. As for Land Area 8, undeveloped land in the District adjacent to other undeveloped land (not currently within a district) will be integrated with such other undeveloped land to promote future land use as an amenity (such as a golf course) as well as the efficient maintenance of such future amenity within a single district.<sup>2</sup> In addition, landowners within the District will not have to pay for infrastructure to serve this future amenity. Finally, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

i. As for Land Area 9, developed land will be added to the District adjacent to other developed land. The land to be added will be integrated with the existing developed land to form a buffer. Further, the petitioner is interested in making the boundary changes to facilitate the more efficient delivery of services consistent with sound facilities planning.

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<sup>1</sup> Such a district does not currently exist but may be established in the future, and if not established, the future amenity will be managed by a single private or public entity not involving the District, subject to, not inconsistent with and in compliance with all regulatory permits.

<sup>2</sup> Such a district does not currently exist but may be established in the future, and if not established, the future amenity will be managed by a single private or public entity not involving the District, subject to, not inconsistent with and in compliance with all regulatory permits.



10. The Petitioner respectfully asserts that the Amended Petition to Amend the Fiddler's Creek Community Development District 1 should be granted for the following reasons:

- a. All statements contained in the Amended Petition are true and correct.
- b. Amendment of the District and all land uses and infrastructure systems, facilities and services planned within the District, as amended, are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the Collier County Comprehensive Plan.
- c. The land within the District will continue to be of sufficient size and sufficiently compact and contiguous to be developed as one functional and interrelated community.
- d. The net contraction of the District is so that the District may deliver infrastructure systems, facilities and services more efficiently, consistent with sound facility planning. Thus, the District continues to be the best alternative available for delivering community development services and facilities to the area that will be served by the District.
- e. The District's community development services and facilities, as amended, will continue not to be incompatible with the capacity and use of existing local and regional community development services and facilities.
- f. The area to be served by the District continues to be amenable to separate special-district government.

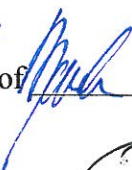
WHEREFORE, Petitioner respectfully requests the Florida Land and Water Adjudicatory Commission to:

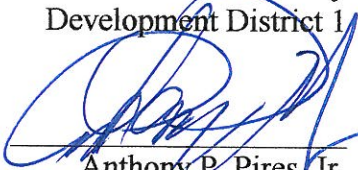
- a. refer this Amended Petition to the Board of Supervisors of the Fiddler's Creek Community Development District 1 to conduct a local public hearing pursuant to Section 190.046(1)(d)(4), *Florida Statutes*;

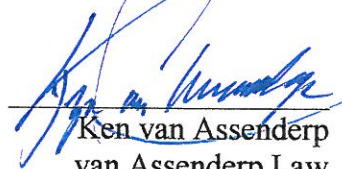
b. consider the entire record of the local public hearing in accordance with the requirements of Section 190.046(1)(d)(4), *Florida Statutes*;

c. grant the Amended Petition and amend FLWAC *Rule 42X-1.002, Florida Administrative Code*, to contract the boundaries of the District pursuant to Chapter 190, *Florida Statutes*.

RESPECTFULLY SUBMITTED, this 17<sup>th</sup> day of March, 2017.

By   
Phillip Brougham  
Chairman of the Board for  
Fiddler's Creek Community  
Development District 1

  
Anthony P. Pires, Jr.  
Woodward, Pires & Lombardo, P.A.  
3200 North Tamiami Trail Suite 200  
Naples, Florida 34103  
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239-649-7342 Fax  
apires@wpl-legal.com  
District Counsel for Petitioner

  
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van Assenderp Law  
2800 Asbury Hill Drive  
Tallahassee, Florida 32312  
850-544-0424 Phone  
850-385-9782 Fax  
kenza@vanassenderplaw.com

FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #1

EXHIBITS

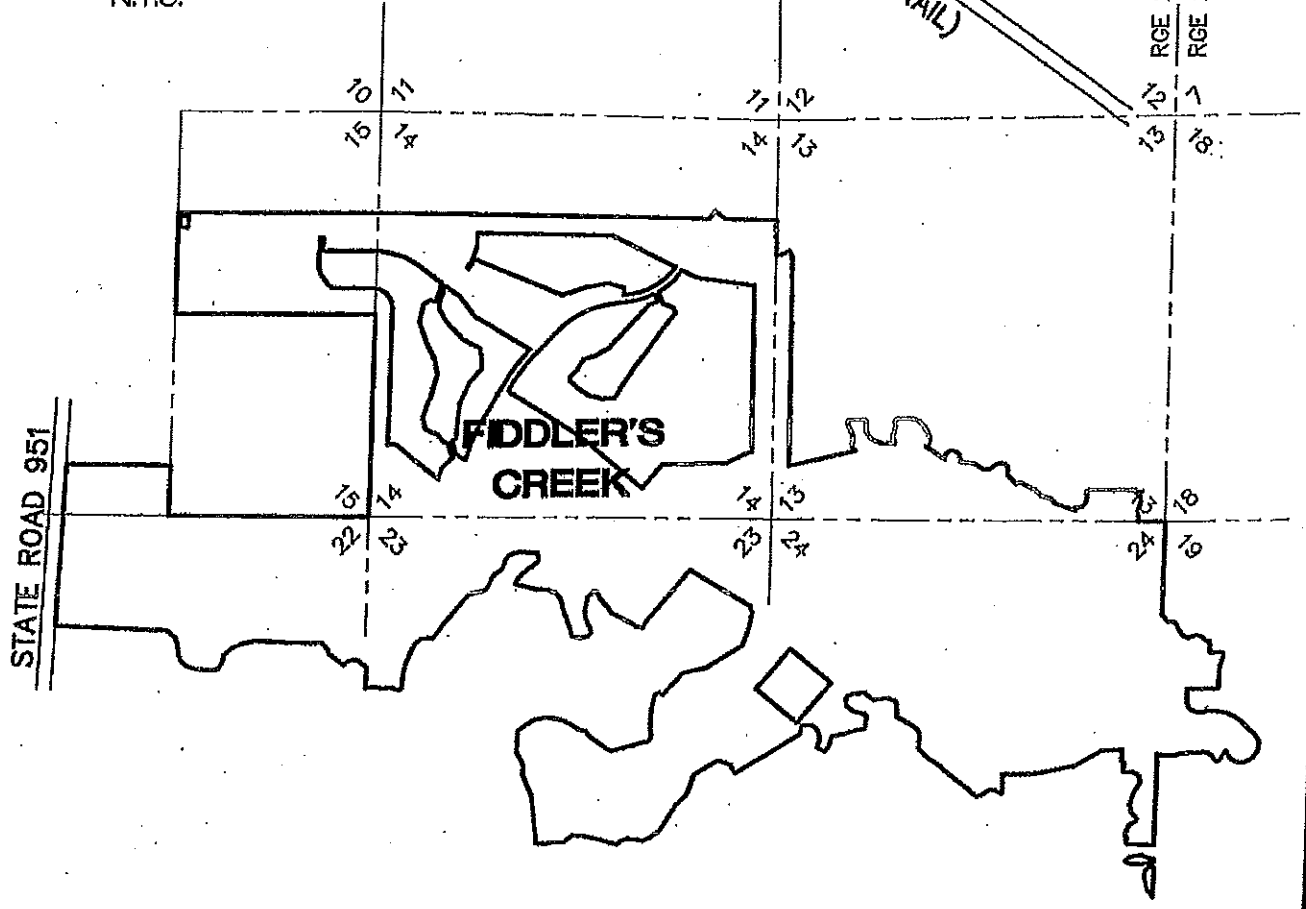
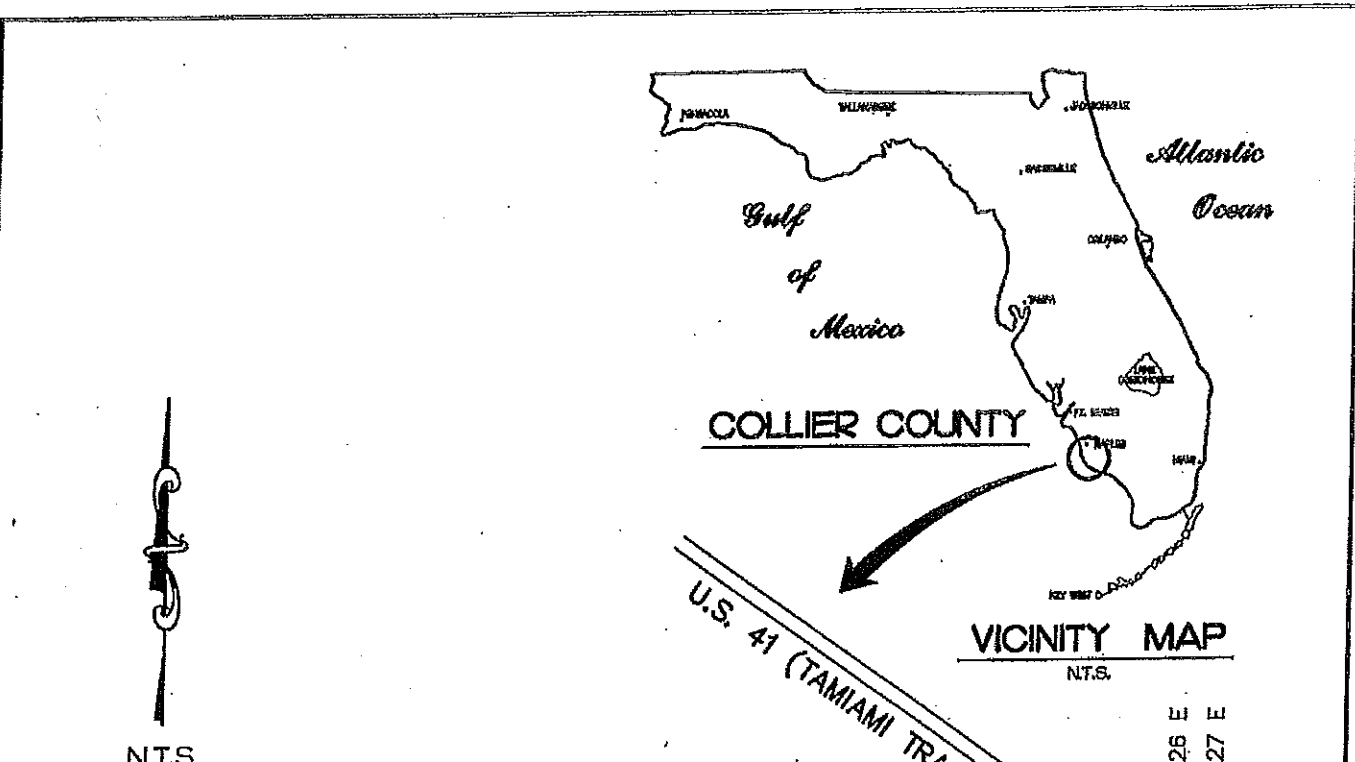
<u>EXHIBIT #</u>	<u>DESCRIPTION</u>
1	Location Map
2	Current Legal Description of District's Boundary ( <i>Rule 42X-1.002 Boundary F.A.C. and materials incorporated by reference</i> ).
3a thru 3i	Legal Description of each Contraction and Expansion Area
4	Proposed Amended Legal Description of the District
5	Landowner Consent Documentation
6	Expansion Areas - As explained in the Petition, no new construction is required as a result of this Rule amendment. Therefore, there is no estimated timetable for, and estimated cost of, construction of any District services.
7	Statement of Regulatory Costs
8	CDD #1 - Proposed Revisions Map (11" x 17")

**PETITION TO AMEND THE  
FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 1**

**EXHIBIT 1**

**LOCATION MAP**

H:\1998\1998070\DW\EXHIBITS\FCCDD\District 1 Ph. 4\3132EX-LOC2.dwg Tab: LOCATION MAP Aug 20, 2013 - 11:32am



**FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 1**



950 Encore Way.  
Naples, FL. 34110  
Phone: (239) 254-2000  
Florida Certificate of  
Authorization No.1772

**LOCATION MAP**

CHECKED BY : W.T.C./F.F.	PROJECT No. 1998,070
DRAWN BY : JON	CAD FILE NAME: 3132EX-LOC2
DATE : 08/04	EXHIBIT - ITEM 1

**PETITION TO AMEND THE  
FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 1**

**EXHIBIT 2**

**CURRENT LEGAL DESCRIPTION OF DISTRICT'S BOUNDARY**

Note: This Exhibit includes background information for the applicable Petition to Correct the Legal Description of the Fiddler's Creek Community Development District 1, with its Exhibits (1A, 1B, 2, 3 & 4). The Petition was filed due to scrivener's errors. The Petition was previously reviewed and approved, resulting in the current legal description in the Rule (which is Exhibit 3 of the attached Petition).

