



ORDINANCE NO. 2006- 60

AN ORDINANCE CREATING THE HALDEMAN CREEK MAINTENANCE DREDGING MUNICIPAL SERVICE TAXING UNIT; PROVIDING THE AUTHORITY; PROVIDING FOR THE CREATION; PROVIDING A PURPOSE AND GOVERNING BODY; PROVIDING FUNDING AND THE LEVY OF NOT TO EXCEED 3 MILS OF AD VALOREM TAXES PER YEAR; PROVIDING FOR THE COLLECTION OF TAXES; PROVIDING FOR CREATION OF THE HALDEMAN CREEK MAINTENANCE DREDGING ADVISORY COMMITTEE, APPOINTMENT AND COMPOSITION; PROVIDING FOR TERMS OF OFFICE OF THE ADVISORY COMMITTEE; PROVIDING FOR THE OFFICERS OF THE ADVISORY COMMITTEE, QUORUM AND RULES OF PROCEDURE; PROVIDING FOR FUNCTIONS, POWERS AND DUTIES OF THE ADVISORY COMMITTEE; PROVIDING FOR THE DUTIES OF THE COUNTY MANAGER OR HIS DESIGNEE; PROVIDING FOR REVIEW PROCESS OF THE ADVISORY COMMITTEE; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE COLLIER COUNTY CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 9, 2006, the Board of County Commissioners was informed that upon the completion of the Haldeman Creek Dredging project that an involuntary Municipal Service Taxing Unit would be formed with an initial millage to be established not to exceed 3 mils to address any future dredging needs; and

WHEREAS, the Board of County Commissioners, has determined that the creation of a municipal service taxing unit is the best method for implementing and funding future dredging requirements of the public waterway areas located therein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE. Authority.

This Ordinance is adopted pursuant to the provisions of Chapter 125.01 and Chapter 200, Florida Statutes, and other applicable law.

SECTION TWO. Creation of the Municipal Service Taxing Unit.

There is hereby created and established the Haldeman Creek Dredging Municipal Service Taxing Unit, hereinafter referred to as "MSTU." The boundaries of the MSTU are as follows: See attached Exhibit "A" which is incorporated herein by reference.

SECTION THREE. Purpose and Governing Body.

The MSTU is created for the purpose of providing maintenance dredging within the MSTU as determined by the Advisory Committee.

The Maintenance Tasks shall include but not be limited to:

- A. Maintenance Dredging;
- B. Maintenance of navigational channel markers;

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The governing body of the MSTU shall be the Board of County Commissioners of Collier County, Florida.

SECTION FOUR. Funding and Levy of Taxes.

For the purpose of implementing this Ordinance, the Board of County Commissioners shall annually, at the time required by general budgetary law, make an itemized estimate of the amount of money required to carry out the business of the MSTU for the next fiscal year, which shall be from October 1 to and including September 30 following. The estimate shall describe the purpose for which the moneys are required and the amount necessary to be raised by taxation within the MSTU. At the time and place for fixing the annual rate of taxation for County purposes, the Board shall fix and cause to be levied on all properties within the MSTU subject to taxation a millage rate not to exceed 3 mils per year.

SECTION FIVE. Tax Assessment and Collection.

Taxes herein provided for shall be assessed and collected in the same manner and form as provided for the assessment and collection of general County taxes and subject to the same fees for assessing and collecting as general County taxes.

SECTION SIX. Creation of the Haldeman Creek Dredging Maintenance Advisory Committee, Appointment and Composition.

- A. There is hereby created and established the Haldeman Creek Dredging Maintenance Advisory Committee, hereinafter referred to as the "Committee."
- B. The Committee shall consist of five (5) members which generally represent the area within the MSTU. Members of the Committee shall be appointed by and serve at the pleasure of the Board of County Commissioners. Said members shall be permanent residents within the MSTU and electors of Collier County. The Board of County Commissioners shall consider appointment of members from different parcels, subdivisions and/or the communities within the MSTU.
- C. Appointment of the members to the Committee shall be by resolution of the Board of County Commissioners, which resolution shall set forth the date of appointment and the term of office.
- D. Members of the Committee shall serve without compensation but shall be entitled to receive reimbursement for expenses reasonably incurred in the performance of their duties upon prior approval of the Board of County Commissioners.

SECTION SEVEN. Terms of Office of the Advisory Committee.

