

ORDINANCE 03-9977

AN ORDINANCE DETERMINING REZONE PETITION 02-R8 FOR ±175 ACRES OF PROPERTY LOCATED ADJACENT TO AND SOUTH AND EAST OF BAYVIEW PARK, MORE PARTICULARLY DESCRIBED HEREIN, REZONING FROM "C" CONSERVATION AND "TC" TRANSITIONAL CONSERVATION TO "PD" PLANNED DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a Conditional Settlement Agreement was executed on October 11, 2002, regarding the Harris Act Claim and the Circuit Court Case, as those terms are defined in the Conditional Settlement Agreement; and

WHEREAS, pursuant to the Conditional Settlement Agreement, development petitions have been submitted for consideration by the City Council; and

WHEREAS, Hamilton Harbor, Inc., petitioner and owner, has requested to rezone said property from "C" Conservation and "TC" Transitional Conservation to "PD" Planned Development; and

WHEREAS, following a public hearing, the Planning Advisory Board has considered the recommendation of the staff and the public input and has recommended by a vote of 4 to 3 that Rezone Petition 02-R8 be approved; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the petitioner and the public an opportunity to present testimony and evidence, the City Council finds that the criteria for granting the petition have been met and that the petition should therefore be granted;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Rezone Petition 02-R8 is hereby granted, rezoning ±175 acres located adjacent to and south and east of Bayview Park from "C" Conservation and "TC" Transitional Conservation to "PD" Planned Development, more particularly described in Exhibit A, attached hereto.

Section 2. That approval of this Petition is subject to the following conditions:

1. The Planned Development Document for Hamilton Harbor, a copy of which is attached hereto as Exhibit B, is incorporated herein.
2. The Master Plan - General Site Plan, prepared by WilsonMiller, Inc., Project No. NO229-017-004, revised February 18, 2003, a copy of which is attached hereto as Exhibit C.

Section 3. That this Ordinance shall be final upon City Council approval; however, this Ordinance shall not become effective and no construction can commence until the City adopts the Comprehensive Plan Amendments called for in the Conditional Settlement Agreement.

APPROVED AT FIRST READING THIS 17th DAY OF FEBRUARY, 2003.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR

SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 5th DAY OF MARCH, 2003.

\_\_\_\_\_  
Bonnie R. MacKenzie, Mayor

Attest:

Approved as to form and legality:

\_\_\_\_\_  
Tara A. Norman, City Clerk

\_\_\_\_\_  
Robert D. Pritt, City Attorney

M:\REF\COUNCIL\ORD\2003\03-9977

Date filed with City Clerk: \_\_\_\_\_

## EXHIBIT A

**WilsonMiller**

New Directions In Planning, Design &amp; Engineering

Exhibit A

**Legal Description**

All that part of Sections 22, 23 and 27, Township 50 South, Range 25 East, Collier County, Florida being more particularly described as follows:

Beginning at the southeast corner of said Section 22;

thence along the east line of said Section 27, South 00°23'12" West 2328.64 feet;

thence leaving said section line South 89°32'18" West 1290.14 feet;

thence North 00°27'34" West 331.71 feet;

thence northeasterly 846.91 feet along the arc of a tangential circular curve concave to the southeast having a radius of 800.00 feet through a central angle of 60°39'19" and being subtended by a chord which bears North 29°52'06" East 807.91 feet to a point of reverse curvature;

thence northerly 1011.26 feet along the arc of a tangential circular curve concave to the northwest having a radius of 750.73 feet through a central angle of 77°10'46" and being subtended by a chord which bears North 21°36'21" East 936.52 feet;

thence North 16°59'02" West 450.59 feet;

thence North 50°00'29" East 226.72 feet

thence northeasterly 113.41 feet along the arc of a tangential circular curve concave to the northwest having a radius of 150.00 feet through a central angle of 43°19'08" and being subtended by a chord which bears North 28°26'43" East 110.73 feet to a point of compound curvature;

thence northerly 320.89 feet along the arc of a tangential circular curve concave to the west having a radius of 480.00 feet through a central angle of 38°18'13" and being subtended by a chord which bears North 12°21'57" West 314.95 feet to a point of reverse curvature;

thence northerly 109.67 feet along the arc of a tangential circular curve concave to the east having a radius of 100.00 feet through a central angle of 62°50'20" and being subtended by a chord which bears North 00°05'54" West 104.26 feet to a point of reverse curvature;

thence northeasterly 171.22 feet along the arc of a tangential circular curve concave to the west having a radius of 180.00 feet through a central angle of 54°30'00" and being subtended by a chord which bears North 04°04'16" East 164.83 feet;

thence North 23°10'44" West 123.01 feet;

thence northwesterly and easterly 197.05 feet along the arc of a tangential circular curve concave to the southeast having a radius of 100.00 feet through a central angle of 112°54'00" and being subtended by a chord which bears North 33°16'16" East 166.68 feet;

thence North 89°43'16" East 110.00 feet;

thence easterly and northwesterly 213.10 feet along the arc of a tangential circular curve concave to the northwest having a radius of 100.00 feet through a central angle of 122°06'00" and being subtended by a chord which bears North 28°40'16" East 175.01 feet to a point of reverse curvature;

thence northerly and northeasterly 78.69 feet along the arc of a tangential circular curve concave to the east having a radius of 50.00 feet through a central angle of 90°10'20" and being subtended by a chord which bears North 12°42'26" East 70.82 feet;

thence North 57°47'36" East 67.46 feet;

thence northerly and northwesterly 194.01 feet along the arc of a tangential circular curve concave to the west having a radius of 75.00 feet through a central angle of 148°12'45" and being subtended by a chord which bears North 16°18'46" West 144.27 feet;

thence South 89°34'51" West 30.00 feet;

thence westerly and southwestly 157.08 feet along the arc of a tangential circular curve concave to the southeast having a radius of 100.00 feet through a central angle of 90°00'00" and being subtended by a chord which bears South 44°34'51" West 141.42 feet;

thence South 00°25'09" East 169.99 feet;

**Naples Fort Myers Sarasota Bradenton Tampa**

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

[www.wilsonmiller.com](http://www.wilsonmiller.com)

**Exhibit B**

**REZONE TO PLANNED DEVELOPMENT APPLICATION  
FOR**

**Hamilton Harbor**

Prepared for:  
Hamilton Harbor, Inc.