## EXHIBIT 2

### 42X-1.002 Boundary.

The boundaries of the district, as corrected, are those set forth in Exhibit "3" to the Petition to Correct the Legal Description of the Fiddler's Creek Community Development District 1 by Amendment without Changing the Boundaries of the District filed with the Commission on July 13, 2015, and amended on July 24, 2015, under Commission Case Number CDD-15-005. The Petition to Correct the Legal Description of the Fiddler's Creek Community Development District 1 by Amendment without Changing the Boundaries of the District filed with the Commission on July 13, 2015, and amended on July 24, 2015, under Commission Case Number CDD-15-005, is hereby incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07135> and copies of which are available by contacting the Clerk of the Florida Land and Water Adjudicatory Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001.

The total Fiddler's Creek Community Development District 1 area = 1389.7739 acres, more or less.

*Rulemaking Authority 190.005, 190.046(1) FS. Law Implemented 190.004, 190.005, 190.046(1) FS. History—New 8-13-96, Amended 9-16-03, 9-5-16.*

YOUNG, VAN ASSENDERP & QUALLS, P.A.  
ATTORNEYS AND COUNSELORS AT LAW

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Tallahassee, Florida 32301

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RECEIVED

AUG 13 2015

August 13, 2015

FL LAND AND WATER  
ADJUDICATORY COMMISSION

Ms. Barbara Leighty  
Florida Land and Water Adjudicatory Commission  
Room 1801, The Capitol  
Tallahassee, Florida 32399-0001

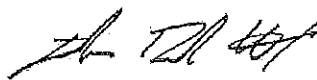
RE: Fiddler's Creek Community Development District 1

Dear Ms. Leighty:

Please find enclosed a signed and dated Amended Petition to Correct the Legal Description of the Fiddler's Creek Community Development District 1 by Amendment Without Changing the Boundaries of the District. It was brought to our attention that the original Petition was determined to be insufficient due to its date not being fully noted and to the lengthy delay between the signing of the Petition and its filing with your Commission. Please note that the Amended Petition contains no changes from the original Petition other than the date of execution. We hope that this resolves any concerns about the sufficiency of the Petition. However, if any further actions are necessary, please let us know.

Thank you for your consideration of this information.

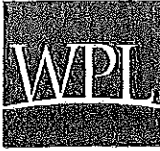
Sincerely,



for H. Kenza van Assenderp, III

KvA/srt  
Enclosure





**WOODWARD, PIRES & LOMBARDO, P.A.**  
ATTORNEYS AT LAW

July 24, 2015

CRAIG R. WOODWARD  
Board Certified: Real Estate

MARK J. WOODWARD  
Board Certified: Real Estate

ANTHONY P. PIRES, JR.  
Board Certified: City, County,  
and Local Government

J. CHRISTOPHER LOMBARDO  
Board Certified: Marital  
and Family Law

ROBERT E. MURRELL  
Of Counsel

DAVID E. LEIGH  
Of Counsel

JENNIFER L. DEVRIES

JENNIFER M. TENNEY

LENORE T. BRAKEFIELD

MATTHEW P. FLORES

J. TODD MURRELL

***Via Federal Express***  
**Tracking No. 8081 0601 8290**

Ken van Assenderp, Esq.  
Young, van Assenderp & Qualls, P.A.  
216 South Monroe Street  
Tallahassee, Florida 32301

Re: Amended Petition To Correct The Legal Description Of The  
Fiddler's Creek Community Development District 1 By Amendment Without  
Changing The Boundaries Of The District

Dear Ken:

Enclosed please find the above-referenced original document signed  
by me and Phillip Brougham as Chairman of the Board for Fiddler's Creek  
Community Development District 1.

Thank you and if I can be of further assistance please contact me.

Sincerely,

Anthony P. Pires, Jr., Esq.

/lg

Enclosure(s)

Cc: with enclosure(s)  
Terry Cole  
Chuck Adams

REPLY TO:

☒ 3200 TAMiami TRAIL N.  
SUITE 200  
NAPLES, FL 34103  
239-649-6555  
239-649-7342 FAX

☐ 606 BALD EAGLE DRIVE  
SUITE 500  
P.O. BOX ONE  
MARCO ISLAND, FL 34146  
239-394-5161  
239-642-6402 FAX

WWW.WPL-LEGAL.COM

**BEFORE THE  
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

A Petition to Correct the Legal )  
Description of the Fiddler's Creek )  
Community Development District 1 )  
By Amendment Without Changing )  
The Boundaries of the District )  
\_\_\_\_\_ )

**AMENDED PETITION TO CORRECT THE LEGAL DESCRIPTION OF THE  
FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 1 BY AMENDMENT  
WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT**

Petitioner, Fiddler's Creek Community Development District 1, a special and single-purpose local government created and chartered by, and established on the property by County ordinance pursuant to, Chapter 190, *Florida Statutes*, and established pursuant further to Florida Land and Water Adjudicatory Commission (hereafter "FLWAC") *Rule 42X-1.001, Florida Administrative Code*, and located in Collier County, Florida (hereafter "District"), hereby petitions the FLWAC, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, and specifically section 190.046(1), *Florida Statutes*, to amend the previously amended FLWAC *Rule 42X-1.002*, to correct certain wording in the metes and bounds legal description without changing the boundaries of the District. In support of this Petition, the District states:

1. Purpose, Location and Size.

a. Purpose. The single special purpose of the District is to manage the provision of infrastructure by exercising its general and special powers to acquire, construct, maintain and finance special systems, facilities and services as granted by, and subject to the limitations of, its state-created charter.

b. Location and Size: The District is located within unincorporated Collier County, Florida. Exhibit 1-A depicts the general location of the existing District. The District currently contains approximately 1389.77 acres and as a result of this amendment will continue to contain the same acreage because there will be no change in the boundaries. The current metes and bounds legal description of the external boundaries of the District is set forth in Exhibit 2.

2. The District does not propose to expand or to contract its boundaries. Rather, the District proposes to correct the description by amending the current legal description of its boundaries because the current metes and bounds legal description of the external boundaries of the District as set forth in Exhibit 2 contains errors and omissions, none of which affects the boundaries or the acreage. Said errors and omissions are depicted in Exhibit 1-B which depicts the general location of the errors in relation to the unchanged boundaries of the District, and set forth in Exhibit 3 which proposes to make the following corrections to the legal description of the external boundaries of the District: (1) to correct the total area measurement of Parcel 1 from "1687.5109 acres more or less" to "1550.1359 acres more or less" to reflect the existing acreage; (2) to insert the phrase "of the Northeast ¼" in the appropriate location of the legal description of Parcel 1; (3) to insert the line "along the North line of said Section 23, a distance of 218.01 feet; thence leaving said Section line" in the appropriate location of the legal description of the first "less and except" parcel (which is the parcel containing 12.00 acres); and (4) to replace the word "West" with "East" in the appropriate location of the legal description of Parcel 7.

3. The proposed changes to the legal description of the boundaries are to correct scrivener's errors contained in the amended *Rule 42X-1.002, Florida Administrative Code*. The legal boundaries of Parcel 1 were amended in 2003 which resulted in the original area of Parcel 1 being reduced by approximately 137.38 acres from 1687.5109 acres more or less to its current area

of 1550.1359 acres more or less. The "1550.1359 acres more or less" is the measurement that should have been reflected in the legal description following the 2003 amendment. However, the amended rule erroneously retained the original measurement of "1687.5109 acres more or less" as the total acreage for Parcel 1. Also, the phrase "of the Northeast ¼" was omitted from the legal description of Parcel 1 and should be inserted in the appropriate location. Additionally, the legal description of the boundaries of the first "less and except" parcel- the parcel containing 12.00 acres- erroneously omitted a line of text which further describes the boundaries of the first "less and except" parcel. Furthermore, Parcel 7 requires a correction in the legal description as "West" was used rather than the correct "East." The total net acreage is and will remain to be 1389.7739 acres more or less. These changes are solely changes to correct scrivener's errors in the amended rule and they cannot and will not change either the boundaries or the acreage within the boundaries of the District.

4. Landowner Consent. Pursuant to Section 190.046(1)(g), *Florida Statutes*, the consent of landowners within the boundaries of the District is not necessary as "the filing of the petition by the district board of supervisors constitutes consent of the landowners within the district." The proposed changes will not result in any impact on the existing landowners. Therefore, the consent of these existing landowners is not necessary. Furthermore, because there is no change in the boundaries or the acreage within the boundaries of the District, there is no resulting expansion or contraction and, therefore, there is no additional consent of any landowners outside the boundaries of the District needed or required.

5. Future Land Uses. The proposed amendment will not alter the use of the land. Therefore, the land will continue to be used in accordance with the adopted Collier County Comprehensive Plan.

6. District Facilities and Services. These scrivener error changes within the legal description will not necessitate any change in present or future District systems, facilities or services.

7. Statement of Estimated Regulatory Costs. The statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, *Florida Statutes* is set forth in **Exhibit 4**. Because the amendments to the legal description to correct scrivener's errors do not change the boundary or the acreage and do not constitute either a contraction or expansion, there is no factual basis that triggers any changes in regulatory costs.

8. Filing Fee. The District has submitted the Petition and the requisite \$1,500 filing fee (in conjunction with this Petition) to Collier County.

9. This Petition to correct by amending the legal description, without changing the boundaries or acreage, of the Fiddler's Creek Community Development District 1 should be granted for the following reasons:

a. All statements contained in the Petition are true and correct.

b. Amendment of the legal description of the District without changing the boundaries will not and cannot trigger any changes in land uses, systems, facilities and services planned within the District, as amended, and this amendment is not inconsistent with any applicable element or portion of the state comprehensive plan or of the effective Collier County Comprehensive Plan.

c. The area of the land within the District will not and cannot change as a result of this amendment to the legal description. Therefore, the District will continue to be of sufficient size and sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community.

d. Because the amendment to the legal description will not and cannot change the boundaries or acreage within the boundaries of the District, the District continues to be the best alternative available for delivering community development services and facilities to the area that has been, is and will be served by the District.

e. Because the amendment to the legal description will not and cannot change the boundaries or acreage within the boundaries of the District, the District's community development services and facilities have not been, are not and will continue not to be incompatible with the capacity and use of existing local and regional community development services and facilities because the amended legal description will not and cannot cause any changes in District services and facilities.

f. Because the amendment to the legal description will not change the boundaries or acreage within the boundaries of the District, the unchanged land area to be served by the District was, continues to be and will remain amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Florida Land and Water Adjudicatory Commission to:

a. refer this Petition to the Board of Supervisors of the Fiddler's Creek Community Development District 1 to conduct a local public hearing pursuant to Section 190.046(1)(d)4, *Florida Statutes*;

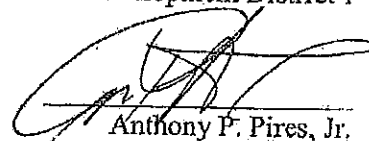
b. consider the full record of the local hearing by the district board, the transcript of the hearing, any resolutions adopted by the Collier County Commissioner if it conducts its optional hearing and the recommendation of the district board of supervisors whether to grant the petition for amendment in accordance with the requirements of Section 190.046(1)(d)4, *Florida Statutes*;

c. grant the Petition and amend FLWAC Rule 42X-1.002, Florida Administrative Code, to correct the errors within the current metes and bounds legal description of the District without changing the boundaries or acreage within the boundaries, and without constituting a contraction or an expansion, pursuant to Chapter 190, Florida Statutes.

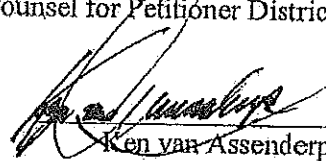
RESPECTFULLY SUBMITTED, this 24<sup>th</sup> day of July, 2015.