The initial terms of office of the Committee shall be as follows:

- A. Two (2) members shall be appointed for a term of two (2) years.
- B. Two (2) members shall be appointed for a term of three (3) years.
- C. One (1) Member shall be appointed for a term of four (4) years.

Thereafter each appointment or reappointment shall be for a term of four (4) years. Appointments to fill any vacancies on the Committee shall be for the remainder of the unexpired term of office.

SECTION EIGHT. Officers of the Advisory Committee, Quorum And Rules of Procedure.

- A. At its earliest opportunity, the membership of the Committee shall elect a chairman and vice chairman from among its members. Officer's terms shall be for one (1) year, with eligibility for re-election.
- B. The presence of three (3) or more members shall constitute a quorum of the Committee necessary to take action and transact business.
- C. The Committee shall, by majority vote of the entire membership, adopt rules of procedure for the transaction of business and shall keep a written record of the meetings, resolutions, reports and exhibits, findings and determinations. Copies of all Committee minutes, resolutions, reports, and exhibits shall be submitted to the Board of County Commissioners.
- D. Committee member attendance requirements, including failure to attend meetings and member removal from office are governed by Ordinance No. 2001-55, as it may be amended, or by its successor ordinance.

SECTION NINE. Functions, Powers and Duties of the Advisory Committee.

The functions, powers and duties of the Committee shall be as follows:

- A. To aid and assist the Board of County Commissioners in Carrying out the MSTU as set forth in this Ordinance.
- B. To prepare and recommend to the Board of County Commissioners an itemized budget of the amount of money required to carry out the business of the MSTU for the next fiscal year. In carrying out this responsibility, the Committee shall, no later than April 1st of each year, meet with the County Manager or his designee and outline to the County Manager or his designee those projects which the committee wishes to see accomplished during the next fiscal year. Based upon this information, the County Manager or his designee shall prepare a proposed budget for the MSTU, in accordance with standard County guidelines regarding preparation of budgets. This proposed budget shall then be reviewed by the Committee and upon approval by the Committee be transmitted through the County Manager or his designee to the Board of County Commissioners for adoption in accordance with procedures for the adoption of budgets set forth under general law and the Board of County Commissioners' policy. Should the Committee fail to approve the budget by June 1st of each year, the County Manager or his designee shall be

authorized to submit a proposed budget to the Board of County Commissioners.

- C. The Committee shall recommend work programs and priorities to the County Manager or his designee in accordance with the adopted budget or budget amendments which may be adopted by the Board of County Commissioners. The execution of work programs shall be under the direct supervision and responsibility of the County Manager or his designee. Said work may be preformed under contract (in accordance with law) or by County forces.
- D. The Committee may adopt and amend "Guidelines" to govern its operation and the operation of the MSTU, subject to approval by the Board of County Commissioners.

SECTION TEN. Duties of the County Manager or his Designee.

The duties of the County Manager or his designee shall be:

- A. To administer the activities of the MSTU in accordance with established policies of the Board of County Commissioners and guidelines adopted by the Committee.
- B. To prepare the annual budget in accordance with Section Nine, Paragraph B. above.
- C. To provide periodic written reports to the Committee, and the Board of County Commissioners of the activities of the MSTU and its finances in accordance with established guidelines of the Board of County Commissioners and/or the Committee.
- D. Attend all Committee meetings.

SECTION ELEVEN. Review Process.

This Advisory Committee shall be reviewed once ever four (4) years commencing 2006, in accordance with the procedures contained in Collier County Ordinance No. 2001-55, as it may be amended, or its successor Ordinances.

SECTION TWELVE. Conflict and Severability.

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any court of competent jurisdiction holds any phrase or portion of the Ordinance invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THIRTEEN. Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "Section," "Article", or any other appropriate word.

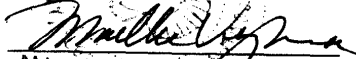
SECTION FOURTEEN. Effective Date.

This Ordinance shall take effect upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 12th day of December , 2006.