Prepared by:  
WilsonMiller, Inc.  
Wilson Professional Center, Suite 200  
3200 Bailey Lane  
Naples, FL 34105

Date of Submittal: November 8, 2002

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## SECTION I

**Legal Description**

All that part of Sections 22, 23 and 27, Township 50 South, Range 25 East, Collier County, Florida being more particularly described as follows:

Beginning at the southeast corner of said Section 22;

thence along the east line of said Section 27, South 00°23'12" West 2328.64 feet;

thence leaving said section line South 89°32'18" West 1290.14 feet;

thence North 00°27'34" West 331.71 feet;

thence northeasterly 846.91 feet along the arc of a tangential circular curve concave to the southeast having a radius of 800.00 feet through a central angle of 60°39'19" and being subtended by a chord which bears North 29°52'06" East 807.91 feet to a point of reverse curvature;

thence northerly 1011.26 feet along the arc of a tangential circular curve concave to the northwest having a radius of 750.73 feet through a central angle of 77°10'46" and being subtended by a chord which bears North 21°36'21" East 936.52 feet;

thence North 16°59'02" West 450.59 feet;

thence North 50°00'29" East 226.72 feet

thence northeasterly 113.41 feet along the arc of a tangential circular curve concave to the northwest having a radius of 150.00 feet through a central angle of 43°19'08" and being subtended by a chord which bears North 28°26'43" East 110.73 feet to a point of compound curvature;

thence northerly 320.89 feet along the arc of a tangential circular curve concave to the west having a radius of 480.00 feet through a central angle of 38°18'13" and being subtended by a chord which bears North 12°21'57" West 314.95 feet to a point of reverse curvature;

thence northerly 109.67 feet along the arc of a tangential circular curve concave to the east having a radius of 100.00 feet through a central angle of 62°50'20" and being subtended by a chord which bears North 00°05'54" West 104.26 feet to a point of reverse curvature;

thence northeasterly 171.22 feet along the arc of a tangential circular curve concave to the west having a radius of 180.00 feet through a central angle of 54°30'00" and being subtended by a chord which bears North 04°04'16" East 164.83 feet;

thence North 23°10'44" West 123.01 feet;

thence northwesterly and easterly 197.05 feet along the arc of a tangential circular curve concave to the southeast having a radius of 100.00 feet through a central angle of 112°54'00" and being subtended by a chord which bears North 33°16'16" East 166.68 feet;

thence North 89°43'16" East 110.00 feet;

thence easterly and northwesterly 213.10 feet along the arc of a tangential circular curve concave to the northwest having a radius of 100.00 feet through a central angle of 122°06'00" and being subtended by a chord which bears North 28°40'16" East 175.01 feet to a point of reverse curvature;

thence northerly and northeasterly 78.69 feet along the arc of a tangential circular curve concave to the east having a radius of 50.00 feet through a central angle of 90°10'20" and being subtended by a chord which bears North 12°42'26" East 70.82 feet;

thence North 57°47'36" East 67.46 feet;

thence northerly and northwesterly 194.01 feet along the arc of a tangential circular curve concave to the west having a radius of 75.00 feet through a central angle of 148°12'45" and being subtended by a chord which bears North 16°18'46" West 144.27 feet;

thence South 89°34'51" West 30.00 feet;

thence westerly and southwesterly 157.08 feet along the arc of a tangential circular curve concave to the southeast having a radius of 100.00 feet through a central angle of 90°00'00" and being subtended by a chord which bears South 44°34'51" West 141.42 feet;

thence South 00°25'09" East 169.99 feet;

thence southwesterly 62.98 feet along the arc of a tangential circular curve concave to the northwest having a radius of 50.00 feet through a central angle of 72°10'28" and being subtended by a chord which bears South 35°40'05" West 58.90 feet;

thence South 71°45'19" West 116.04 feet;

thence southwesterly and southerly 248.54 feet along the arc of a tangential circular curve concave to the southeast having a radius of 150.00 feet through a central angle of 94°56'03" and being subtended by a chord which bears South 24°17'18" West 221.07 feet;

thence South 23°10'44" East 123.01 feet;

thence southerly and southwesterly 101.05 feet along the arc of a tangential circular curve concave to the northwest having a radius of 50.00 feet through a central angle of 115°47'41" and being subtended by a chord which bears South 34°43'14" West 84.71 feet to a point of compound curvature;

thence northwesterly 256.08 feet along the arc of a tangential circular curve concave to the northeast having a radius of 220.00 feet through a central angle of 66°41'32" and being subtended by a chord which bears North 54°02'10" West 241.87 feet;

thence North 20°41'24" West 195.01 feet;

thence northeasterly 312.33 feet along the arc of a tangential circular curve concave to the east having a radius of 280.00 feet through a central angle of 63°54'40" and being subtended by a chord which bears North 11°15'56" East 296.39 feet to a point of reverse curvature;

thence northeasterly, northerly and northwesterly 516.02 feet along the arc of a tangential circular curve concave to the west having a radius of 300.00 feet through a central angle of 98°33'08" and being subtended by a chord which bears North 06°03'18" West 454.72 feet;

thence North 55°19'52" West 528.65 feet;

thence North 02°23'16" East 275.02 feet ;

thence northeasterly 77.62 feet along the arc of a tangential circular curve concave to the southeast having a radius of 50.00 feet through a central angle of 88°57'04" and being subtended by a chord which bears North 46°51'48" East 70.06 feet to a point of reverse curvature;

thence northeasterly 731.46 feet along the arc of a tangential circular curve concave to the north having a radius of 1200.00 feet through a central angle of 34°55'29" and being subtended by a chord which bears North 73°52'36" East 720.19 feet to a point of reverse curvature;

thence northeasterly, northerly and northwesterly 134.88 feet along the arc of a tangential circular curve concave to the west having a radius of 50.00 feet through a central angle of 154°33'46" and being subtended by a chord which bears North 20°52'02" West 97.55 feet to a point of reverse curvature;

thence westerly and northeasterly 71.31 feet along the arc of a tangential circular curve concave to the northeast having a radius of 35.00 feet through a central angle of 116°44'18" and being subtended by a chord which bears North 39°46'46" West 59.60 feet;

thence North 18°35'23" East 68.45 feet;

thence North 13°49'59" East 340.07 feet;

thence North 07°00'50" East 161.59 feet;

thence North 82°59'10" West 35.00 feet;

thence North 07°00'50" East 14.74 feet;

thence North 89°18'51" East 527.45 feet;

thence South 00°13'12" East 335.51 feet;

thence North 89°24'52" East 1333.23 feet;

thence North 00°32'30" West 30.00 feet;

thence North 89°24'52" East 50.00 feet;

thence South 00°32'30" East 537.45 feet;

thence south 89°29'24" West 916.48 feet;

thence South 00°06'04" East 453.00 feet;

thence south 89°29'24" West 470.01 feet;

thence South 00°06'04" East 2039.29 feet to the Point of Beginning of the parcel herein described;

Subject to easements and restrictions of record.

Containing 124.33 acres more or less.

AND:

All that part of Section 27, Township 50 South, Range 25 East, Collier County, Florida, being more particularly described as follows;

Commencing at the Northeast corner of said Section 27;

thence along the east line of said Section 27 South 00°23'12" West 2690.18 feet to the Point of Beginning of the parcel herein described;

thence continue along said Section line South 00°23'14" West 2689.01 feet to the South line of said Section 27 thence

along said South line South 89°31'09" West 758.84 feet;

thence leaving said Section line along a Bulkhead line per Collier County Bulkhead line Book 1, page 3, O.R. Book 1143, pages 1303-1304, Collier County, Florida in the following four described courses;

1) Northerly 956.29 feet along the arc of a tangential circular curve concave to the east having a radius of 4446.88 feet through a central angle of 12°19'17" and being subtended by a chord which bears North 00°07'24" East 954.45 feet;

2) North 06°17'02" East 770.62 feet;

3) Northerly and Northwesterly 656.57 feet along the arc of a tangential circular curve concave to the Southwest having a radius of 517.14 feet through a central angle of 72°44'36" and being subtended by a chord which bears North 30°05'16" West 613.35 feet to a point of reverse curvature;

4) Northwesterly and Northerly 549.88 feet along the arc of a tangential circular curve concave to the Northeast having a radius of 477.36 feet through a central angle of 66°00'00" and being subtended by a chord which bears North 33°27'33" West 519.98 feet to the South line of Government Lot 1

thence along the South line of said Government Lot 1 and leaving said Bulkhead line North 89°32'16" East 1284.80 feet to the Point of Beginning of the parcel herein described.