By 

Phillip Brougham  
Chairman of the Board for  
Fiddler's Creek Community  
Development District 1



Anthony P. Pires, Jr.  
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Special Counsel for Petitioner District

BEFORE THE  
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

RECEIVED

JUL 13 2015

A Petition to Correct the Legal )  
Description of the Fiddler's Creek )  
Community Development District 1 )  
By Amendment Without Changing )  
The Boundaries of the District )  
\_\_\_\_\_ )

FLAND AND WATER  
ADJUDICATORY COMMISSION

**PETITION TO CORRECT THE LEGAL DESCRIPTION OF THE FIDDLER'S CREEK  
COMMUNITY DEVELOPMENT DISTRICT 1 BY AMENDMENT WITHOUT  
CHANGING THE BOUNDARIES OF THE DISTRICT**

Petitioner, Fiddler's Creek Community Development District 1, a special and single-purpose local government created and chartered by, and established on the property by County ordinance pursuant to, Chapter 190, *Florida Statutes*, and established pursuant further to Florida Land and Water Adjudicatory Commission (hereafter "FLWAC") *Rule 42X-1.001, Florida Administrative Code*, and located in Collier County, Florida (hereafter "District"), hereby petitions the FLWAC, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, and specifically section 190.046(1), *Florida Statutes*, to amend the previously amended FLWAC *Rule 42X-1.002*, to correct certain wording in the metes and bounds legal description without changing the boundaries of the District. In support of this Petition, the District states:

1. Purpose; Location and Size.

a. Purpose. The single special purpose of the District is to manage the provision of infrastructure by exercising its general and special powers to acquire, construct, maintain and finance special systems, facilities and services as granted by, and subject to the limitations of, its state-created charter.



b. Location and Size. The District is located within unincorporated Collier County, Florida. Exhibit 1-A depicts the general location of the existing District. The District currently contains approximately 1389.77 acres and as a result of this amendment will continue to contain the same acreage because there will be no change in the boundaries. The current metes and bounds legal description of the external boundaries of the District is set forth in Exhibit 2.

2. The District does not propose to expand or to contract its boundaries. Rather, the District proposes to correct the description by amending the current legal description of its boundaries because the current metes and bounds legal description of the external boundaries of the District as set forth in Exhibit 2 contains errors and omissions, none of which affects the boundaries or the acreage. Said errors and omissions are depicted in Exhibit 1-B which depicts the general location of the errors in relation to the unchanged boundaries of the District, and set forth in Exhibit 3 which proposes to make the following corrections to the legal description of the external boundaries of the District: (1) to correct the total area measurement of Parcel 1 from "1687.5109 acres more or less" to "1550.1359 acres more or less" to reflect the existing acreage; (2) to insert the phrase "of the Northeast ¼" in the appropriate location of the legal description of Parcel 1; (3) to insert the line "along the North line of said Section 23, a distance of 218.01 feet; thence leaving said Section line" in the appropriate location of the legal description of the first "less and except" parcel (which is the parcel containing 12.00 acres); and (4) to replace the word "West" with "East" in the appropriate location of the legal description of Parcel 7.

3. The proposed changes to the legal description of the boundaries are to correct scrivener's errors contained in the amended *Rule 42X-1.002, Florida Administrative Code*. The legal boundaries of Parcel 1 were amended in 2003 which resulted in the original area of Parcel 1 being reduced by approximately 137.38 acres from 1687.5109 acres more or less to its current

area of 1550.1359 acres more or less. The "1550.1359 acres more or less" is the measurement that should have been reflected in the legal description following the 2003 amendment. However, the amended rule erroneously retained the original measurement of "1687.5109 acres more or less" as the total acreage for Parcel 1. Also, the phrase "of the Northeast ¼" was omitted from the legal description of Parcel 1 and should be inserted in the appropriate location. Additionally, the legal description of the boundaries of the first "less and except" parcel- the parcel containing 12.00 acres- erroneously omitted a line of text which further describes the boundaries of the first "less and except" parcel. Furthermore, Parcel 7 requires a correction in the legal description as "West" was used rather than the correct "East." The total net acreage is and will remain to be 1389.7739 acres more or less. These changes are solely changes to correct scrivener's errors in the amended rule and they cannot and will not change either the boundaries or the acreage within the boundaries of the District.

4. Landowner Consent. Pursuant to Section 190.046(1)(g), *Florida Statutes*, the consent of landowners within the boundaries of the District is not necessary as "the filing of the petition by the district board of supervisors constitutes consent of the landowners within the district." The proposed changes will not result in any impact on the existing landowners. Therefore, the consent of these existing landowners is not necessary. Furthermore, because there is no change in the boundaries or the acreage within the boundaries of the District, there is no resulting expansion or contraction and, therefore, there is no additional consent of any landowners outside the boundaries of the District needed or required.

5. Future Land Uses. The proposed amendment will not alter the use of the land. Therefore, the land will continue to be used in accordance with the adopted Collier County Comprehensive Plan.

6. District Facilities and Services. These scrivener error changes within the legal description will not necessitate any change in present or future District systems, facilities or services.

7. Statement of Estimated Regulatory Costs. The statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, *Florida Statutes* is set forth in **Exhibit 4**. Because the amendments to the legal description to correct scrivener's errors do not change the boundary or the acreage and do not constitute either a contraction or expansion, there is no factual basis that triggers any changes in regulatory costs.

8. Filing Fee. The District has submitted the Petition and the requisite \$1,500 filing fee (in conjunction with this Petition) to Collier County.

9. This Petition to correct by amending the legal description, without changing the boundaries or acreage, of the Fiddler's Creek Community Development District 1 should be granted for the following reasons:

a. All statements contained in the Petition are true and correct.

b. Amendment of the legal description of the District without changing the boundaries will not and cannot trigger any changes in land uses, systems, facilities and services planned within the District, as amended, and this amendment is not inconsistent with any applicable element or portion of the state comprehensive plan or of the effective Collier County Comprehensive Plan.

c. The area of the land within the District will not and cannot change as a result of this amendment to the legal description. Therefore, the District will continue to be of sufficient size and sufficiently compact and sufficiently contiguous to be developable as one functional interrelated community.

d. Because the amendment to the legal description will not and cannot change the boundaries or acreage within the boundaries of the District, the District continues to be the best alternative available for delivering community development services and facilities to the area that has been, is and will be served by the District.

e. Because the amendment to the legal description will not and cannot change the boundaries or acreage within the boundaries of the District, the District's community development services and facilities have not been, are not and will continue not to be incompatible with the capacity and use of existing local and regional community development services and facilities because the amended legal description will not and cannot cause any changes in District services and facilities.

f. Because the amendment to the legal description will not change the boundaries or acreage within the boundaries of the District, the unchanged land area to be served by the District was, continues to be and will remain amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Florida Land and Water Adjudicatory Commission to:

a. refer this Petition to the Board of Supervisors of the Fiddler's Creek Community Development District 1 to conduct a local public hearing pursuant to Section 190.046(1)(d)4, *Florida Statutes*;

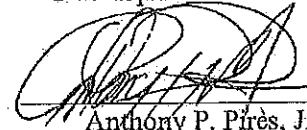
b. consider the full record of the local hearing by the district board, the transcript of the hearing, any resolutions adopted by the Collier County Commissioner if it conducts its optional hearing and the recommendation of the district board of supervisors whether to grant the petition for amendment in accordance with the requirements of Section 190.046(1)(d)4, *Florida Statutes*;

c. grant the Petition and amend FLWAC Rule 42X-1.002, *Florida Administrative Code*, to correct the errors within the current metes and bounds legal description of the District without changing the boundaries or acreage within the boundaries, and without constituting a contraction or an expansion, pursuant to Chapter 190, *Florida Statutes*.

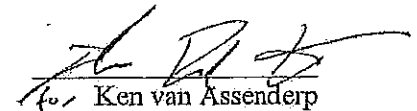
RESPECTFULLY SUBMITTED, this \_\_\_ day of March, 2015

By 

Phillip Brougham  
Chairman of the Board for  
Fiddler's Creek Community  
Development District 1



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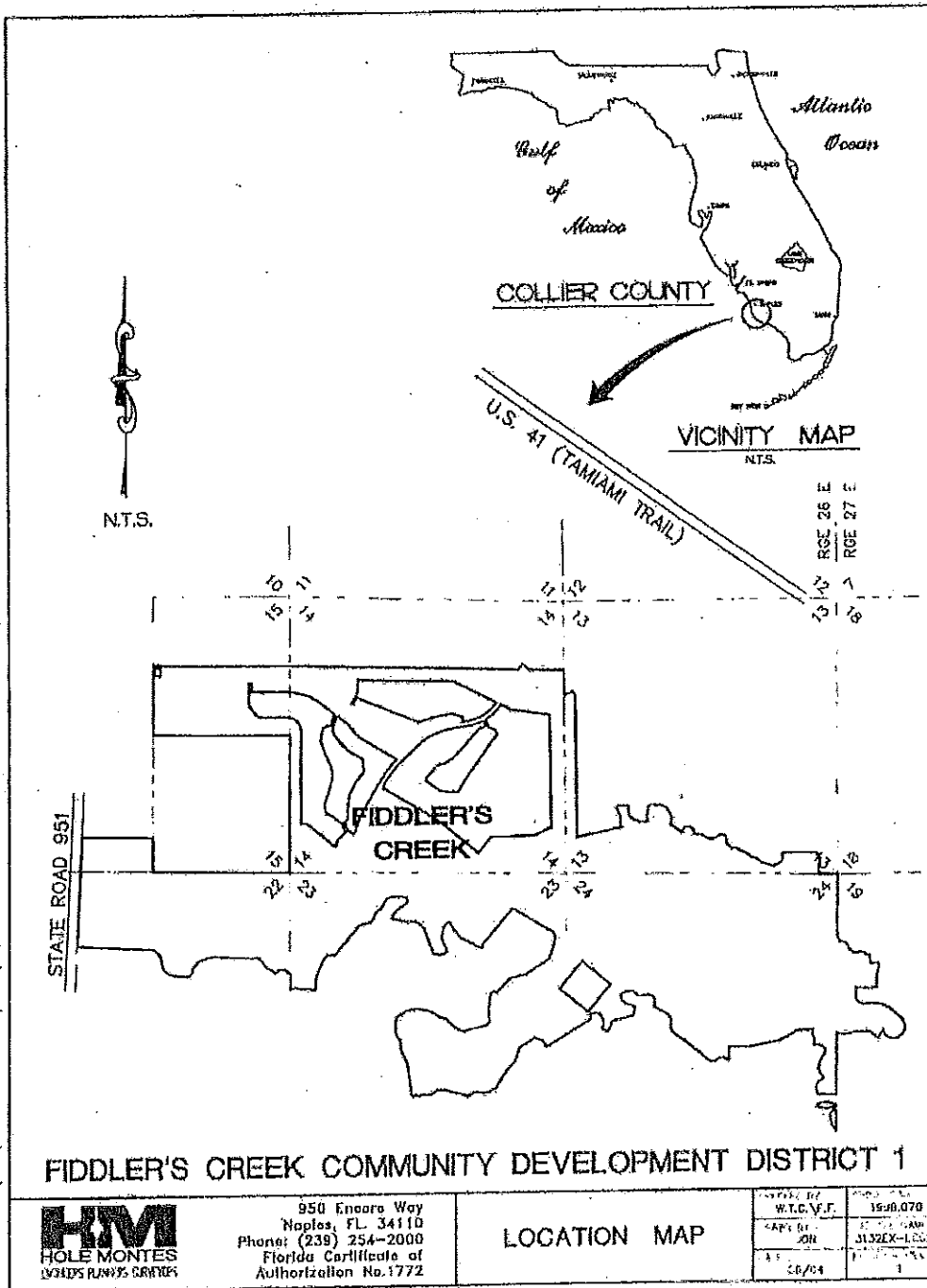


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Special Counsel for Petitioner District