DATED:

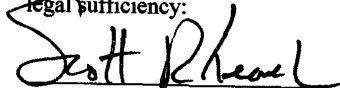
ATTEST:
DWIGHT E. BROCK, CLERK


Attest as Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 
FRANK HALAS, CHAIRMAN

Approved as to form and
legal sufficiency:


Scott R. Teach,
Assistant County Attorney

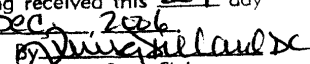
This ordinance filed with the
Secretary of State's Office the
22 day of Dec, 2006
and acknowledgement of that
filing received this 29 day
of Dec, 2006
By: 
Deputy Clerk

Exhibit "A"

The Haldeman Creek Dredging Municipal Service Taxing Unit

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 11, 12, 13 & 14, TOWNSHIP 50S, RANGE 25E, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, BEING THE NORTH EAST CORNER OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST; WHICH IS ALSO THE NORTH EAST CORNER OF LOT 118 OF THE NAPLES GROVE AND TRUCK COMPANY'S LITTLE FARMS No.2 AS RECORDED IN PLAT BOOK 1, PAGE 27 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THENCE S.89°22'57"E. FOR 333.43 FEET; TO A POINT ON THE WEST LINE OF TRACT B, COURTHOUSE SHADOWS AS RECORDED IN PLAT BOOK 29, PAGE 41 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. AND CONTINUING ALONG THE SAID PLATLINES FOR THE NEXT (8) CALLS,

- (1) THENCE N.00°23'57"E. FOR 11.05 FEET;
- (2) THENCE N.51°36'02"E. FOR 309.05 FEET;
- (3) THENCE N.64°13'11"E. FOR 80.05 FEET;
- (4) THENCE S.51°36'02"W. FOR 5.00 FEET;
- (5) THENCE S.38°23'58"E. FOR 404.47 FEET;
- (6) THENCE N.51°36'02"E. FOR 98.00 FEET; TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41,

(7) THENCE ALONG SAID RIGHT-OF-WAY, S.38°23'58"E. FOR 128.47 FEET; TO A POINT LYING ON THE NORTH SIDE OF A DRAINAGE EASEMENT DESCRIBED IN DEED BOOK 28, PAGE 193 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

(8) THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF U.S. 41, S.38°23'36"E. FOR 190.55 FEET; TO A POINT LYING ON THE SOUTH SIDE OF A DRAINAGE EASEMENT DESCRIBED IN DEED BOOK 28, PAGE 193 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF U.S. 41, S.38°23'36"E. FOR 59.24 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY, S.50°49'31"W. FOR 131.60 FEET;

THENCE N.89°35'01"W. FOR 353.34 FEET;

THENCE S.00°00'20"E. FOR 60.00 FEET;

THENCE N.89°41'20"W. FOR 420.00 FEET;

THENCE N.87°26'59"W. FOR 22.00 FEET;

THENCE N.89°56'20"W. FOR 135.00 FEET; TO A POINT ON THE EAST RIGHT-OF-WAY OF DOMINION DRIVE,

THENCE N.00°03'40"E. FOR 128.12 FEET;

THENCE S.89°36'10"W. FOR 59.99 FEET; TO A POINT ON THE WEST RIGHT-OF-WAY OF DOMINION DRIVE,

THENCE ALONG SAID RIGHT-OF-WAY, S.00°03'40"W. FOR 474.69 FEET;

THENCE S.89°52'50"W. FOR 294.56 FEET; ALONG THE NORTH RIGHT-OF-WAY OF ARECA AVE. AS DESCRIBED IN SUBDIVISION OF BLOCK F, SABAL SHORES AS RECORDED IN PLAT BOOK 4, PAGE 40 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S.89°52'50"W. FOR 350.00 FEET;

THENCE N.00°00'00"E. FOR 351.01 FEET; TO A POINT OF CURVATURE;

THENCE NORTHEASTERLY 41.90 FEET, ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 39.83 FEET, THROUGH A CENTRAL ANGLE OF 60°16'34" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.29°55'35"E. FOR 40.00 FEET, TO ; TO A POINT OF CURVATURE;

THENCE NORTHEASTERLY 42.08 FEET, ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 40.17 FEET, THROUGH A CENTRAL ANGLE OF 60°01'13" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.29°55'35"E. FOR 40.18 FEET, TO ;

THENCE S.89°52'50"W. FOR 100.00 FEET;

THENCE S.00°00'00"E. FOR 89.89 FEET;

THENCE S.89°51'30"W. FOR 700.00 FEET; TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF BAYSHORE DRIVE,