Subject to easements, reservations, rights-of-way and restrictions of record.

Containing 51.11 acres more or less.

Bearings are based on the east line of said Section 27 being South 00°23'13" West (per State Plane Coordinate System, Florida East Zone, NAD 83 Adjustment).

Total Parcel Contains 175.44 Acres more or less.



## SECTION II

### Planned Development Standards

- 1. Land uses within the development shall be appropriate in their proposed location, in their relationships to each other, and in their relationships with uses and activities on adjacent and nearby properties.**

The proposed project is located in south Naples Bay, immediately adjacent to Bayview Park, a County park. Of the overall project area of approximately 175 acres, 154 are within the City of Naples and 21 are within Collier County. The total project will be reviewed by the City of Naples and City approved standards for both horizontal and vertical construction shall be utilized throughout the project. The unique design of the marina substantially screens the marina facilities from Naples Bay, Port Royal and the adjacent residential neighborhood. The uses will be compatible with and buffered from adjacent land uses, will provide water dependent uses for this waterfront property, will improve the economic vitality of the area, and will provide specific public benefits for the citizens of the City of Naples.

Hamilton Harbor has been designed (1) to minimize impacts on wetlands and unique archaeological sites; (2) to maximize compatibility with south Naples Bay character; and (3) to provide the important public benefits specified below.

In order to screen the buildings from Naples Bay, the boat basin has been curved or angled, the dry storage building has been located approximately eight hundred feet (800') east of the entrance to the harbor, and City height restrictions will apply. In order to promote compatibility with surrounding areas, primary access will be from Fern Street which minimizes traffic on Danford and Bay Streets, the dry storage building will be located approximately fifty feet (50') south of the property line, and a fifty foot (50') buffer and berm will be provided adjacent to Bay Street.

Hamilton Harbor will have a maximum of 36 wet slips and 325 dry storage spaces. Boats berthed at Hamilton Harbor will be limited to sixty feet (60') in overall length. The boat basin will be approximately three (3) acres in size and the developed area of Hamilton Harbor will be approximately sixteen (16) acres. In addition, there will be a ships store not to exceed 1000 square feet, marina offices, support facilities, and a private yacht club featuring a dining facility with a maximum of 100 seats.

Hamilton Harbor will also provide the following public facilities or benefits:

- dredging to the existing north/south Bayview Park canal and channel
- preservation of 149 acres of wetlands and uplands to be conveyed to the City of

Naples, and preservation of approximately 1½ miles of shoreline

- enhance tidal interaction of mangroves in proximity to proposed marina basin
- close proximity to recreational boating destinations
- improve boat access to Bayview park through dredging of the channel and canal
- improve water quality from runoff from Bay Street

Tract B1, being approximately 98 acres in size, and Tract B2, being approximately 51 acres in size will be conveyed to the City of Naples solely for preservation purposes.

Any dredging in the channel leading into existing Bayview Park and Hamilton Harbor, from channel marker R20, shall be the responsibility of the Developer. In addition, Developer shall be responsible for any dredging to the existing north/south Bayview Park canal.

There will be no rental boat fleet at Hamilton Harbor and no personal watercraft will be berthed or stored at Hamilton Harbor. There will be no expansion of Hamilton Harbor nor will there be any expansion of the boat basin into adjoining lands in Collier County or the City of Naples.

Applicant understands and agrees, that pursuant to paragraph 5 of the Draft Interlocal Government Agreement transmitted to the County on October 28, 2002, all proposed amendments to the Hamilton Harbor PD Zoning Ordinance must be submitted and approved by the City of Naples. Only in the event that an amendment approved by the City of Naples exceeds the development standards set forth in Exhibit 3 to said Interlocal Agreement would Collier County have jurisdiction to also review said amendment.

2. **The development shall comply with applicable city plans and planning policies, and shall have a beneficial effect both upon the area of the city in which it is proposed to be established and upon the city as a whole.**

Hamilton Harbor furthers the goals and objectives of the City of Naples Comprehensive Plan and complies with applicable city planning policies. The proposed project provides multiple public benefits in both the area of the city in which it is located and upon the city as a whole, including:

- A public fueling facility in south Naples Bay;
- A marine construction loading facility;
- Reduction of boat traffic in upper Naples Bay;
- Permanent preservation of approximately 1.5 miles of shoreline;
- Permanent preservation of approximately 149 acres of wetlands and uplands;

- Preservation of important archaeological sites;
- Enhance tidal interaction of mangroves in proximity to proposed marina basin
- Close proximity to recreational boating destinations
- Improve boat access to Bayview park through dredging of the channel and canal
- Improve water quality from runoff from Bay Street

The specific objectives and policies which apply to this project include:

### **Vision 2005**

**Objective 3-5: It is the objective of the City to have more compatible land use standards where the City and County are adjacent.**

Hamilton Harbor is located within both the City and the County. With review of the entire project being conducted by the City of Naples, this ensures that the land use standards within the project boundaries will be compatible and complementary.

**Objective 3-6: It is the objective of the City to have positive opportunities for the County to enhance its motivation to cooperate with the City.**

Hamilton Harbor provides a positive opportunity for the County to cooperate with the City by an interlocal agreement allowing the City to conduct the full review of the project.

**Objective 4-1: Ensure that the natural resources of the City are used in a sustainable way.**

The proposed project permanently preserves approximately 149 acres of wetlands and uplands, including 1.5 miles of Naples Bay shoreline.

**Objective 4-2: Increase the amount of green space with the City while protecting environmentally sensitive lands.**

Approximately 149 acres of wetlands and uplands shall have a permanent conservation easement placed upon them in the favor of the City, and shall be conveyed by Hamilton Harbor to the City of Naples.

**Objective 6-1: Provide a variety of active recreation opportunities.**

Hamilton Harbor provides opportunities for water related recreation.

**Objective 7-1: A desired result is residential areas which are not disrupted by non-local traffic.**

Primary access to Hamilton Harbor will be from an entry on Fern Street. This will minimize

traffic on Danford Street and eliminate traffic on Bay Street.

**Future Land Use Element**

**Policy 1-4: Non-residential development shall be compact and in a readily accessible location for the market it is intended to service, and shall not encroach into stable residential areas.**

Hamilton Harbor is extremely compact, with only 16 of the 175 project acres used for development. It is located to provide marina services in the south Naples Bay area. Hamilton Harbor does not encroach into any residential area, and will include a 50' buffer adjacent to the one residential street it abuts with a berm, fence and landscaping.

**Policy 1-5: Increase the amount of green space in the City through appropriate project design and attributes.**

Approximately 149 acres of wetlands and uplands will be preserved and conveyed to the City of Naples.

**Policy 1-7: Commercial properties shall be properly screened, provide adequate parking, include orderly traffic circulation patterns, and integrate appropriate design features to enhance safety, efficiency, and site appearance.**

The unique design of the Hamilton Harbor basin allows for the existing 30' to 40' tall mangroves to substantially screen the marina dry boat storage building from view from Naples Bay and Port Royal. A 50' buffer will screen the facilities from the residents along Bay Street with a berm, fence and landscaping. Parking will meet or exceed the City of Naples requirements. A primary access road will provide safe and orderly traffic circulation to the parking areas for the dry boat storage facility, the yacht club and ships store. Sidewalks will connect the parking areas and marina facilities providing for safe pedestrian circulation.