**EXHIBIT 1-A**

**General Location of Fiddler's Creek Community**

**Development District 1**



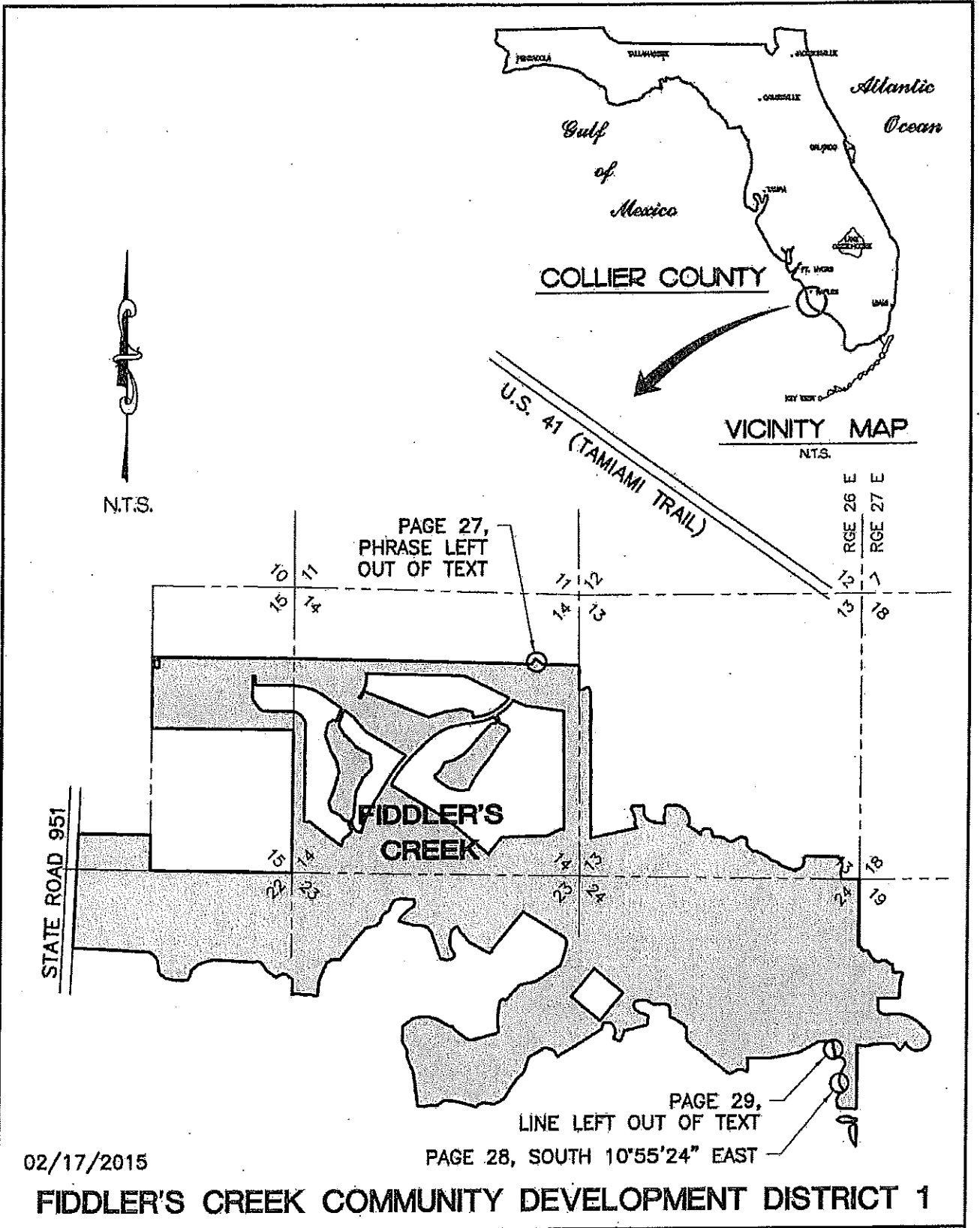
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**EXHIBIT 1-B**

**Depiction to illustrate the general location of the errors in  
relation to the unchanged boundaries as set forth and  
described in paragraph 3 of the Petition**



HA\1998\1998070\DW\EXHIBITS\F0000\District 1 Ph 4\3132EX-LOC2\_10.dwg Tab: SCRIVENER'S ERRORS Feb 17, 2015 - 12:32pm



950 Encore Way  
Naples, FL 34110  
Phone: (239) 254-2000  
Florida Certificate of  
Authorization No.1772

Location of  
Scrivener's Errors in the  
C.D.D. Legal Description

CHECKED BY : W.T.C./F.F.	PROJECT No. 1998.070
DRAWN BY : JON	CAD FILE NAME: 3132EX-LOC2_1B
DATE : 08/04	EXHIBIT -- ITEM 1B



**EXHIBIT 2**

**Current Legal Description of District's Boundary**

**[only the erroneous descriptions of Parcels 1 and 7 are  
included for this Petition]**

Parcel 1

A parcel of land located in Sections 11, 14, 15, 22, 23, 24, and 25 all being in Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows: BEGIN at the Northeast corner of Section 22, Township 51 South, Range 26 East, Collier County, Florida; thence run North  $88^{\circ}58'51''$  West, along the North line of the Northeast  $\frac{1}{4}$  of said Section 22, for a distance of 2738.26 feet to the North  $\frac{1}{4}$  corner of said Section 22; thence run North  $00^{\circ}18'43''$  East, along the East line of the Southwest  $\frac{1}{4}$  of said Section 22, for a distance of 695.26 feet, Thence run N.  $88^{\circ}58'11''$  W. for a distance of 1422.07 feet to a point on the Easterly right-of-way line of State Road 951, a 200.00 foot right-of-way; thence run South  $02^{\circ}29'39''$  West, along the Easterly right-of-way line of State Road 951, for a distance of 2232.43 feet; thence run South  $86^{\circ}54'19''$  East for a distance of 1322.20 feet; thence run South  $89^{\circ}27'22''$  East for a distance of 125.79 feet; thence run South  $80^{\circ}38'36''$  East for a distance of 86.82 feet; thence run South  $48^{\circ}57'39''$  East for a distance of 143.49 feet; thence run South  $22^{\circ}38'28''$  East for a distance of 101.19 feet; thence run South  $07^{\circ}16'34''$  East for a distance of 159.01 feet; thence run South  $22^{\circ}27'03''$  East for a distance of 80.97 feet; thence run South  $51^{\circ}50'53''$  East for a distance of 124.40 feet; thence run South  $74^{\circ}04'40''$  East for a distance of 144.06 feet; thence run South  $85^{\circ}45'26''$  East for a distance of 187.62 feet; thence run North  $82^{\circ}02'11''$  East for a distance of 108.47 feet; thence run North  $28^{\circ}53'36''$  East for a distance of 104.27 feet; thence run North  $10^{\circ}26'56''$  East for a distance of 87.33 feet; thence run North  $46^{\circ}09'57''$  East for a distance of 161.84 feet; thence run North  $68^{\circ}40'14''$  East for a distance of 191.80 feet; thence run North  $79^{\circ}08'54''$  East for a distance of 121.22 feet; thence run South  $87^{\circ}33'02''$  East for a distance of 275.66 feet; thence run South  $85^{\circ}36'34''$  East for a distance of 196.37 feet; thence run South  $87^{\circ}39'51''$  East for a distance of 185.04 feet; thence run South  $87^{\circ}21'43''$  East for a distance of 105.83 feet; thence run North  $85^{\circ}51'57''$  East for a distance of 86.75 feet; thence run South  $87^{\circ}50'25''$  East for a distance of 53.97 feet; thence run South  $43^{\circ}21'06''$  East for a distance of 96.83 feet; thence run South  $39^{\circ}51'17''$  East for a distance of 55.10 feet; thence run South  $12^{\circ}45'05''$  East for a distance of 48.21 feet; thence run South  $54^{\circ}17'48''$  East for a distance of 252.73 feet; thence run North  $55^{\circ}30'51''$  East for a distance of 83.75 feet; thence run North  $74^{\circ}56'13''$  East for a distance of 64.15 feet; thence run South  $82^{\circ}07'55''$  East for a distance of 60.59 feet; thence run South  $51^{\circ}36'21''$  East for a distance of 159.30 feet; thence run South  $00^{\circ}11'44''$  West for a distance of 120.56 feet; thence run South  $02^{\circ}12'06''$  West for a distance of 166.85 feet; thence run North  $80^{\circ}34'08''$  East for a distance of 106.80 feet; thence run South  $77^{\circ}52'52''$  East for a distance of 122.93 feet; thence run North

85°11'20" East for a distance of 115.84 feet; thence run South 73°31'25" East for a distance of 106.53 feet; thence run North 78°58'26" East for a distance of 51.97 feet; thence run North 05°41'54" East for a distance of 125.98 feet; thence run North 01°41'54" East for a distance of 77.72 feet; thence run North 15°43'51" East for a distance of 164.05 feet; thence run North 21°55'44" East for a distance of 141.05 feet; thence run North 23°51'20" East for a distance of 142.54 feet; thence run North 53°47'38" East for a distance of 116.07 feet; thence run North 88°01'01" East for a distance of 145.07 feet; thence run North 38°00'59" East for a distance of 369.42 feet; thence run North 39°43'19" East for a distance of 299.43 feet; thence run North 44°48'34" East for a distance of 108.44 feet; thence run North 74°20'58" East for a distance of 101.17 feet; thence run North 77°28'10" East for a distance of 117.54 feet; thence run North 41°29'16" East for a distance of 102.86 feet; thence run North 16°25'45" East for a distance of 68.07 feet; thence run North 32°16'13" East for a distance of 99.28 feet; thence run North 56°07'35" East for a distance of 115.20 feet; thence run North 22°53'12" East for a distance of 132.57 feet; thence run North 34°55'40" East for a distance of 81.02 feet; thence run North 67°14'28" East for a distance of 68.26 feet; thence run North 76°07'18" East for a distance of 77.37 feet; thence run South 86°19'59" East for a distance of 263.41 feet; thence run South 14°15'46" East for a distance of 83.69 feet; thence run South 23°58'59" West for a distance of 58.61 feet; thence run South 56°50'17" West for a distance of 141.77 feet; thence run South 48°14'20" West for a distance of 110.87 feet; thence run South 46°59'04" West for a distance of 86.08 feet; thence run South 24°17'17" West for a distance of 78.68 feet; thence run South 59°03'57" East for a distance of 32.26 feet; thence run South 76°14'25" East for a distance of 287.74 feet; thence run South 87°00'56" East for a distance of 151.16 feet; thence run South 68°28'26" East for a distance of 115.50 feet; thence run South 43°13'27" East for a distance of 112.77 feet; thence run South 18°34'02" East for a distance of 220.03 feet; thence run South 21°18'18" East for a distance of 172.00 feet; thence run South 18°33'08" East for a distance of 163.52 feet; thence run South 76°44'26" East for a distance of 125.93 feet; thence run North 74°26'22" East for a distance of 115.09 feet; thence run North 47°34'17" East for a distance of 55.95 feet; thence run North 12°06'43" West for a distance of 69.72 feet; thence run North 31°18'44" West for a distance of 100.54 feet; thence run North 16°38'57" West for a distance of 133.88 feet; thence run North 09°53'00" East for a distance of 213.52 feet; thence run North 48°28'23" East for a distance of 119.96 feet; thence run North 87°30'26" East for a distance of 33.64 feet; thence run South 32°37'51" East for a distance of 138.09 feet; thence run South 40°52'24" East for a distance of 125.01 feet; thence run South 39°17'22" East for a distance of