THESE CONTINUE S.89°51'30"W. FOR 100.00 FEET; TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF BAYSHORE DRIVE;
 THENCE ALONG SAID RIGHT-OF-WAY, S.00°00'00"E. FOR 469.63 FEET; TO A POINT OF CURVATURE;
 THENCE LEAVING SAID RIGHT-OF-WAY, SOUTHWESTERLY 39.20 FEET, ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 89°50'27" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.44°55'13"W. FOR 35.31 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY OF LAKEVIEW DRIVE AS SHOWN IN GULF SHORES SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 50 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

THENCE S.89°50'27"W. FOR 1,215.98 FEET;
 THENCE S.55°35'14"W. FOR 60.57 FEET;
 THENCE S.89°35'14"W. FOR 325.71 FEET; TO A POINT LYING ON THE EAST BOUNDARY OF TRACT B, OF WINDSTAR SUBDIVISION AS RECORDED IN PLAT BOOK 14, PAGES 12-15 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA AND CONTINUING ALONG SAID PLATLINE FOR THE NEXT (3) CALLS;

(1) THENCE N.00°13'07"W. FOR 132.86 FEET;
 (2) THENCE S.89°35'11"E. FOR 30.47 FEET;
 (3) THENCE N.00°13'07"W. FOR 1,335.47 FEET;
 THENCE LEAVING SAID PLATLINE, S.82°00'10"W. FOR 156.35 FEET; ALONG THE EASTERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN OR BOOK 2754, PAGE 2850 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. FOR THE NEXT (42) CALLS,

(1) THENCE S.76°41'21"W. FOR 164.00 FEET;
 (2) THENCE S.22°49'49"W. FOR 61.06 FEET;
 (3) THENCE S.50°27'04"W. FOR 101.55 FEET;
 (4) THENCE S.58°51'50"W. FOR 56.28 FEET;
 (5) THENCE N.84°40'34"W. FOR 72.34 FEET;
 (6) THENCE S.76°07'47"W. FOR 113.00 FEET;
 (7) THENCE S.54°05'36"W. FOR 90.85 FEET;
 (8) THENCE S.25°09'38"W. FOR 25.65 FEET;
 (9) THENCE S.17°03'56"W. FOR 23.41 FEET;
 (10) THENCE S.11°01'23"E. FOR 55.54 FEET;
 (11) THENCE S.04°20'38"W. FOR 94.75 FEET;
 (12) THENCE S.32°14'25"W. FOR 159.05 FEET;
 (13) THENCE S.07°38'14"E. FOR 34.43 FEET;
 (14) THENCE S.35°32'27"E. FOR 94.54 FEET;
 (15) THENCE S.03°16'57"W. FOR 292.24 FEET;
 (16) THENCE S.42°37'09"W. FOR 111.02 FEET;
 (17) THENCE S.20°33'59"W. FOR 99.26 FEET;
 (18) THENCE S.21°22'23"W. FOR 71.83 FEET;
 (19) THENCE S.52°12'31"W. FOR 408.66 FEET;
 (20) THENCE S.62°28'18"W. FOR 230.33 FEET;
 (21) THENCE S.30°40'44"W. FOR 192.53 FEET;
 (22) THENCE S.17°19'34"W. FOR 219.43 FEET;
 (23) THENCE S.44°20'44"W. FOR 94.89 FEET;
 (24) THENCE S.58°45'28"W. FOR 215.33 FEET;
 (25) THENCE S.05°21'48"W. FOR 42.63 FEET;
 (26) THENCE S.06°59'10"W. FOR 376.44 FEET;
 (27) THENCE S.52°38'49"W. FOR 245.54 FEET;
 (28) THENCE S.87°24'12"W. FOR 105.57 FEET;
 (29) THENCE S.50°11'00"W. FOR 11.53 FEET;
 (30) THENCE S.11°39'26"E. FOR 79.74 FEET;
 (31) THENCE N.67°33'55"E. FOR 13.98 FEET;
 (32) THENCE S.21°04'35"E. FOR 104.77 FEET;
 (33) THENCE S.70°16'20"E. FOR 48.32 FEET;
 (34) THENCE N.79°53'45"E. FOR 98.25 FEET;
 (35) THENCE N.59°11'08"E. FOR 124.42 FEET;
 (36) THENCE S.59°51'49"E. FOR 22.11 FEET;
 (37) THENCE S.06°34'37"W. FOR 208.89 FEET;
 (38) THENCE S.61°36'29"W. FOR 112.07 FEET;
 (39) THENCE S.89°30'13"W. FOR 119.20 FEET;
 (40) THENCE S.51°13'33"W. FOR 86.86 FEET;
 (41) THENCE S.35°33'53"W. FOR 84.64 FEET;
 (42) THENCE S.43°47'56"W. FOR 135.55 FEET; TO A POINT ON THE WEST LINE OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 26 EAST, ALSO BEING THE WEST LINE OF TRACT B OF WINDSTAR SUBDIVISION AS RECORDED IN PLAT