**Policy 1-9: Signage shall be provided in accordance with the Code of Ordinances. Sign plans for all complexes are to be filed with the City. Monument ground signs are encouraged rather than pole signs. Smaller signs and fewer signs than permitted by the Code of Ordinances are preferred in most circumstances.**

Hamilton Harbor signage will be in accordance with the City of Naples Code of Ordinances.

**Policy 1-10: Lighting shall be provided in an aesthetically pleasing manner with illumination levels compatible with adjacent areas and designed to ensure safe movement of pedestrian and vehicular traffic and promote security and crime prevention.**

Hamilton Harbor lighting will be designed to ensure the safe movement of boats and pedestrians while being compatible with adjacent land uses. An illumination plan is included

with the Residential Impact Statement.

**Policy 1-11: To protect, preserve and enhance areas having significant ecological, hydrological, physical or socioeconomic importance to the public, new development or redevelopment located in areas of environmental sensitivity shall be consistent with the provisions of the Conservation and Coastal Management Element. The Code of Ordinances shall include development standards based on habitat types, suitability, storm protection, clearing, and submittal of a Development of Significant Environmental Impact Assessment. Preserving the integrity of those areas enhances the aesthetics and quality of life for city residents and visitors, provides a degree of natural protection against storms, helps maintain air and water quality, promotes fish and wildlife and habitat diversification and productivity, and promotes soil stabilization.**

Hamilton Harbor preserves approximately 149 acres of wetlands and upland and 1.5 miles of shoreline of Naples Bay. Hamilton Harbor also preserves two important archaeological sites, one, Hamilton Midden, is of regional importance. A Development of Significant Environmental Impact Assessment is included with this rezone petition.

**Policy 1-12: Dumpsters and mechanical equipment shall be effectively screened from street view and adjacent residential property.**

A landscape buffer along Bay Street will ensure that dumpsters and mechanical equipment in Hamilton Harbor will be effectively screened from view.

**Policy 2-2: Permit new development only in areas where adequate public facilities and access exists or will be provided prior to occupancy.**

The applicant has verified that adequate public facilities and access are in place or will be provided for the development of Hamilton Harbor.

**Policy 5-2: Development shall be consistent with standards for subdivisions, signs, and stormwater management.**

Hamilton Harbor will be developed in accordance with required applicable standards.

**Policy 5-3: Control land uses by requiring buffer areas between inconsistent land uses and establish transitional land use zone to assure compatibility of land uses.**

Hamilton Harbor will include an extensive landscape berm and buffer to ensure compatibility with the existing neighborhood along Bay Street.

**Policy 6-2: Avoid adverse impacts on property, places, or sites that are on the Federal Register of Historic Places, Florida Master Site File, or designated as a local historic**

**resource through official action by the City of Naples.**

There are two archaeological sites within the project boundary of Hamilton Harbor that are designated on the Florida Master Site File. The proposed plan avoids adverse impacts to these archaeological sites, removes exotic vegetation, and preserves them with a conservation designation.

Hamilton Harbor is in compliance with the applicable City planning policies and will have a beneficial effect both upon the area of the City in which it is proposed and upon the City as a whole.

**3. The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.**

Wetland Conservation and Open Water	147.0 acres
Upland Conservation	12.3 acres
Water Management/Open Space/Buffers	8.0 acres
Wetland Harbor	3.1 acres
<u>Marina Facilities</u>	<u>5.0 acres</u>
Total Area	175.4 acres

**4. Streets; utilities; drainage facilities; recreation areas; building heights, sizes and yards; and vehicular parking and loading facilities shall be appropriate for the particular use or uses involved, and shall equal or exceed the level of design and construction quality required of similar land development elsewhere in the city.**

Site improvements shall be constructed according to the requirements of the City of Naples. The proposed development standards contained herein are appropriate for the intended use of the property.

**5. Visual character and community amenities shall be equal or better in quality than that required by standard zoning districts for similar development.**

The wetland basin has been designed at an angle specifically to create a visual screen of existing 30' to 40' tall mangroves which effectively screens the dry boat storage facility from Naples Bay and Port Royal. Hamilton Harbor's public amenities includes a public fueling facility, dredging of the north/south Bayview park canal, a marine construction loading facility, and preservation of approximately 149 acres of wetlands and upland, 1.5 miles of Naples Bay shoreline and two important archaeological sites.

**6. Open space shall be adequate for the type of development and the population densities proposed.**

Approximately ninety percent (90%) of the project will be open space, which is extraordinarily high for this type of development and greatly exceeds all applicable standards.

7. **Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.**

Approximately 26 acres of the project will be under common ownership of Hamilton Harbor, Inc. and will be maintained by the owner, their successor or assigns. The remaining 149 acres will be conveyed to the City of Naples for conservation purposes.

8. **In the case of developments which are to be constructed in several units, the proposed units shall be shown on the overall development plan. The proposed construction units shall individually comply with the standard set forth in this section in order that, if for any reason construction ceases prior to completion of the entire planned development, the resulting partially complete project will adequately serve its purchasers and occupants and will not cause a general public problem.**

Site improvements shall be constructed according to the requirements of the City of Naples.

### SECTION III

#### Development Criteria and Standards

**Tract A:** Consists of approximately 26 acres, 5 acres within the City and 21 acres within the County. Section VIII of this PD document includes a Land Use Districts Map illustrating the location of Tract A, and provides a legal sketch and description.

- I. Permitted Principal Uses: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
  - A. Marina facilities, including fuel sales and wet slips (including slip rentals) for a maximum of 36 boats.
  - B. Dry storage facility for a maximum of 325 boats.
  - C. Ships store - marina related retail sales (a maximum 1,000 square feet).
  - D. Clubs, private or public including yacht clubs and the like, featuring a dining facility, (a maximum of 100 seats), including conventional, outdoor seating and dining, carryout, and outside menu board signage.
  - E. Marina offices.
  - F. Boat and marine equipment sales and display.
  - G. Repair and servicing of boats, boating accessories and marine equipment for dry storage boats, and boats comparable in size in the wet slips.
  - H. Marine construction loading facility.
  - I. Cultural or civic facilities for educational purposes (a maximum of 3,000 square feet)
  - J. Boardwalks and nature trails.
  
- II. Permitted Accessory Uses: Accessory uses and structures, which are incidental and customarily associated with the above permitted use as follows:
  - A. Incidental loading and unloading of marine supplies.
  - B. Ponds/water management facilities.
  - C. Parking lots.
  - D. Landscape buffers.
  - E. Signage, including internal directional signage and structures.
  - F. Wastewater pump-out facilities.
  - G. Fuel storage facilities.
  - H. Accessory uses and structures which are incidental to and customarily associated with the permitted uses listed above.
  
- III. Conditional Uses: Are as follows:
  - A. Live entertainment as defined by the Code of Ordinances.
  - B. The Planning Advisory Board may, through the review and approval of a conditional use petition and with the approval of the city council, permit other uses which are similar to and no more intense than those enumerated in this section.



III. Minimum Setbacks

Principal and Accessory Buildings  
boundary, as  
depicted the General  
for the

30 feet from project perimeter  
the boundary is

Development and Site Plan, except

dry storage facility where the setback is 50  
feet and the water where the setback is 0 feet.