115.06 feet; thence run South  $62^{\circ}18'24''$  East for a distance of 145.81 feet; thence run South  $61^{\circ}21'50''$  East for a distance of 121.40 feet; thence run South  $59^{\circ}49'44''$  East for a distance of 115.57 feet; thence run South  $74^{\circ}50'34''$  East for a distance of 94.71 feet; thence run North  $24^{\circ}24'43''$  East for a distance of 91.83 feet; thence run North  $40^{\circ}52'29''$  East for a distance of 247.62 feet; thence run North  $40^{\circ}23'40''$  East for a distance of 276.26 feet; thence run North  $39^{\circ}53'20''$  East for a distance of 411.53 feet; thence run South  $58^{\circ}13'26''$  East for a distance of 962.09 feet; thence run South  $19^{\circ}09'18''$  East for a distance of 96.31 feet; thence run South  $08^{\circ}45'22''$  West for a distance of 121.08 feet; thence run South  $13^{\circ}25'07''$  West for a distance of 159.04 feet; thence run South  $20^{\circ}02'48''$  West for a distance of 189.88 feet; thence run South  $57^{\circ}19'10''$  West for a distance of 559.88 feet; thence run South  $77^{\circ}05'05''$  West for a distance of 327.57 feet; thence run South  $43^{\circ}14'14''$  West for a distance of 401.58 feet; thence run North  $66^{\circ}08'10''$  West for a distance of 54.49 feet; thence run South  $64^{\circ}07'14''$  West for a distance of 44.31 feet; thence run South  $48^{\circ}23'22''$  West for a distance of 35.08 feet; thence run South  $11^{\circ}10'06''$  West for a distance of 174.79 feet; thence run South  $04^{\circ}12'55''$  West for a distance of 151.70 feet; thence run South  $00^{\circ}26'51''$  East for a distance of 131.06 feet; thence run South  $07^{\circ}57'23''$  East for a distance of 52.02 feet; thence run South  $05^{\circ}32'11''$  East for a distance of 73.70 feet; thence run South  $39^{\circ}42'25''$  West for a distance of 60.13 feet; thence run South  $75^{\circ}24'24''$  West for a distance of 513.63 feet; thence run North  $71^{\circ}25'16''$  West for a distance of 78.08 feet; thence run North  $54^{\circ}31'46''$  West for a distance of 292.73 feet; thence run North  $36^{\circ}53'16''$  West for a distance of 88.54 feet; thence run North  $75^{\circ}02'38''$  West for a distance of 101.42 feet; thence run North  $58^{\circ}07'21''$  West for a distance of 145.39 feet; thence run North  $63^{\circ}16'52''$  West for a distance of 100.54 feet; thence run North  $70^{\circ}16'01''$  West for a distance of 52.57 feet; thence run North  $76^{\circ}18'47''$  West for a distance of 139.12 feet; thence run North  $88^{\circ}18'46''$  West for a distance of 118.58 feet; thence run South  $78^{\circ}25'37''$  West for a distance of 120.58 feet; thence run South  $70^{\circ}42'34''$  West for a distance of 58.35 feet; thence run South  $54^{\circ}33'15''$  West for a distance of 236.73 feet; thence run South  $01^{\circ}33'17''$  West for a distance of 304.71 feet; thence run South  $30^{\circ}08'16''$  East for a distance of 194.40 feet; thence run South  $01^{\circ}31'06''$  West for a distance of 139.28 feet; thence run South  $24^{\circ}09'25''$  East for a distance of 317.35 feet; thence run South  $07^{\circ}39'57''$  East for a distance of 618.63 feet; thence run South  $05^{\circ}14'32''$  East for a distance of 48.49 feet; thence run South  $86^{\circ}37'33''$  East for a distance of 144.20 feet; thence run North  $74^{\circ}58'46''$  East for a distance of 84.50 feet; thence run North  $89^{\circ}49'58''$  East for a distance of 166.94 feet; thence run North  $54^{\circ}40'25''$  East for a distance of 155.08 feet; thence run South  $87^{\circ}04'16''$  East for a distance of 183.90 feet; thence run South

75°30'01" East for a distance of 292.56 feet; thence run South 74°07'29" East for a distance of 164.37 feet; thence run North 53°12'13" East for a distance of 77.41 feet; thence run North 71°22'37" East for a distance of 85.20 feet; thence run South 85°53'26" East for a distance of 92.10 feet; thence run South 83°23'30" East for a distance of 128.98 feet; thence run North 68°54'10" East for a distance of 100.70 feet; thence run North 55°32'22" East for a distance of 148.01 feet; thence run North 32°25'17" East for a distance of 235.05 feet; thence run North 33°14'22" East for a distance of 199.06 feet; thence run North 48°38'03" East for a distance of 111.62 feet; thence run North 40°09'31" East for a distance of 96.63 feet; thence run North 18°03'03" East for a distance of 285.56 feet; thence run North 58°55'34" East for a distance of 367.04 feet; thence run South 72°39'46" East for a distance of 90.19 feet; thence run South 68°05'01" East for a distance of 88.10 feet; thence run South 32°29'50" East for a distance of 134.26 feet; thence run North 58°20'15" East for a distance of 1006.12 feet; thence run North 08°49'07" East for a distance of 121.76 feet; thence run North 86°01'20" East for a distance of 76.03 feet; thence run South 81°56'11" East for a distance of 62.99 feet; thence run South 62°22'55" East for a distance of 61.06 feet; thence run South 28°55'42" East for a distance of 96.72 feet; thence run South 07°05'01" East for a distance of 98.49 feet; thence run South 20°24'01" West for a distance of 97.27 feet; thence run South 64°30'14" East for a distance of 119.77 feet; thence run North 42°57'49" East for a distance of 68.57 feet; thence run North 19°23'04" East for a distance of 158.14 feet; thence run North 75°28'14" East for a distance of 446.92 feet; thence run North 06°56'07" East for a distance of 178.75 feet; thence run North 66°12'10" West for a distance of 63.59 feet; thence run North 71°24'18" West for a distance of 123.29 feet; thence run North 50°53'00" West for a distance of 112.15 feet; thence run North 16°04'21" West for a distance of 86.40 feet; thence run North 28°52'24" East for a distance of 62.66 feet; thence run North 69°42'26" East for a distance of 91.21 feet; thence run North 88°57'04" East for a distance of 137.96 feet; thence run South 51°15'23" East for a distance of 66.98 feet; thence run South 57°59'46" East for a distance of 90.38 feet; thence run North 83°57'39" East for a distance of 185.60 feet; thence run South 69°53'36" East for a distance of 103.27 feet; thence run South 33°27'20" East for a distance of 47.82 feet; thence run South 01°07'11" East for a distance of 176.02 feet; thence run South 57°10'59" East for a distance of 90.42 feet; thence run South 59°52'00" East for a distance of 215.96 feet; thence run South 40°50'50" East for a distance of 100.90 feet; thence run South 01°41'10" West for a distance of 221.55 feet; thence run South 44°25'43" East for a distance of 177.22 feet; thence run South 57°17'08" East for a distance of 194.66 feet; thence run South 49°41'29" East for a distance of

234.47 feet; thence run South  $51^{\circ}45'12''$  East for a distance of 285.65 feet; thence run South  $46^{\circ}48'39''$  East for a distance of 77.27 feet; thence run South  $55^{\circ}26'25''$  East for a distance of 87.85 feet; thence run North  $83^{\circ}37'01''$  East for a distance of 54.43 feet; thence run North  $59^{\circ}38'02''$  East for a distance of 133.38 feet; thence run North  $86^{\circ}08'02''$  East for a distance of 77.48 feet; thence run South  $67^{\circ}01'55''$  East for a distance of 118.58 feet; thence run South  $45^{\circ}08'14''$  East for a distance of 2560.69 feet; thence run North  $29^{\circ}52'54''$  East for a distance of 85.21 feet; thence run North  $27^{\circ}30'00''$  East for a distance of 86.22 feet; thence run North  $25^{\circ}35'58''$  East for a distance of 48.08 feet; thence run North  $21^{\circ}40'44''$  East for a distance of 96.89 feet; thence run North  $69^{\circ}44'52''$  West for a distance of 38.61 feet; thence run South  $75^{\circ}26'58''$  West for a distance of 151.66 feet; thence run North  $09^{\circ}04'17''$  West for a distance of 117.55 feet; thence run North  $12^{\circ}06'14''$  East for a distance of 74.75 feet; thence run North  $46^{\circ}03'43''$  East for a distance of 74.51 feet; thence run North  $12^{\circ}46'58''$  West for a distance of 32.83 feet; thence run North  $19^{\circ}55'33''$  West for a distance of 74.92 feet; thence run South  $32^{\circ}11'57''$  West for a distance of 85.42 feet; thence run South  $69^{\circ}25'44''$  West for a distance of 67.21 feet; thence run North  $65^{\circ}02'17''$  West for a distance of 75.05 feet; thence run North  $86^{\circ}16'33''$  West for a distance of 109.50 feet; thence run South  $69^{\circ}48'24''$  West for a distance of 95.29 feet; thence run North  $31^{\circ}09'56''$  West for a distance of 62.54 feet; thence run North  $01^{\circ}12'06''$  West for a distance of 153.58 feet; thence run North  $36^{\circ}23'56''$  East for a distance of 106.80 feet; thence run North  $10^{\circ}55'24''$  West for a distance of 140.47 feet; thence run North  $22^{\circ}37'48''$  East for a distance of 51.15 feet; thence run North  $37^{\circ}19'10''$  East for a distance of 162.48 feet; thence run North  $19^{\circ}33'02''$  East for a distance of 118.95 feet; thence run North  $08^{\circ}08'12''$  East for a distance of 108.72 feet; thence run North  $04^{\circ}59'51''$  West for a distance of 137.15 feet; thence run North  $20^{\circ}30'53''$  East for a distance of 147.93 feet; thence run North  $03^{\circ}46'25''$  East for a distance of 148.33 feet; thence run North  $17^{\circ}32'07''$  West for a distance of 160.04 feet; thence run North  $15^{\circ}13'39''$  West for a distance of 140.97 feet; thence run North  $00^{\circ}05'49''$  West for a distance of 73.02 feet; thence run North  $25^{\circ}39'35''$  East for a distance of 96.53 feet; thence run North  $59^{\circ}22'21''$  East for a distance of 73.73 feet; thence run South  $40^{\circ}21'48''$  East for a distance of 52.95 feet; thence run South  $01^{\circ}53'33''$  West for a distance of 116.69 feet; thence run South  $82^{\circ}33'24''$  East for a distance of 120.72 feet; thence run South  $63^{\circ}38'53''$  East for a distance of 64.07 feet; thence run South  $44^{\circ}52'32''$  East for a distance of 54.42 feet; thence run South  $10^{\circ}29'59''$  East for a distance of 79.18 feet; thence run South  $37^{\circ}18'09''$  West for a distance of 50.11 feet; thence run South  $29^{\circ}46'39''$  West for a distance of 75.80 feet; thence run South  $25^{\circ}22'43''$  West for a distance of 103.06 feet; thence run South



10°56'20" West for a distance of 105.37 feet; thence run South 10°07'11" East for a distance of 107.10 feet; thence run South 42°29'24" East for a distance of 116.91 feet; thence run South 08°16'17" West for a distance of 34.66 feet; thence run South 60°16'31" West for a distance of 106.48 feet; thence run South 23°42'39" West for a distance of 130.40 feet; thence run South 08°54'48" East for a distance of 85.19 feet; thence run South 20°38'43" East for a distance of 62.59 feet; thence run South 85°18'35" East for a distance of 164.23 feet; thence run South 88°28'10" East for a distance of 201.60 feet; to a point on the East line of Section 24, Township 51 South, Range 26 East, Collier County, Florida; thence run North 00°15'28" East, along the East line of said Section 24, for a distance of 4476.41 feet to the Northeast corner of said Section 24; thence run North 88°58'55" West, along the North line of the Northeast ¼ of said Section 24, for a distance of 2713.71 feet to the North ¼ corner of said Section 24; thence run North 88°59'02" West, along the North line of the Northwest ¼ of said Section 24, for a distance of 2713.25 feet to the Northwest corner of said Section 24; thence run North 00°25'53" West, along the East line of the Southeast ¼ of Section 14, Township 51 South, Range 26 East, for a distance of 2749.82 feet to the East ¼ Corner of said Section 14; thence continue North 00°25'53" West, along the East line of the Southeast ¼ of the Northeast ¼ of said Section 14, for a distance of 1374.91 feet to the Southeast corner of the Northeast ¼ of the Northeast ¼ of said Section 14; thence run North 88°20'09" West, along the South line of the East ½ of the Northeast ¼ of the Northeast ¼ of said Section 14, for a distance of 692.50 feet to the Southwest corner of the East ½ of the Northeast ¼ of said Section 14; thence run North 52°51'27" West for a distance of 173.20 feet; thence run South 37°08'33" West for a distance of 123.43 feet to a point on the South line of the North ¼ of said Section 14; thence run North 88°20'10" West, along the South line of the North ¼ of said Section 14, for a distance of 4634.68 feet to the Southwest corner of the Northwest ¼ of the Northwest ¼ of said Section 14; thence run North 89°13'52" West, along the North line of the South ½ of the Northeast ¼ of Section 15, Township 51 South, Range 26 East, for a distance of 2738.98 feet to the Northwest corner of the South ½ of the Northeast ¼ of said Section 15; thence run South 00°18'43" West, along the West line of the South ½ of the Northeast ¼ of said Section 15, for a distance of 1392.96 feet to the center of said Section 15; thence run South 89°06'35" East, along the South line of the Northeast ¼ of said Section 15, for a distance of 2739.04 feet to the East ¼ corner of said Section 15; thence run South 00°19'46" West, along the East line of the Southeast ¼ of said Section 15, for a distance of 2787.36 feet to the Southeast corner of said Section 15 and the POINT OF BEGINNING; containing 1687.5109 acres, more or less.