BOOK 14, PAGES 12-15 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THENCE N.00°12'53"W. FOR 203.32 FEET;
THENCE N.00°09'12"W. FOR 643.41 FEET;
THENCE CONTINUE N.00°09'12"W. FOR 1,391.07 FEET;
THENCE LEAVING SAID SECTION LINE AND WESTERLY LINE OF SAID TRACT B, N.14°45'47"E. FOR 199.17 FEET;
THENCE N.00°06'21"E. FOR 427.72 FEET; TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN OR BOOK 3001, PAGE 2697 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
THENCE N.00°43'42"W. FOR 1,295.38 FEET; TO A POINT ON THE SOUTH RIGHT-OF-WAY OF MARLIN DRIVE,
THENCE ALONG SAID RIGHT-OF-WAY, N.89°31'33"E. FOR 1,305.55 FEET; TO A POINT ON THE EAST RIGHT-OF-WAY OF PALM STREET THE POINT ALSO BEING ON THE WEST LINE OF NAPLES LAND YACHT HARBOR, A PARCEL OF LAND DESCRIBED IN OR BOOK 714, PAGE 1710 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
THENCE ALONG SAID WEST BOUNDARY LINE, N.00°38'25"W. FOR 1,374.49 FEET; TO THE NORTHWEST CORNER OF SAID NAPLES LAND YACHT HARBOR,
THENCE ALONG SAID NORTH BOUNDARY LINE, N.89°33'52"E. FOR 1,247.66 FEET; TO THE NORTHEAST CORNER OF SAID NAPLES LAND YACHT HARBOR.
THENCE ALONG THE EAST LINE OF NAPLES LAND YACHT HARBOR, S.00°33'08"E. FOR 616.83 FEET;
THENCE S.89°32'43"W. FOR 623.36 FEET;
THENCE S.00°35'47"E. FOR 166.00 FEET;
THENCE LEAVING THE BOUNDARY OF NAPLES LAND YACHT HARBOR, N.89°32'43"E. FOR 150.81 FEET;
THENCE S.00°35'07"E. FOR 100.00 FEET;
THENCE N.89°19'24"E. FOR 159.27 FEET; TO THE WEST RIGHT-OF-WAY LINE OF ARBUTUS DRIVE,
THENCE S.00°35'47"E. FOR 992.99 FEET;
THENCE S.77°52'26"W. FOR 255.21 FEET;
THENCE N.00°35'47"W. FOR 994.00 FEET;
THENCE S.89°24'13"W. FOR 20.00 FEET;
THENCE N.00°35'47"W. FOR 50.05 FEET;
THENCE S.89°32'41"W. FOR 40.00 FEET; TO A POINT ON THE EAST LINE OF NAPLES LAND YACHT HARBOR A PARCEL OF LAND DESCRIBED IN OR BOOK 714, PAGE 1710 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
THENCE S.00°35'47"E. FOR 1,086.59 FEET;
THENCE N.77°52'26"E. FOR 684.32 FEET;
THENCE N.00°00'42"E. FOR 131.01 FEET; TO A POINT BEING THE NORTHWEST CORNER OF LOT 37, DEMERE LANDING SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 14 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA. A POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF BECCA AVENUE,
THENCE S.89°59'03"E. FOR 297.97 FEET; ALONG SAID RIGHT-OF-WAY LINE,
THENCE LEAVING SAID RIGHT-OF-WAY, S.00°06'52"E. FOR 252.07 FEET;
THENCE N.89°53'08"E. FOR 60.00 FEET;
THENCE N.00°06'52"W. FOR 251.93 FEET; TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BECCA AVENUE,
THENCE ALONG SAID RIGHT-OF-WAY, S.89°59'03"E. FOR 270.00 FEET;
THENCE LEAVING SAID RIGHT-OF-WAY, S.00°06'52"E. FOR 252.07 FEET;
THENCE N.89°53'08"E. FOR 60.00 FEET;
THENCE N.00°06'52"W. FOR 251.93 FEET; TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BECCA AVENUE,
THENCE ALONG SAID RIGHT-OF-WAY, S.89°59'03"E. FOR 270.00 FEET; TO A POINT ALSO ON THE WEST RIGHT-OF-WAY OF BAYSHORE DRIVE,
THENCE S.37°24'59"E. FOR 165.01 FEET; TO A POINT ON THE EAST RIGHT-OF-WAY OF BAYSHORE DRIVE. ALSO BEING THE NORTHWEST CORNER OF LOT 121 OF NAPLES GROVE AND TRUCK COMPANY'S LITTLE FARMS No. 2, AS RECORDED IN PLAT BOOK 1, PAGE 27 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
THENCE N.89°53'08"E. FOR 193.85 FEET; TO A POINT ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN OR BOOK 2983, PAGE 379 OF THE PUBLIC