VI. Maximum Building Height

Yacht Club 35 feet to the peak of the roof measured from the first floor FEMA elevation.

Dry storage facility 42 feet to the peak of the roof measured from the first floor FEMA elevation.

Fuel facility 20 feet to the peak of the roof measured from the first floor FEMA elevation

Cultural and civic facilities 35 feet to the peak of the roof measured from the first floor FEMA elevation.

Marina directional structures 20 feet to the peak of the roof measured from the first floor FEMA elevation.

VII. Minimum Off-Street Parking

Dry storage facility - 1 space/10 dry slips  
Harbor basin - 1 space/4 wet slips  
Yacht club - 1 space/100 SF  
Ships store - 1 space/300 SF  
Fuel master facility - 1 space/300 SF

VIII. Architectural Standards

Yacht club and fuel facility All building sides shall have the appearance of wood or a concrete material, such as, but not limited to, block, brick, tilt up concrete

panels, stucco on lathe systems, etc.,

Dry storage facility

Due to the placement of the dry boat storage facility, existing mangrove trees and large ficus trees in Bayview Park substantially hide the building from public view. The dry boat storage building facades will be a natural color to further blend in with the surrounding environment.

Marina Directional Structure

The marina directional structure will be designed with nautical elements. The external structure will be marine grade painted stainless steel. The base will be a sealed natural concrete finish.

IX. Fences and walls Chain link fences are only allowed along Bay Street behind the berm and along the eastern edge of the fueling facility.

The maximum permitted fence/wall height on Danford Street is six feet.

The maximum permitted wall height along the eastern edge of the docking facility is six feet with an additional two feet of wrought iron or grillwork. Wall columns may reach a maximum of eight feet in height and two feet in width, spaced a minimum of eight feet apart.

Fences and walls shall be setback 30 feet from the Bay Street property line, 5 feet from the north-south property line at the west end of Bay Street, and 18 inches along Danford Street.

Walls must be masonry and painted in a color compatible with the proposed buildings.

**Tract B1 and Tract B2:** Consists of 149 acres within the City of Naples. Section VIII of this PD

document includes a Land Use Districts Map illustrating the location of Tracts B1 and B2, and provides a legal sketch and description.

- III. Permitted Principal Uses: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:
- A. Archeological excavation and study
  - B. Boardwalks and nature trails
  - C. Passive Recreation

In any conflict between the terms of this Planned Development Document and the City of Naples Comprehensive Development Code, the Planned Development Document shall prevail. The City of Naples Comprehensive Development Code, however, shall otherwise apply to development on the property if and when the Code addresses an issue, which is not addressed in the Planning Development Document.

**SECTION IV**

**Proposed Hamilton Harbor Land Use Summary**

Wetland Conservation and Open Water	147.0 acres
Upland Conservation	12.3 acres
Water Management/Open Space/Buffers	8.0 acres
Wetslip Harbor	3.1 acres
Marina Facilities	5.0 acres
Total Area	175.4 acres

**Marina Facilities**

	Gross Square Footage	Percent of Site Coverage
Yacht Club	4,519 SF	.06%
Dry Storage Facility	109,008 SF	1.4%
Ships Store, Office, Repair Shop, Restrooms	2,432 SF	.03 %
Fuel Master Facility	700 SF	.0009%

## SECTION V

### **Water And Sewer Adequacy And Availability**

Water and Sewer service for the project is available and will be provided by Collier County Utilities. The proposed sanitary sewer system will connect into the existing gravity collection system located on Bay Street. The proposed potable water system will be extended from the existing 12" water main located at the terminus of Fern Street.

### **Basic Water Management Strategy**

The excess storm water run-off generated within the site will be captured and conveyed by inlet structures, pipes, and swales to a water quality detention system. The run-off will undergo treatment through detention as required by the South Florida Water Management District. Following the proposed water quality treatment volume detention, the system will mimic the historical, pre-developed drainage pattern by discharging directly to tidal waters, Naples Bay. The water quality detention system will consist of a series of dry detention areas with a bottom elevation located one foot above the site's determined wet season water table (control elevation).

Following the required water quality volume detention, a water control structure located at the most downstream dry detention area will discharge into a spreader swale and ultimately into Naples Bay.

## SECTION VI

### Development Schedule

- (1) The project is planned to be constructed in two phases. The first phase would include some or all of the following: fueling facility, marine construction loading facility, boat basin, wet slips, yacht club and dry storage facility, including the office, ships store, and repair shop. It is anticipated that development will commence in 2004-2005.
- (2) Within six (6) months from the receipt of all the non-appealable permits, development orders, and other governmental authorizations necessary to develop the entire Hamilton Harbor project as described in this PD, construction shall commence on that portion of the project containing the marine related construction loading facility, and fueling facility. Said facilities will be completed within two (2) years of the start of construction, unless delayed by forces beyond the control of Applicant.
- (3) Should Hamilton Harbor fail to construct the marine related construction loading facility and fueling facility or, at any time discontinue such uses or public access for a period of more than 60 consecutive days, the City shall have the rights as defined in the "Hamilton Harbor" Conditional Settlement Agreement, dated October, 11, 2002.

### Method Of Ownership, Management And Maintenance

The marina and dry storage facilities, marine construction loading facility and fueling facility will be owned, managed and maintained by Hamilton Harbor, Inc., their successor or assigns. Approximately 149 acres of wetlands and upland will be owned, managed and maintained by the City of Naples.

## SECTION VII

### Developer Commitments

- (1) Boats berthed in wet slips shall be limited to sixty feet (60') in waterline length as determined by reference to the boat manufacturer's specifications.
- (2) No personal watercraft shall be berthed or stored at Hamilton Harbor.
- (3) There will be no expansion of Hamilton Harbor or the marina basin into adjoining lands in Collier County or the City of Naples; Hamilton Harbor facilities will only be used to launch boats stored at Hamilton Harbor; and the maximum number of boats to be berthed or stored at Hamilton Harbor shall be limited to 361 (325 dry storage and 36 wet slips) in perpetuity.
- (4) A wet slip, as identified and labeled on the GDSP, shall be provided to the City of Naples at no charge, and appropriate signage shall be provided.
- (5) The Planned Development will expire and be of no force and effect unless development of the facilities has commenced within twenty (20) years of the final approval of the Planned Development by City Council (to comport with the terms of the Interlocal Government Agreement dated March 17, 1999, as amended) unless the term of the Interlocal Government Agreement is extended, in which case the term of the Planned Development shall be extended to a term consistent with the term of the Interlocal Government Agreement.
- (6) Hamilton Harbor shall construct, at its expense, said marine construction loading facility.  
Hamilton Harbor further agrees that the City's vessels and/or vehicles (and those of any contractors retained by the City for a City project) shall have access to and the use of the marine construction loading facility without charge and that private users of the facilities shall be charged a commercially reasonable fee.
- (7) Subsequent to the issuance of all final non-appealable discretionary permits required to develop the Project, but prior to the issuance of building permits at Hamilton Harbor for any private marina facilities, the following shall occur:
  - (a) A conservation easement under Chapter 704.06, Florida Statutes, shall be created in favor of and enforceable by a state agency designated by City