Parcel No. 7

That certain parcel of land, lying in Sections 24 and 25, Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows: Commence at the Northeast boundary corner of said Section 24; thence along the East boundary of said Section 24 South  $00^{\circ}15'28''$  West a distance of 4,476.41 feet to a point on said boundary; thence leaving said East boundary North  $88^{\circ}28'10''$  West a distance of 201.60 feet; thence North  $85^{\circ}18'35''$  West a distance of 164.23 feet; thence North  $20^{\circ}38'43''$  West a distance of 62.59 feet; thence North  $08^{\circ}54'48''$  West a distance of 85.19 feet; thence North  $23^{\circ}42'39''$  East a distance of 130.40 feet; thence North  $60^{\circ}16'31''$  East a distance of 106.48 feet; thence North  $08^{\circ}16'17''$  East a distance of 34.66 feet; thence North  $42^{\circ}29'24''$  West a distance of 116.91 feet; thence North  $10^{\circ}07'11''$  West a distance of 107.10 feet; thence North  $10^{\circ}56'20''$  East a distance of 105.37 feet; thence North  $25^{\circ}22'43''$  East a distance of 103.06 feet; thence North  $29^{\circ}46'39''$  East a distance of 75.80 feet; thence North  $37^{\circ}18'09''$  East a distance of 50.11 feet; thence North  $10^{\circ}29'59''$  West a distance of 79.18 feet; thence North  $44^{\circ}52'32''$  West a distance of 54.42 feet; thence North  $63^{\circ}38'53''$  West a distance of 64.07 feet; thence North  $82^{\circ}33'24''$  West a distance of 120.72 feet; thence North  $01^{\circ}53'33''$  East a distance of 116.69 feet; thence North  $40^{\circ}21'48''$  West a distance of 52.95 feet to the POINT OF BEGINNING of the parcel of land hereinafter described; thence South  $59^{\circ}22'21''$  West a distance of 73.73 feet; thence South  $25^{\circ}39'35''$  West a distance of 95.53 feet (96.63 Calculated); thence South  $00^{\circ}05'49''$  East a distance of 73.02 feet; thence South  $15^{\circ}13'39''$  East a distance of 140.97 feet; thence South  $17^{\circ}32'07''$  East a distance of 160.04 feet; thence South  $03^{\circ}46'25''$  West a distance of 148.33 feet; thence South  $20^{\circ}30'53''$  West a distance of 147.93 feet; thence South  $04^{\circ}59'51''$  East a distance of 137.15 feet; thence South  $08^{\circ}08'12''$  West a distance of 108.72 feet; thence South  $19^{\circ}33'02''$  West a distance of 118.95 feet; thence South  $37^{\circ}19'10''$  West a distance of 162.48 feet; thence South  $22^{\circ}37'48''$  West a distance of 51.15 feet; thence South  $10^{\circ}55'24''$  West a distance of 140.47 feet; thence South  $36^{\circ}23'56''$  West a distance of 106.80 feet; thence South  $01^{\circ}12'06''$  East a distance of 153.58 feet; thence South  $31^{\circ}09'56''$  East a distance of 62.54 feet; thence North  $69^{\circ}48'24''$  East a distance of 95.29 feet; thence South  $86^{\circ}16'33''$  East a distance of 109.50 feet; thence South  $65^{\circ}02'17''$  East a distance of 75.05 feet; thence North  $69^{\circ}25'44''$  East a distance of 67.21 feet; thence North  $32^{\circ}11'57''$  East a distance of 85.42 feet; thence South  $19^{\circ}55'33''$  East a distance of 74.92 feet; thence South  $12^{\circ}46'58''$  East a distance of 32.83 feet; thence South  $46^{\circ}03'43''$  West a distance of 74.51 feet; thence South  $12^{\circ}06'14''$  West a distance of 74.75 feet; thence South  $09^{\circ}04'17''$  East a distance of 117.55 feet; thence North  $75^{\circ}26'58''$  East a distance of 151.66 feet; thence South  $69^{\circ}44'52''$  East

a distance of 38.61 feet; thence South 21°40'44" West a distance of 96.89 feet; thence South 25°35'58" West a distance of 48.08 feet; thence South 27°30'00" West a distance of 86.22 feet; thence South 29°52'54" West a distance of 85.21 feet; thence North 45°08'14" West a distance of 2,560.69 feet; thence North 00°15'28" East a distance of 265.00 feet; thence South 89°44'32" East a distance of 375.00 feet; thence North 84°04'19" East a distance of 149.18 feet; thence North 79°01'56" East a distance of 484.64 feet; thence North 61°23'47" East a distance of 447.94 feet; thence South 89°44'32" East a distance of 264.73 feet; thence South 00°15'28" West a distance of 141.70 feet to the POINT OF BEGINNING. Containing 43.00 acres, more or less. LESS AND EXCEPT THEREFROM PROPERTY CONVEYED TO THE SCHOOL BOARD OF COLLIER COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 1495, PAGES 384, 385 AND 387, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That certain parcel of land lying in and being a part of Sections 23 and 24, Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 23; thence run North 88°58'53" West, run South 39°46'43" West a distance of 711.68 feet; thence run South 50°13'17" East a distance of 1515.63 feet; thence run South 39°46'43" West a distance of 1,050.00 feet; thence run South 50°13'17" East a distance of 50.00 feet to the POINT OF BEGINNING of the parcel of land hereinafter described; thence continue South 50°13'17" East a distance of 739.75 feet; thence run North 39°46'43" East a distance of 706.62 feet; thence run North 50°13'17" West a distance of 739.75 feet; thence run South 39°46'43" West a distance of 706.62 feet to the POINT OF BEGINNING. Containing 12.00 acres, more or less.

LESS AND EXCEPT THEREFROM PROPERTY CONVEYED TO BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 1755, PAGE 361, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

All that part of the Northeast ¼ of Section 15, Township 51 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commencing at the Southwesterly most corner of Championship Drive, Marco Shores Unit 30 Golf Course, Plat Book 17, pages 98 through 103, Collier County, Florida; thence along the Southerly line of said Championship Drive South 89°13'53" East 35.40 feet to the Point of Beginning of the parcel herein described; thence continue along said line South 89°13'52" East 109.79 feet; thence leaving said line South 00°18'43" West 153.94 feet; thence North 86°07'06"

West 110.00 feet; thence North 00°18'43" East 147.96 feet to the Point of Beginning, Containing 0.38 acres, more or less.

LESS AND EXCEPT

ALL THAT PORTION OF GOLF COURSE PARCELS 1, 2, 3 AND 4 "MARCO SHORES UNIT 30 GOLF COURSE", AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 17, AT PAGES 98 THROUGH 103 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, CONTAINING 243.96 ACRES, MORE OR LESS.

Subject to easements, reservations or restrictions of record.

Net Property Acreage = 1389.7739 Acres, More or Less.

Bearings shown hereon refer to the North line of the Northeast ¼ of Section 22, Township 51 South, Range 26 East, Collier County, Florida, as being North 88°58'51" West.

Property Description for Parcel 1 is composed entirely from that certain map titled MARCO SHORES UNIT 30 BOUNDARY MAP created by the Deltona Corporation -- Dept. of Real Estate Services in July 1989 and revised November 20, 1989 and again September 24, 1991 as provided by Gulf Bay Development Inc. and has been prepared without benefit of survey.

Property Descriptions for Parcels 2 and 3 are based on Exhibit "A" of the SPECIAL WARRANTY DEED as recorded in Official Record Book 1911 Page 144 Et. Seq. of the Public Records of Collier County, Florida and has been prepared without benefit of survey.

These descriptions of all Parcels shown hereon are intended only as representations of specific data in the above referenced documents and not intended as certification of actual field locations.

**EXHIBIT 3**

**Proposed Amended Legal Description of District's Boundary**

**(emphasis added to amended portions)**

Parcel 1

A parcel of land located in Sections 11, 14, 15, 22, 23, 24, and 25 all being in Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows: BEGIN at the Northeast corner of Section 22, Township 51 South, Range 26 East, Collier County, Florida; thence run North  $88^{\circ}58'51''$  West, along the North line of the Northeast  $\frac{1}{4}$  of said Section 22, for a distance of 2738.26 feet to the North  $\frac{1}{4}$  corner of said Section 22; thence run North  $00^{\circ}18'43''$  East, along the East line of the Southwest  $\frac{1}{4}$  of said Section 22, for a distance of 695.26 feet, Thence run N.  $88^{\circ}58'11''$  W. for a distance of 1422.07 feet to a point on the Easterly right-of-way line of State Road 951, a 200.00 foot right-of-way; thence run South  $02^{\circ}29'39''$  West, along the Easterly right-of-way line of State Road 951, for a distance of 2232.43 feet; thence run South  $86^{\circ}54'19''$  East for a distance of 1322.20 feet; thence run South  $89^{\circ}27'22''$  East for a distance of 125.79 feet; thence run South  $80^{\circ}38'36''$  East for a distance of 86.82 feet; thence run South  $48^{\circ}57'39''$  East for a distance of 143.49 feet; thence run South  $22^{\circ}38'28''$  East for a distance of 101.19 feet; thence run South  $07^{\circ}16'34''$  East for a distance of 159.01 feet; thence run South  $22^{\circ}27'03''$  East for a distance of 80.97 feet; thence run South  $51^{\circ}50'53''$  East for a distance of 124.40 feet; thence run South  $74^{\circ}04'40''$  East for a distance of 144.06 feet; thence run South  $85^{\circ}45'26''$  East for a distance of 187.62 feet; thence run North  $82^{\circ}02'11''$  East for a distance of 108.47 feet; thence run North  $28^{\circ}53'36''$  East for a distance of 104.27 feet; thence run North  $10^{\circ}26'56''$  East for a distance of 87.33 feet; thence run North  $46^{\circ}09'57''$  East for a distance of 161.84 feet; thence run North  $68^{\circ}40'14''$  East for a distance of 191.80 feet; thence run North  $79^{\circ}08'54''$  East for a distance of 121.22 feet; thence run South  $87^{\circ}33'02''$  East for a distance of 275.66 feet; thence run South  $85^{\circ}36'34''$  East for a distance of 196.37 feet; thence run South  $87^{\circ}39'51''$  East for a distance of 185.04 feet; thence run South  $87^{\circ}21'43''$  East for a distance of 105.83 feet; thence run North  $85^{\circ}51'57''$  East for a distance of 86.75 feet; thence run South  $87^{\circ}50'25''$  East for a distance of 53.97 feet; thence run South  $43^{\circ}21'06''$  East for a distance of 96.83 feet; thence run South  $39^{\circ}51'17''$  East for a distance of 55.10 feet; thence run South  $12^{\circ}45'05''$  East for a distance of 48.21 feet; thence run South  $54^{\circ}17'48''$  East for a distance of 252.73 feet; thence run North  $55^{\circ}30'51''$  East for a distance of 83.75 feet; thence run North  $74^{\circ}56'13''$  East for a distance of 64.15 feet; thence run South  $82^{\circ}07'55''$  East for a distance of 60.59 feet; thence run South  $51^{\circ}36'21''$  East for a distance of 159.30 feet; thence run South  $00^{\circ}11'44''$  West for a distance of 120.56 feet; thence run South  $02^{\circ}12'06''$  West for a distance of 166.85 feet; thence run North  $80^{\circ}34'08''$  East for a distance of 106.80 feet; thence run South  $77^{\circ}52'52''$  East for a distance of 122.93 feet; thence run North