RECORDS OF COLLIER COUNTY, FLORIDA. AND WILL CONTINUE TO RUN
ALONG SAID BOUNDARY FOR THE NEXT (19) CALLS,

- (1) THENCE N.00°06'52"W. FOR 799.75 FEET;
 - (2) THENCE N.89°57'01"E. FOR 44.86 FEET;
 - (3) THENCE N.00°06'20"W. FOR 10.38 FEET;
 - (4) THENCE S.64°07'22"E. FOR 45.88 FEET;
 - (5) THENCE N.38°09'22"E. FOR 205.26 FEET; TO THE WESTERLY RIGHT-OF-WAY OF U.S.41,
 - (6) THENCE ALONG SAID RIGHT-OF-WAY, S.51°50'39"E. FOR 115.49 FEET;
 - (7) THENCE LEAVING SAID RIGHT-OF-WAY, S.38°09'32"W. FOR 190.01 FEET;
 - (8) THENCE S.51°50'42"E. FOR 89.71 FEET;
 - (9) THENCE S.00°53'09"E. FOR 220.16 FEET;
 - (10) THENCE N.88°53'51"E. FOR 147.79 FEET;
 - (11) THENCE N.01°06'06"W. FOR 100.00 FEET;
 - (12) THENCE S.51°50'11"E. FOR 10.78 FEET;
 - (13) THENCE N.01°06'09"W. FOR 245.43 FEET; TO THE WESTERLY RIGHT-OF-WAY OF U.S.41,
 - (14) THENCE ALONG SAID RIGHT-OF-WAY, S.51°50'34"E. FOR 15.05 FEET;
 - (15) THENCE LEAVING SAID RIGHT-OF-WAY, S.00°42'52"E. FOR 653.02 FEET;
 - (16) THENCE S.89°58'17"W. FOR 4.98 FEET;
 - (17) THENCE S.00°42'52"E. FOR 291.22 FEET;
 - (18) THENCE N.89°55'57"W. FOR 9.98 FEET;
 - (19) THENCE S.00°42'55"E. FOR 672.72 FEET;
- THENCE N.89°49'00"E. FOR 145.13 FEET;
THENCE S.00°19'20"E. FOR 30.00 FEET;
THENCE N.89°49'00"E. FOR 450.63 FEET;
THENCE N.00°19'20"W. FOR 30.00 FEET;
THENCE N.89°49'00"E. FOR 77.13 FEET; TO THE POINT OF BEGINNING OF THE
PARCEL DESCRIBED HEREIN.

CONTAINING 11,678,801 SQUARE FEET OR 268.1 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS ARE BASED ON THE CENTERLINE OF GULFVIEW DRIVE, WHICH LIES
IN THE GULF SHORES SUBDIVISION, PLAT BOOK 4, PAGE 50 AS BEEING EAST.

STATE OF FLORIDA)

COUNTY OF COLLIER)

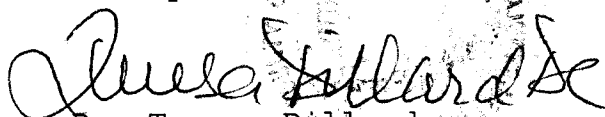
I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2006-60

Which was adopted by the Board of County Commissioners on the 12th day of December 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 15th day of December 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners


By: Teresa Dillard,
Deputy Clerk