Council at the time of conveyance (the "Conservation Easement Holder") of Tract B1 and Tract B2. Tract B1 and Tract B2 will be conveyed to the City of Naples, subject to the Conservation Easement and covenants, conditions and restrictions ("Deed Restrictions") which will restrict the uses to conservation/preservation; retaining rights of utilization for scientific and education activities approved by the City Manager, native vegetation, including mangrove trimming to allow safe pedestrian passage along docks, boardwalks, nature trails and other pedestrian pathways. The Conservation Easement shall create a right or interest in the real property which is appropriate to preserving land or water areas predominately in their natural, scenic, open or wooded condition; retaining such areas as suitable habitats for fish, plants or wildlife; retaining the integrity of sites or properties of historical or archaeological significance; maintaining existing land uses; and prohibiting development as and to the extent more fully described in Chapter 704.06(1), Florida Statutes; and

- (b) Fee simple title to such land subject to the Deed Restrictions and the Conservation Easement in favor of and enforceable by the Conservation Easement Holder shall be conveyed through the execution and delivery of a deed for such land to the City of Naples. Any proposed changes to land uses in Tract B1 and Tract B2 will therefore have to be approved by the grantor, the City of Naples, and Conservation Easement Holder.
  - (c) Nothing contained herein shall preclude undertaking any restoration or mitigation on Tract B1 and Tract B2 as specified in any permit issued by any applicable government agency, included but not limited to United States Army Corps of Engineers, Florida Department of Environmental Protection, and Southwest Florida Water Management District, either before or after conveying such property to the City of Naples.
- (8) During the Environmental Resource Permit (ERP) process with State and Federal agencies, Hamilton Harbor will provide a flushing model and report, spill containment and cleanup plan, and will gather and present data establishing ambient water quality conditions, and will provide a monitoring program designed to ensure applicable standards are maintained, in accordance with Sec. 114-134 City of Naples Comprehensive Development Code, and provide a copy of the report to the City of Naples Natural Resources Director.



**SECTION VIII**

**PD Land Use District Map**

**Legal sketch and description of Tracts A, B1 & B2**



New Directions in Planning, Design & Engineering

DESCRIPTION OF PART OF SECTIONS 22 AND 23, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA (TRACT "A")

ALL THAT PART OF SECTIONS 22 AND 23, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 23; THENCE ALONG THE WEST LINE OF SAID SECTION 23 NORTH 00°13'12" WEST 77.73 FEET; THENCE LEAVING SAID LINE NORTH 20°04'48" WEST 11.72 FEET; THENCE NORTH 24°05'10" WEST 17.86 FEET; THENCE NORTH 58°27'30" WEST 15.68 FEET; THENCE NORTH 35°19'13" WEST 17.57 FEET; THENCE NORTH 78°55'33" WEST 62.01 FEET; THENCE NORTH 89°11'55" WEST 24.38 FEET; THENCE NORTH 83°57'59" WEST 14.97 FEET; THENCE NORTH 53°45'42" WEST 19.99 FEET; THENCE NORTH 34°39'02" WEST 12.89 FEET; THENCE NORTH 08°34'41" WEST 34.82 FEET; THENCE NORTH 19°14'14" EAST 12.62 FEET; THENCE NORTH 14°49'28" EAST 31.22 FEET; THENCE NORTH 25°05'22" EAST 17.32 FEET; THENCE NORTH 01°02'52" WEST 34.44 FEET; THENCE NORTH 41°26'18" WEST 23.50 FEET; THENCE NORTH 41°19'19" WEST 14.18 FEET; THENCE NORTH 78°50'51" WEST 33.89 FEET; THENCE NORTH 76°14'39" WEST 26.41 FEET; THENCE SOUTH 88°47'46" WEST 18.68 FEET; THENCE SOUTH 12°24'51" WEST 11.24 FEET; THENCE SOUTH 03°33'25" EAST 13.99 FEET; THENCE SOUTH 46°52'41" WEST 7.40 FEET; THENCE SOUTH 82°49'32" WEST 20.97 FEET; THENCE SOUTH 07°42'05" EAST 15.05 FEET; THENCE SOUTH 04°11'30" WEST 13.89 FEET; THENCE SOUTH 46°20'13" WEST 13.27 FEET; THENCE SOUTH 46°48'41" WEST 30.64 FEET; THENCE SOUTH 35°43'27" WEST 24.71 FEET; THENCE SOUTH 32°58'29" WEST 22.25 FEET; THENCE SOUTH 61°26'03" WEST 31.16 FEET; THENCE SOUTH 63°14'57" WEST 19.84 FEET; THENCE SOUTH 46°53'35" WEST 18.31 FEET; THENCE SOUTH 53°36'49" WEST 22.42 FEET; THENCE SOUTH 68°07'42" WEST 16.14 FEET; THENCE SOUTH 39°26'35" WEST 16.59 FEET; THENCE SOUTH 87°14'02" WEST 26.22 FEET; THENCE SOUTH 75°57'19" WEST 24.30 FEET; THENCE SOUTH 51°49'02" WEST 17.04 FEET; THENCE SOUTH 52°59'45" WEST 14.93 FEET; THENCE SOUTH 57°45'54" WEST 20.28 FEET; THENCE NORTH 79°54'51" WEST 11.68 FEET; THENCE SOUTH 17°37'01" WEST 11.23 FEET; THENCE SOUTH 31°10'14" WEST 22.69 FEET; THENCE SOUTH 50°41'28" WEST 16.36 FEET; THENCE SOUTH 78°08'44" WEST 56.24 FEET TO A POINT ON A BULK HEAD LINE, RECORDED IN BULKHEAD LINE PLAT BOOK 1, PAGE 35-36, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, AND TO A POINT ON A CURVE;

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New Directions in Planning, Design & Engineering

DESCRIPTION OF PART OF SECTIONS 22 AND 23,  
TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA  
(TRACT "A")

Continued:

THENCE ALONG SAID LINE 15.69 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE  
CONCAVE EAST, HAVING A RADIUS OF 35.00 FEET THROUGH A CENTRAL ANGLE OF 25°40'37" AND BEING  
SUBTENDED BY A CHORD WHICH BEARS NORTH 05°45'05" EAST 15.55 FEET;  
THENCE CONTINUING ALONG SAID LINE NORTH 18°35'23" EAST, A DISTANCE OF 68.45 FEET;  
THENCE CONTINUING ALONG SAID LINE NORTH 13°49'59" EAST, A DISTANCE OF 340.07 FEET;  
THENCE CONTINUING ALONG SAID LINE NORTH 07°00'50" EAST, A DISTANCE OF 161.59 FEET;  
THENCE CONTINUING ALONG SAID LINE NORTH 82°59'10" WEST, A DISTANCE OF 35.00 FEET;  
THENCE LEAVING SAID LINE NORTH 07°00'50" EAST, A DISTANCE OF 14.74 FEET TO A POINT ON THE  
SOUTH RIGHT-OF-WAY LINE OF DANFORD STREET (60' R/W);  
THENCE ALONG SAID LINE NORTH 89°18'51" EAST, A DISTANCE OF 527.45 FEET;  
THENCE LEAVING SAID LINE SOUTH 00°13'12" EAST, A DISTANCE OF 335.51 FEET TO A POINT ON THE  
SOUTH RIGHT-OF-WAY LINE OF BAY STREET (60' R/W);  
THENCE ALONG SAID LINE NORTH 89°24'52" EAST, A DISTANCE OF 1,333.23 FEET;  
THENCE LEAVING SAID LINE NORTH 00°32'30" WEST, A DISTANCE OF 30.00 FEET;  
THENCE NORTH 89°24'52" EAST, A DISTANCE OF 50.00 FEET;  
THENCE SOUTH 00°32'30" EAST, A DISTANCE OF 537.45 FEET;  
THENCE SOUTH 89°28'24" WEST, A DISTANCE OF 916.48 FEET;  
THENCE SOUTH 00°06'04" EAST, A DISTANCE OF 453.00 FEET;  
THENCE SOUTH 89°29'24" WEST, A DISTANCE OF 470.01 FEET TO A POINT ON THE WEST LINE OF SAID  
SECTION 23;  
THENCE ALONG SAID LINE NORTH 00°06'04" WEST, A DISTANCE OF 653.01 FEET TO THE POINT OF  
BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING 26.68 ACRES, MORE OR LESS.  
SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE EAST LINE OF SAID SECTION 22 BEING SOUTH 00°06'04" EAST (PER STATE  
PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 83 ADJUSTMENT).