85°11'20" East for a distance of 115.84 feet; thence run South 73°31'25" East for a distance of 106.53 feet; thence run North 78°58'26" East for a distance of 51.97 feet; thence run North 05°41'54" East for a distance of 125.98 feet; thence run North 01°41'54" East for a distance of 77.72 feet; thence run North 15°43'51" East for a distance of 164.05 feet; thence run North 21°55'44" East for a distance of 141.05 feet; thence run North 23°51'20" East for a distance of 142.54 feet; thence run North 53°47'38" East for a distance of 116.07 feet; thence run North 88°01'01" East for a distance of 145.07 feet; thence run North 38°00'59" East for a distance of 369.42 feet; thence run North 39°43'19" East for a distance of 299.43 feet; thence run North 44°48'34" East for a distance of 108.44 feet; thence run North 74°20'58" East for a distance of 101.17 feet; thence run North 77°28'10" East for a distance of 117.54 feet; thence run North 41°29'16" East for a distance of 102.86 feet; thence run North 16°25'45" East for a distance of 68.07 feet; thence run North 32°16'13" East for a distance of 99.28 feet; thence run North 56°07'35" East for a distance of 115.20 feet; thence run North 22°53'12" East for a distance of 132.57 feet; thence run North 34°55'40" East for a distance of 81.02 feet; thence run North 67°14'28" East for a distance of 68.26 feet; thence run North 76°07'18" East for a distance of 77.37 feet; thence run South 86°19'59" East for a distance of 263.41 feet; thence run South 14°15'46" East for a distance of 83.69 feet; thence run South 23°58'59" West for a distance of 58.61 feet; thence run South 56°50'17" West for a distance of 141.77 feet; thence run South 48°14'20" West for a distance of 110.87 feet; thence run South 46°59'04" West for a distance of 86.08 feet; thence run South 24°17'17" West for a distance of 78.68 feet; thence run South 59°03'57" East for a distance of 32.26 feet; thence run South 76°14'25" East for a distance of 287.74 feet; thence run South 87°00'56" East for a distance of 151.16 feet; thence run South 68°28'26" East for a distance of 115.50 feet; thence run South 43°13'27" East for a distance of 112.77 feet; thence run South 18°34'02" East for a distance of 220.03 feet; thence run South 21°18'18" East for a distance of 172.00 feet; thence run South 18°33'08" East for a distance of 163.52 feet; thence run South 76°44'26" East for a distance of 125.93 feet; thence run North 74°26'22" East for a distance of 115.09 feet; thence run North 47°34'17" East for a distance of 55.95 feet; thence run North 12°06'43" West for a distance of 69.72 feet; thence run North 31°18'44" West for a distance of 100.54 feet; thence run North 16°38'57" West for a distance of 133.88 feet; thence run North 09°53'00" East for a distance of 213.52 feet; thence run North 48°28'23" East for a distance of 119.96 feet; thence run North 87°30'26" East for a distance of 33.64 feet; thence run South 32°37'51" East for a distance of 138.09 feet; thence run South 40°52'24" East for a distance of 125.01 feet; thence run South 39°17'22" East for a distance of

115.06 feet; thence run South  $62^{\circ}18'24''$  East for a distance of 145.81 feet; thence run South  $61^{\circ}21'50''$  East for a distance of 121.40 feet; thence run South  $59^{\circ}49'44''$  East for a distance of 115.57 feet; thence run South  $74^{\circ}50'34''$  East for a distance of 94.71 feet; thence run North  $24^{\circ}24'43''$  East for a distance of 91.83 feet; thence run North  $40^{\circ}52'29''$  East for a distance of 247.62 feet; thence run North  $40^{\circ}23'40''$  East for a distance of 276.26 feet; thence run North  $39^{\circ}53'20''$  East for a distance of 411.53 feet; thence run South  $58^{\circ}13'26''$  East for a distance of 962.09 feet; thence run South  $19^{\circ}09'18''$  East for a distance of 96.31 feet; thence run South  $08^{\circ}45'22''$  West for a distance of 121.08 feet; thence run South  $13^{\circ}25'07''$  West for a distance of 159.04 feet; thence run South  $20^{\circ}02'48''$  West for a distance of 189.88 feet; thence run South  $57^{\circ}19'10''$  West for a distance of 559.88 feet; thence run South  $77^{\circ}05'05''$  West for a distance of 327.57 feet; thence run South  $43^{\circ}14'14''$  West for a distance of 401.58 feet; thence run North  $66^{\circ}08'10''$  West for a distance of 54.49 feet; thence run South  $64^{\circ}07'14''$  West for a distance of 44.31 feet; thence run South  $48^{\circ}23'22''$  West for a distance of 35.08 feet; thence run South  $11^{\circ}10'06''$  West for a distance of 174.79 feet; thence run South  $04^{\circ}12'55''$  West for a distance of 151.70 feet; thence run South  $00^{\circ}26'51''$  East for a distance of 131.06 feet; thence run South  $07^{\circ}57'23''$  East for a distance of 52.02 feet; thence run South  $05^{\circ}32'11''$  East for a distance of 73.70 feet; thence run South  $39^{\circ}42'25''$  West for a distance of 60.13 feet; thence run South  $75^{\circ}24'24''$  West for a distance of 513.63 feet; thence run North  $71^{\circ}25'16''$  West for a distance of 78.08 feet; thence run North  $54^{\circ}31'46''$  West for a distance of 292.73 feet; thence run North  $36^{\circ}53'16''$  West for a distance of 88.54 feet; thence run North  $75^{\circ}02'38''$  West for a distance of 101.42 feet; thence run North  $58^{\circ}07'21''$  West for a distance of 145.39 feet; thence run North  $63^{\circ}16'52''$  West for a distance of 100.54 feet; thence run North  $70^{\circ}16'01''$  West for a distance of 52.57 feet; thence run North  $76^{\circ}18'47''$  West for a distance of 139.12 feet; thence run North  $88^{\circ}18'46''$  West for a distance of 118.58 feet; thence run South  $78^{\circ}25'37''$  West for a distance of 120.58 feet; thence run South  $70^{\circ}42'34''$  West for a distance of 58.35 feet; thence run South  $54^{\circ}33'15''$  West for a distance of 236.73 feet; thence run South  $01^{\circ}33'17''$  West for a distance of 304.71 feet; thence run South  $30^{\circ}08'16''$  East for a distance of 194.40 feet; thence run South  $01^{\circ}31'06''$  West for a distance of 139.28 feet; thence run South  $24^{\circ}09'25''$  East for a distance of 317.35 feet; thence run South  $07^{\circ}39'57''$  East for a distance of 618.63 feet; thence run South  $05^{\circ}14'32''$  East for a distance of 48.49 feet; thence run South  $86^{\circ}37'33''$  East for a distance of 144.20 feet; thence run North  $74^{\circ}58'46''$  East for a distance of 84.50 feet; thence run North  $89^{\circ}49'58''$  East for a distance of 166.94 feet; thence run North  $54^{\circ}40'25''$  East for a distance of 155.08 feet; thence run South  $87^{\circ}04'16''$  East for a distance of 183.90 feet; thence run South



75°30'01" East for a distance of 292.56 feet; thence run South 74°07'29" East for a distance of 164.37 feet; thence run North 53°12'13" East for a distance of 77.41 feet; thence run North 71°22'37" East for a distance of 85.20 feet; thence run South 85°53'26" East for a distance of 92.10 feet; thence run South 83°23'30" East for a distance of 128.98 feet; thence run North 68°54'10" East for a distance of 100.70 feet; thence run North 55°32'22" East for a distance of 148.01 feet; thence run North 32°25'17" East for a distance of 235.05 feet; thence run North 33°14'22" East for a distance of 199.06 feet; thence run North 48°38'03" East for a distance of 111.62 feet; thence run North 40°09'31" East for a distance of 96.63 feet; thence run North 18°03'03" East for a distance of 285.56 feet; thence run North 58°55'34" East for a distance of 367.04 feet; thence run South 72°39'46" East for a distance of 90.19 feet; thence run South 68°05'01" East for a distance of 88.10 feet; thence run South 32°29'50" East for a distance of 134.26 feet; thence run North 58°20'15" East for a distance of 1006.12 feet; thence run North 08°49'07" East for a distance of 121.76 feet; thence run North 86°01'20" East for a distance of 76.03 feet; thence run South 81°56'11" East for a distance of 62.99 feet; thence run South 62°22'55" East for a distance of 61.06 feet; thence run South 28°55'42" East for a distance of 96.72 feet; thence run South 07°05'01" East for a distance of 98.49 feet; thence run South 20°24'01" West for a distance of 97.27 feet; thence run South 64°30'14" East for a distance of 119.77 feet; thence run North 42°57'49" East for a distance of 68.57 feet; thence run North 19°23'04" East for a distance of 158.14 feet; thence run North 75°28'14" East for a distance of 446.92 feet; thence run North 06°56'07" East for a distance of 178.75 feet; thence run North 66°12'10" West for a distance of 63.59 feet; thence run North 71°24'18" West for a distance of 123.29 feet; thence run North 50°53'00" West for a distance of 112.15 feet; thence run North 16°04'21" West for a distance of 86.40 feet; thence run North 28°52'24" East for a distance of 62.66 feet; thence run North 69°42'26" East for a distance of 91.21 feet; thence run North 88°57'04" East for a distance of 137.96 feet; thence run South 51°15'23" East for a distance of 66.98 feet; thence run South 57°59'46" East for a distance of 90.38 feet; thence run North 83°57'39" East for a distance of 185.60 feet; thence run South 69°53'36" East for a distance of 103.27 feet; thence run South 33°27'20" East for a distance of 47.82 feet; thence run South 01°07'11" East for a distance of 176.02 feet; thence run South 57°10'59" East for a distance of 90.42 feet; thence run South 59°52'00" East for a distance of 215.96 feet; thence run South 40°50'50" East for a distance of 100.90 feet; thence run South 01°41'10" West for a distance of 221.55 feet; thence run South 44°25'43" East for a distance of 177.22 feet; thence run South 57°17'08" East for a distance of 194.66 feet; thence run South 49°41'29" East for a distance of

234.47 feet; thence run South  $51^{\circ}45'12''$  East for a distance of 285.65 feet; thence run South  $46^{\circ}48'39''$  East for a distance of 77.27 feet; thence run South  $55^{\circ}26'25''$  East for a distance of 87.85 feet; thence run North  $83^{\circ}37'01''$  East for a distance of 54.43 feet; thence run North  $59^{\circ}38'02''$  East for a distance of 133.38 feet; thence run North  $86^{\circ}08'02''$  East for a distance of 77.48 feet; thence run South  $67^{\circ}01'55''$  East for a distance of 118.58 feet; thence run South  $45^{\circ}08'14''$  East for a distance of 2560.69 feet; thence run North  $29^{\circ}52'54''$  East for a distance of 85.21 feet; thence run North  $27^{\circ}30'00''$  East for a distance of 86.22 feet; thence run North  $25^{\circ}35'58''$  East for a distance of 48.08 feet; thence run North  $21^{\circ}40'44''$  East for a distance of 96.89 feet; thence run North  $69^{\circ}44'52''$  West for a distance of 38.61 feet; thence run South  $75^{\circ}26'58''$  West for a distance of 151.66 feet; thence run North  $09^{\circ}04'17''$  West for a distance of 117.55 feet; thence run North  $12^{\circ}06'14''$  East for a distance of 74.75 feet; thence run North  $46^{\circ}03'43''$  East for a distance of 74.51 feet; thence run North  $12^{\circ}46'58''$  West for a distance of 32.83 feet; thence run North  $19^{\circ}55'33''$  West for a distance of 74.92 feet; thence run South  $32^{\circ}11'57''$  West for a distance of 85.42 feet; thence run South  $69^{\circ}25'44''$  West for a distance of 67.21 feet; thence run North  $65^{\circ}02'17''$  West for a distance of 75.05 feet; thence run North  $86^{\circ}16'33''$  West for a distance of 109.50 feet; thence run South  $69^{\circ}48'24''$  West for a distance of 95.29 feet; thence run North  $31^{\circ}09'56''$  West for a distance of 62.54 feet; thence run North  $01^{\circ}12'06''$  West for a distance of 153.58 feet; thence run North  $36^{\circ}23'56''$  East for a distance of 106.80 feet; thence run North  $10^{\circ}55'24''$  West for a distance of 140.47 feet; thence run North  $22^{\circ}37'48''$  East for a distance of 51.15 feet; thence run North  $37^{\circ}19'10''$  East for a distance of 162.48 feet; thence run North  $19^{\circ}33'02''$  East for a distance of 118.95 feet; thence run North  $08^{\circ}08'12''$  East for a distance of 108.72 feet; thence run North  $04^{\circ}59'51''$  West for a distance of 137.15 feet; thence run North  $20^{\circ}30'53''$  East for a distance of 147.93 feet; thence run North  $03^{\circ}46'25''$  East for a distance of 148.33 feet; thence run North  $17^{\circ}32'07''$  West for a distance of 160.04 feet; thence run North  $15^{\circ}13'39''$  West for a distance of 140.97 feet; thence run North  $00^{\circ}05'49''$  West for a distance of 73.02 feet; thence run North  $25^{\circ}39'35''$  East for a distance of 96.53 feet; thence run North  $59^{\circ}22'21''$  East for a distance of 73.73 feet; thence run South  $40^{\circ}21'48''$  East for a distance of 52.95 feet; thence run South  $01^{\circ}53'33''$  West for a distance of 116.69 feet; thence run South  $82^{\circ}33'24''$  East for a distance of 120.72 feet; thence run South  $63^{\circ}38'53''$  East for a distance of 64.07 feet; thence run South  $44^{\circ}52'32''$  East for a distance of 54.42 feet; thence run South  $10^{\circ}29'59''$  East for a distance of 79.18 feet; thence run South  $37^{\circ}18'09''$  West for a distance of 50.11 feet; thence run South  $29^{\circ}46'39''$  West for a distance of 75.80 feet; thence run South  $25^{\circ}22'43''$  West for a distance of 103.06 feet; thence run South

10°56'20" West for a distance of 105.37 feet; thence run South 10°07'11" East for a distance of 107.10 feet; thence run South 42°29'24" East for a distance of 116.91 feet; thence run South 08°16'17" West for a distance of 34.66 feet; thence run South 60°16'31" West for a distance of 106.48 feet; thence run South 23°42'39" West for a distance of 130.40 feet; thence run South 08°54'48" East for a distance of 85.19 feet; thence run South 20°38'43" East for a distance of 62.59 feet; thence run South 85°18'35" East for a distance of 164.23 feet; thence run South 88°28'10" East for a distance of 201.60 feet; to a point on the East line of Section 24, Township 51 South, Range 26 East, Collier County, Florida; thence run North 00°15'28" East, along the East line of said Section 24, for a distance of 4476.41 feet to the Northeast corner of said Section 24; thence run North 88°58'55" West, along the North line of the Northeast ¼ of said Section 24, for a distance of 2713.71 feet to the North ¼ corner of said Section 24; thence run North 88°59'02" West, along the North line of the Northwest ¼ of said Section 24, for a distance of 2713.25 feet to the Northwest corner of said Section 24; thence run North 00°25'53" West, along the East line of the Southeast ¼ of Section 14, Township 51 South, Range 26 East, for a distance of 2749.82 feet to the East ¼ Corner of said Section 14; thence continue North 00°25'53" West, along the East line of the Southeast ¼ of the Northeast ¼ of said Section 14, for a distance of 1374.91 feet to the Southeast corner of the Northeast ¼ of the Northeast ¼ of said Section 14; thence run North 88°20'09" West, along the South line of the East ½ of the Northeast ¼ of the Northeast ¼ of said Section 14, for a distance of 692.50 feet to the Southwest corner of the East ½ of the Northeast ¼ of the Northeast ¼ of said Section 14; thence run North 52°51'27" West for a distance of 173.20 feet; thence run South 37°08'33" West for a distance of 123.43 feet to a point on the South line of the North ¼ of said Section 14; thence run North 88°20'10" West, along the South line of the North ¼ of said Section 14, for a distance of 4634.68 feet to the Southwest corner of the Northwest ¼ of the Northwest ¼ of said Section 14; thence run North 89°13'52" West, along the North line of the South ½ of the Northeast ¼ of Section 15, Township 51 South, Range 26 East, for a distance of 2738.98 feet to the Northwest corner of the South ½ of the Northeast ¼ of said Section 15; thence run South 00°18'43" West, along the West line of the South ½ of the Northeast ¼ of said Section 15, for a distance of 1392.96 feet to the center of said Section 15; thence run South 89°06'35" East, along the South line of the Northeast ¼ of said Section 15, for a distance of 2739.04 feet to the East ¼ corner of said Section 15; thence run South 00°19'46" West, along the East line of the Southeast ¼ of said Section 15, for a distance of 2787.36 feet to the Southeast corner of said Section 15 and the POINT OF BEGINNING; containing 1550.1359 acres, more or less.

Parcel No. 7

That certain parcel of land, lying in Sections 24 and 25, Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows: Commence at the Northeast boundary corner of said Section 24, thence along the East boundary of said Section 24 South  $00^{\circ}15'28''$  West a distance of 4,476.41 feet to a point on said boundary; thence leaving said East boundary North  $88^{\circ}28'10''$  West a distance of 201.60 feet; thence North  $85^{\circ}18'35''$  West a distance of 164.23 feet; thence North  $20^{\circ}38'43''$  West a distance of 62.59 feet; thence North  $08^{\circ}54'48''$  West a distance of 85.19 feet; thence North  $23^{\circ}42'39''$  East a distance of 130.40 feet; thence North  $60^{\circ}16'31''$  East a distance of 106.48 feet; thence North  $08^{\circ}16'17''$  East a distance of 34.66 feet; thence North  $42^{\circ}29'24''$  West a distance of 116.91 feet; thence North  $10^{\circ}07'11''$  West a distance of 107.10 feet; thence North  $10^{\circ}56'20''$  East a distance of 105.37 feet; thence North  $25^{\circ}22'43''$  East a distance of 103.06 feet; thence North  $29^{\circ}46'39''$  East a distance of 75.80 feet; thence North  $37^{\circ}18'09''$  East a distance of 50.11 feet; thence North  $10^{\circ}29'59''$  West a distance of 79.18 feet; thence North  $44^{\circ}52'32''$  West a distance of 54.42 feet; thence North  $63^{\circ}38'53''$  West a distance of 64.07 feet; thence North  $82^{\circ}33'24''$  West a distance of 120.72 feet; thence North  $01^{\circ}53'33''$  East a distance of 116.69 feet; thence North  $40^{\circ}21'48''$  West a distance of 52.95 feet to the POINT OF BEGINNING of the parcel of land hereinafter described; thence South  $59^{\circ}22'21''$  West a distance of 73.73 feet; thence South  $25^{\circ}39'35''$  West a distance of 95.53 feet (96.63 Calculated); thence South  $00^{\circ}05'49''$  East a distance of 73.02 feet; thence South  $15^{\circ}13'39''$  East a distance of 140.97 feet; thence South  $17^{\circ}32'07''$  East a distance of 160.04 feet; thence South  $03^{\circ}46'25''$  West a distance of 148.33 feet; thence South  $20^{\circ}30'53''$  West a distance of 147.93 feet; thence South  $04^{\circ}59'51''$  East a distance of 137.15 feet; thence South  $08^{\circ}08'12''$  West a distance of 108.72 feet; thence South  $19^{\circ}33'02''$  West a distance of 118.95 feet; thence South  $37^{\circ}19'10''$  West a distance of 162.48 feet; thence South  $22^{\circ}37'48''$  West a distance of 51.15 feet; thence South  $10^{\circ}55'24''$  East a distance of 140.47 feet; thence South  $36^{\circ}23'56''$  West a distance of 106.80 feet; thence South  $01^{\circ}12'06''$  East a distance of 153.58 feet; thence South  $31^{\circ}09'56''$  East a distance of 62.54 feet; thence North  $69^{\circ}48'24''$  East a distance of 95.29 feet; thence South  $86^{\circ}16'33''$  East a distance of 109.50 feet; thence South  $65^{\circ}02'17''$  East a distance of 75.05 feet; thence North  $69^{\circ}25'44''$  East a distance of 67.21 feet; thence North  $32^{\circ}11'57''$  East a distance of 85.42 feet; thence South  $19^{\circ}55'33''$  East a distance of 74.92 feet; thence South  $12^{\circ}46'58''$  East a distance of 32.83 feet; thence South  $46^{\circ}03'43''$  West a distance of 74.51 feet; thence South  $12^{\circ}06'14''$  West a distance of 74.75 feet; thence South  $09^{\circ}04'17''$  East a distance of 117.55 feet; thence North  $75^{\circ}26'58''$  East a distance of 151.66 feet; thence South  $69^{\circ}44'52''$  East

a distance of 38.61 feet; thence South 21°40'44" West a distance of 96.89 feet; thence South 25°35'58" West a distance of 48.08 feet; thence South 27°30'00" West a distance of 86.22 feet; thence South 29°52'54" West a distance of 85.21 feet; thence North 45°08'14" West a distance of 2,560.69 feet; thence North 00°15'28" East a distance of 265.00 feet; thence South 89°44'32" East a distance of 375.00 feet; thence North 84°04'19" East a distance of 149.18 feet; thence North 79°01'56" East a distance of 484.64 feet; thence North 61°23'47" East a distance of 447.94 feet; thence South 89°44'32" East a distance of 264.73 feet; thence South 00°15'28" West a distance of 141.70 feet to the POINT OF BEGINNING. Containing 43.00 acres, more or less. LESS AND EXCEPT THEREFROM PROPERTY CONVEYED TO THE SCHOOL BOARD OF COLLIER COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 1495, PAGES 384, 385 AND 387, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

That certain parcel of land lying in and being a part of Sections 23 and 24, Township 51 South, Range 26 East, Collier County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 23; thence run North 88°58'53" West, along the North line of said Section 23, a distance of 218.01 feet; thence leaving said Section line; run South 39°46'43" West a distance of 711.68 feet; thence run South 50°13'17" East a distance of 1515.63 feet; thence run South 39°46'43" West a distance of 1,050.00 feet; thence run South 50°13'17" East a distance of 50.00 feet to the POINT OF BEGINNING of the parcel of land hereinafter described; thence continue South 50°13'17" East a distance of 739.75 feet; thence run North 39°46'43" East a distance of 706.62 feet; thence run North 50°13'17" West a distance of 739.75 feet; thence run South 39°46'43" West a distance of 706.62 feet to the POINT OF BEGINNING. Containing 12.00 acres, more or less.

LESS AND EXCEPT THEREFROM PROPERTY CONVEYED TO BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 1755, PAGE 361, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

All that part of the Northeast ¼ of Section 15, Township 51 South, Range 26 East, Collier County, Florida and being more particularly described as follows:

Commencing at the Southwesterly most corner of Championship Drive, Marco Shores Unit 30 Golf Course, Plat Book 17, pages 98 through 103, Collier County, Florida; thence along the Southerly line of said Championship Drive South 89°13'53" East 35.40 feet to the Point of Beginning of the parcel herein described; thence continue along said line South 89°13'52" East 109.79 feet; thence leaving said line South 00°18'43" West 153.94 feet; thence North 86°07'06"

West 110.00 feet; thence North 00°18'43" East 147.96 feet to the Point of Beginning. Containing 0.38 acres, more or less.

LESS AND EXCEPT

ALL THAT PORTION OF GOLF COURSE PARCELS 1, 2, 3 AND 4 "MARCO SHORES UNIT 30 GOLF COURSE", AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 17, AT PAGES 98 THROUGH 103 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. CONTAINING 243.96 ACRES, MORE OR LESS.

Subject to easements, reservations or restrictions of record.

Net Property Acreage = 1389.7739 Acres, More or Less.

Bearings shown hereon refer to the North line of the Northeast ¼ of Section 22, Township 51 South, Range 26 East, Collier County, Florida, as being North 88°58'51" West.

Property Description for Parcel 1 is composed entirely from that certain map titled MARCO SHORES UNIT 30 BOUNDARY MAP created by the Deltona Corporation -- Dept. of Real Estate Services in July 1989 and revised November 20, 1989 and again September 24, 1991 as provided by Gulf Bay Development Inc. and has been prepared without benefit of survey.

Property Descriptions for Parcels 2 and 3 are based on Exhibit "A" of the SPECIAL WARRANTY DEED as recorded in Official Record Book 1911 Page 144 Et. Seq. of the Public Records of Collier County, Florida and has been prepared without benefit of survey.

These descriptions of all Parcels shown hereon are intended only as representations of specific data in the above referenced documents and not intended as certification of actual field locations.