WILSONMILLER, INC.

  
MICHAEL H. MAXWELL, PSM 4650

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL

REF: 4D-94C  
PIN: N0229-007-013  
DATE: NOVEMBER 7, 2002  
REVISED : NOVEMBER 18, 2002 (REFINED TO MORE PRECISE LOCATION OF RIBBON LINE)

# WilsonMiller

New Directions In Planning, Design & Engineering

**DESCRIPTION OF A PART OF SECTIONS 22 AND 27, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA (TRACT B1)**

ALL THAT PART OF SECTIONS 22 AND 27, TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT SOUTHEAST CORNER OF SECTION 22 TOWNSHIP 50 SOUTH RANGE 25 EAST COLLIER COUNTY, FLORIDA;  
 THENCE SOUTH 00°23'12" WEST ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 2,328.64 FEET TO THE NORTH LINE OF THE SOUTH 361.5 FEET OF GOVERNMENT LOT 1;  
 THENCE ALONG SAID LINE SOUTH 89°32'18" WEST, A DISTANCE OF 1,290.14 FEET TO A POINT ON THE BULKHEAD LINE PER BULKHEAD LINE PLAT BOOK 1 PAGE 35-36;  
 THENCE ALONG SAID BULKHEAD LINE FOR THE FOLLOWING 34 COURSES:  
 1) NORTH 00°27'34" WEST 331.71 FEET;  
 2) NORTHEASTERLY 846.91 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 800.00 FEET THROUGH A CENTRAL ANGLE OF 60°39'19" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 29°52'06" EAST 807.91 FEET TO A POINT OF REVERSE CURVATURE;  
 3) NORTHERLY 1011.26 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 750.73 FEET THROUGH A CENTRAL ANGLE OF 77°10'46" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 21°36'21" EAST 938.62 FEET;  
 4) NORTH 16°59'02" WEST 450.59 FEET;  
 5) NORTH 50°00'29" EAST 228.72 FEET;  
 6) NORTHEASTERLY 113.41 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 150.00 FEET THROUGH A CENTRAL ANGLE OF 43°19'08" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 28°26'43" EAST 110.73 FEET TO A POINT OF COMPOUND CURVATURE;  
 7) NORTHERLY 320.89 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 480.00 FEET THROUGH A CENTRAL ANGLE OF 38°18'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 12°21'57" WEST 314.95 FEET TO A POINT OF REVERSE CURVATURE;  
 8) NORTHERLY 109.67 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 100.00 FEET THROUGH A CENTRAL ANGLE OF 62°50'20" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 00°05'54" WEST 104.26 FEET TO A POINT OF REVERSE CURVATURE;  
 9) NORTHEASTERLY 171.22 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 180.00 FEET THROUGH A CENTRAL ANGLE OF 54°30'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 04°04'16" EAST 164.83 FEET;  
 10) NORTH 23°10'44" WEST 123.01 FEET;  
 11) NORTHWESTERLY AND EASTERLY 197.05 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET THROUGH A CENTRAL ANGLE OF 112°54'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 33°16'16" EAST 166.68 FEET;  
 12) NORTH 89°43'16" EAST 110.00 FEET;  
 13) EASTERLY AND NORTHWESTERLY 213.10 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 100.00 FEET THROUGH A CENTRAL ANGLE OF 122°06'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 28°40'16" EAST 175.01 FEET TO A POINT OF REVERSE CURVATURE;  
 14) NORTHERLY AND NORTHEASTERLY 78.69 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 90°10'20" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 12°42'26" EAST 70.82 FEET;  
 15) NORTH 57°47'36" EAST 67.46 FEET;  
 16) NORTHERLY AND NORTHWESTERLY 194.01 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 75.00 FEET THROUGH A CENTRAL ANGLE OF 148°12'45" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 16°18'46" WEST 144.27 FEET;  
 17) SOUTH 89°34'51" WEST 30.00 FEET;

**Naples Fort Myers Sarasota Tampa Tallahassee Panama City Beach**

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New Directions In Planning, Design & Engineering

DESCRIPTION OF PART OF SECTIONS 22 AND 27,  
TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA  
(TRACT B1)  
CONTINUED:

- 18) WESTERLY AND SOUTHWESTERLY 157.08 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 100.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 44°34'51" WEST 141.42 FEET;
- 19) SOUTH 00°25'09" EAST 169.99 FEET;
- 20) SOUTHWESTERLY 62.98 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 72°10'28" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 35°40'05" WEST 58.90 FEET;
- 21) SOUTH 71°45'19" WEST 116.04 FEET;
- 22) SOUTHWESTERLY AND SOUTHERLY 248.54 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 150.00 FEET THROUGH A CENTRAL ANGLE OF 94°56'03" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 24°17'18" WEST 221.07 FEET;
- 23) SOUTH 23°10'44" EAST 123.01 FEET;
- 24) SOUTHERLY AND SOUTHWESTERLY 101.05 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 115°47'41" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 34°43'14" WEST 84.71 FEET TO A POINT OF COMPOUND CURVATURE;
- 25) NORTHWESTERLY 256.08 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 220.00 FEET THROUGH A CENTRAL ANGLE OF 66°41'32" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 54°02'10" WEST 241.87 FEET;
- 26) NORTH 20°41'24" WEST 195.01 FEET;
- 27) NORTHEASTERLY 312.33 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 280.00 FEET THROUGH A CENTRAL ANGLE OF 63°54'40" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 11°15'56" EAST 296.39 FEET TO A POINT OF REVERSE CURVATURE;
- 28) NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY 516.02 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 300.00 FEET THROUGH A CENTRAL ANGLE OF 98°33'08" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 06°03'18" WEST 454.72 FEET;
- 29) NORTH 55°19'52" WEST 528.65 FEET;
- 30) NORTH 02°23'16" EAST 275.02 FEET;
- 31) NORTHEASTERLY 77.62 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 88°57'04" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 46°51'48" EAST 70.06 FEET TO A POINT OF REVERSE CURVATURE;
- 32) NORTHEASTERLY 731.46 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1200.00 FEET THROUGH A CENTRAL ANGLE OF 34°55'29" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 73°52'36" EAST 720.19 FEET TO A POINT OF REVERSE CURVATURE;
- 33) NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY 134.88 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 154°33'46" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 20°52'02" WEST 97.55 FEET TO A POINT OF REVERSE CURVATURE;
- 34) WESTERLY AND NORTHEASTERLY 55.63 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 35.00 FEET THROUGH A CENTRAL ANGLE OF 91°03'41" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 52°37'04" WEST 49.95 FEET;
- THENCE LEAVING SAID LINE NORTH 78°08'44" EAST 56.24 FEET;
- THENCE NORTH 50°41'28" EAST 16.36 FEET;
- THENCE NORTH 31°10'14" EAST 22.69 FEET;
- THENCE NORTH 17°37'01" EAST 11.23 FEET;
- THENCE SOUTH 79°54'51" EAST 11.68 FEET;
- THENCE NORTH 57°45'54" EAST 20.28 FEET;
- THENCE NORTH 52°59'45" EAST 14.93 FEET;
- THENCE NORTH 51°49'02" EAST 17.04 FEET;
- THENCE NORTH 75°57'19" EAST 24.30 FEET;
- THENCE NORTH 87°14'02" EAST 26.22 FEET;

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New Directions in Planning, Design & Engineering

DESCRIPTION OF PART OF SECTIONS 22 AND 27,  
TOWNSHIP 50 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA  
(TRACT B1)  
CONTINUED:

THENCE NORTH 39°26'35" EAST 16.59 FEET;  
 THENCE NORTH 68°07'42" EAST 16.14 FEET;  
 THENCE NORTH 53°36'49" EAST 22.42 FEET;  
 THENCE NORTH 46°53'35" EAST 18.31 FEET;  
 THENCE NORTH 63°14'57" EAST 19.84 FEET;  
 THENCE NORTH 61°26'03" EAST 31.16 FEET;  
 THENCE NORTH 32°58'29" EAST 22.25 FEET;  
 THENCE NORTH 35°43'27" EAST 24.71 FEET;  
 THENCE NORTH 46°48'41" EAST 30.64 FEET;  
 THENCE NORTH 46°20'13" EAST 13.27 FEET;  
 THENCE NORTH 04°11'30" EAST 13.89 FEET;  
 THENCE NORTH 07°42'05" WEST 15.05 FEET;  
 THENCE NORTH 82°49'32" EAST 20.97 FEET;  
 THENCE NORTH 46°52'41" EAST 7.40 FEET;  
 THENCE NORTH 03°33'25" WEST 13.99 FEET;  
 THENCE NORTH 12°24'51" EAST 11.24 FEET;  
 THENCE NORTH 88°47'46" EAST 18.68 FEET;  
 THENCE SOUTH 76°14'39" EAST 26.41 FEET;  
 THENCE SOUTH 78°50'51" EAST 33.89 FEET;  
 THENCE SOUTH 41°19'19" EAST 14.18 FEET;  
 THENCE SOUTH 41°26'18" EAST 23.50 FEET;  
 THENCE SOUTH 01°02'52" EAST 34.44 FEET;  
 THENCE SOUTH 25°05'22" WEST 17.32 FEET;  
 THENCE SOUTH 14°49'28" WEST 31.22 FEET;  
 THENCE SOUTH 19°14'14" WEST 12.62 FEET;  
 THENCE SOUTH 08°34'41" EAST 34.82 FEET;  
 THENCE SOUTH 34°39'02" EAST 12.89 FEET;  
 THENCE SOUTH 53°45'42" EAST 19.99 FEET;  
 THENCE SOUTH 83°57'59" EAST 14.97 FEET;  
 THENCE SOUTH 89°11'55" EAST 24.38 FEET;  
 THENCE SOUTH 78°55'33" EAST 62.01 FEET;  
 THENCE SOUTH 35°19'13" EAST 17.57 FEET;  
 THENCE SOUTH 58°27'30" EAST 15.68 FEET;  
 THENCE SOUTH 24°05'10" EAST 17.86 FEET;  
 THENCE SOUTH 20°04'48" EAST 11.72 FEET TO SAID EAST LINE OF SECTION 22, T-50-S, R-25-E;  
 THENCE ALONG SAID SECTION LINE SOUTH 00°13'12" EAST, A DISTANCE OF 77.73 FEET TO THE EAST ¼  
 CORNER OF SAID SECTION 22 ;  
 THENCE CONTINUE SOUTHERLY ALONG SAID SECTION LINE SOUTH 00°06'04" EAST, A DISTANCE OF  
 2692.30 FEET TO THE POINT OF BEGINNING. CONTAINING 97.85 ACRES, MORE OR LESS.  
 SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE EAST LINE OF SAID SECTION 22 BEING SOUTH 00°06'04" EAST (PER STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 83 ADJUSTMENT).

WILSONMILLER, INC.

  
 MICHAEL H. MAXWELL, F.S.M. #4650

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.

REF. 4D-94D  
 PIN: N0229-007-013  
 DATE: NOVEMBER 7, 2002 (TRACT B1)  
 REVISED: NOVEMBER 18, 2002 (REFINED TO MORE PRECISE LOCATION OF RIBBON LINE)

**WilsonMiller***New Directions In Planning, Design & Engineering*

Description of part of Section 27,  
Township 50 South, Range 25 East,  
Collier County, Florida  
(Tract B2)

All that part of Section 27, Township 50 South, Range 25 East, Collier County, Florida, being more particularly described as follows;

Commencing at the Northeast corner of said Section 27;

thence along the east line of said Section 27 South 00°23'12" West 2690.18 feet to the Point of Beginning of the parcel herein described;

thence continue along said Section line South 00°23'14" West 2689.01 feet to the South line of said Section 27 thence along said South line South 89°31'09" West 758.84 feet to the Bulkhead line per Collier County Bulkhead line Book 1, page 3, O.R. Book 1143, pages 1303-1304, Collier County, Florida;

thence along a Bulkhead line in the following four described courses;

1) Northerly 956.29 feet along the arc of a tangential circular curve concave to the east having a radius of 4446.88 feet through a central angle of 12°19'17" and being subtended by a chord which bears North 00°07'24" East 954.45 feet;

2) North 06°17'02" East 770.62 feet;

3) Northerly and Northwesterly 656.57 feet along the arc of a tangential circular curve concave to the Southwest having radius of 517.14 feet through a central angle of 72°44'36" and being subtended by a chord which bears North 30°05'16" West 613.35 feet to a point of reverse curvature;

4) Northwesterly and Northerly 549.88 feet along the arc of a tangential circular curve concave to the Northeast having a radius of 477.36 feet through a central angle of 66°00'00" and being subtended by a chord which bears North 33°27'33" West 519.98 feet to the South line of Government Lot 1

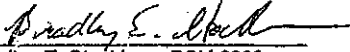
thence along the South line of said Government Lot 1 and leaving said Bulkhead line North 89°32'16" East 1284.80 feet to the Point of Beginning of the parcel herein described.

Subject to easements, reservations, rights-of-way and restrictions of record.

Containing 51.11 acres more or less.

Bearings are based on the east line of said Section 27 being South 00°23'12" West (per State Plane Coordinate System, Florida East Zone, NAD 83 Adjustment).

WilsonMiller, Inc.



Bradley E. Stockham, PSM 6390

Not valid unless embossed with the Professional's seal.

Ref. 4D-97

PIN: N0229-007-013

Date: October 29, 2002

Revised: November 7, 2002 (Tract B2)

**Naples Fort Myers Sarasota Tampa Tallahassee Panama City Beach**

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