

1 A bill to be entitled

2 An act relating to Lee County; creating the Village of
3 Estero; providing a charter; providing legislative
4 intent; providing for a council-manager form of
5 government; providing boundaries; providing municipal
6 powers; providing for a village council and
7 composition thereof; providing for eligibility, terms,
8 duties, compensation, and reimbursement of expenses of
9 council members; providing for a mayor and vice mayor;
10 providing scheduling requirements of council meetings;
11 prohibiting interference with village employees;
12 providing for filling of vacancies and forfeiture of
13 office; providing that the council is the sole judge
14 of qualifications of its members; authorizing the
15 council to investigate affairs relating to the village
16 and the conduct of any village department, office, or
17 agency; providing criminal penalties; providing for
18 the appointment of a village manager, village
19 attorney, and village clerk and the qualifications,
20 removal, powers, and duties thereof; providing for the
21 establishment of village departments, agencies,
22 personnel, and boards; defining terms; providing for
23 the adoption of ordinances and resolutions; providing
24 for the adoption of an annual budget and
25 appropriations; providing for supplemental and
26 emergency appropriations and the reduction and

27 transfer of appropriations; providing for the
28 establishment of a 5-year capital program; providing
29 for an annual independent audit; providing for
30 nonpartisan elections and matters relating thereto;
31 providing for seven village council districts;
32 providing for the recall of council members; providing
33 for initiative and referenda; providing for a code of
34 ethics; providing for future amendments to the
35 charter; providing for severability; providing a
36 village transition schedule and procedures for the
37 first election; providing for first-year expenses;
38 providing for adoption of transitional ordinances and
39 resolutions, comprehensive plans, and land development
40 regulations; providing for accelerated entitlement to
41 state-shared revenues; providing for entitlement to
42 all local revenue sources allowed by general law;
43 providing for the sharing of communications services
44 tax revenues; providing for receipt and distribution
45 of local option gas tax revenues; providing for waiver
46 of specified eligibility provisions; requiring a
47 referendum; providing effective dates.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. Corporate name; purpose of the charter;
52 creation and establishment of the Village of Estero.-

53 (1) CORPORATE NAME.—The municipality hereby established
 54 shall be known as the Village of Estero ("village").

55 (2) PURPOSE OF THE CHARTER.—This act, together with any
 56 future amendments thereto, may be known as the Charter of the
 57 Village of Estero ("charter").

58 (a) It is in the best interests of the public health,
 59 safety, and welfare of the residents of the Estero area to form
 60 a separate municipality for the Estero area with all the powers
 61 and authority necessary to provide adequate and efficient
 62 municipal services to its residents.

63 (b) It is intended that this charter and the incorporation
 64 of the Estero area will serve to preserve and protect the
 65 character, natural resources, and quality of life of the
 66 community and to maintain the vision established by the Estero
 67 Community Plan, as amended and as adopted by the Board of County
 68 Commissioners of Lee County in January 2002.

69 (c) It is the intent of this charter and the incorporation
 70 of the village to secure the benefits of self-determination and
 71 affirm the values of representative democracy, citizen
 72 participation, strong community leadership, professional
 73 management, and regional cooperation.

74 (3) CREATION AND ESTABLISHMENT OF THE VILLAGE OF ESTERO.—

75 (a) This act shall take effect upon approval by a majority
 76 vote of those qualified electors residing within the corporate
 77 limits of the proposed village as described in section 3 voting
 78 in a referendum election to be called by the Supervisor of

79 Elections of Lee County to be held November 4, 2014, in
 80 accordance with the provisions of law relating to elections
 81 currently in force.

82 (b) For the purpose of compliance with s. 200.066, Florida
 83 Statutes, relating to assessment and collection of ad valorem
 84 taxes, the Village of Estero is created and established
 85 effective December 31, 2014.

86 Section 2. Powers of the village; form of government.—

87 (1) POWERS OF THE VILLAGE.—The village shall have all
 88 available governmental, corporate, and proprietary powers
 89 possible for a municipal government to have under the State
 90 Constitution and laws of this state as fully and completely as
 91 though they were specifically enumerated in this charter, and
 92 may exercise them, except where prohibited by law. Through the
 93 adoption of this charter, it is the intent of the electors of
 94 the village that the municipal government established in this
 95 section shall have the broadest exercise of home rule powers
 96 permitted under the State Constitution and laws of the state.
 97 This charter and the powers of the village shall be construed
 98 liberally in favor of the village.

99 (2) CONSTRUCTION.—The powers of the village under this
 100 charter shall be construed liberally in favor of the village,
 101 and the specific mention of particular powers in the charter
 102 shall not be construed as limiting the general powers granted in
 103 this charter in any way.

104 (3) FORM OF GOVERNMENT.—The form of government established
 105 by this charter shall be a council-manager form, with the
 106 council to consist of seven village council ("council") members
 107 elected by the village at large from seven districts. The
 108 council shall constitute the governing body of the village, with
 109 the duties and responsibilities hereinafter provided. The
 110 council shall appoint a village manager to be the chief
 111 administrative officer of the village who shall serve at the
 112 pleasure of the council.

113 (4) INTERGOVERNMENTAL RELATIONS.—The village may
 114 participate by contract or otherwise with any governmental
 115 entity of this state or any other state or states or the United
 116 States in the performance of any activity that one or more of
 117 such entities has the authority to undertake.

118 Section 3. Corporate boundaries.—The territorial
 119 boundaries of the Village of Estero upon the date of
 120 incorporation shall include the following areas situated in Lee
 121 County:

123 A. In Township 46 South, Range 24 East, those
 124 portions of Sections 25 and 36 lying east of the
 125 waters of Estero Bay.

126 B. In Township 46 South, Range 25 East, those
 127 portions of Section 31 lying east of the waters of
 128 Estero Bay.

129 C. In Township 46 South, Range 25 East, the Southwest
 130 Quarter (SW-1/4) of Section 22 and All of Sections 21,
 131 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36.

132 D. In Township 46 South, Range 26 East, those
 133 portions of Sections 19 and 20 lying south of the
 134 south right-of-way line of Corkscrew Road and all of
 135 Sections 29, 30, 31 and 32.

136 E. In Township 47 South, Range 25 East, those
 137 portions of Sections 2 and 11 lying west of the west
 138 right-of-way line of Interstate 75 (State Road No. 93)
 139 and all of Sections 3, 4, 9 and 10.

140 F. In Township 47 South, Range 25 East, the Northwest
 141 Quarter of (NW-1/4) of Section 5, the Northeast
 142 Quarter of (NE-1/4) of Section 5 and a parcel of land
 143 lying in the Southeast Quarter (SE-1/4) of Section 5
 144 as described in Deed Book 244, page 138, public
 145 records of Lee County, Florida.

146 G. That portion of Section 6, Township 47 South,
 147 Range 25 East lying within a parcel of land as
 148 described in Official Records Book 1924, page 2148,
 149 public records of Lee County, Florida and the plat of
 150 West Bay Club as recorded in Plat Book 62, page 79,
 151 public records of Lee County, Florida.

152 H. That portion of Section 7, Township 47 South,
 153 Range 25 East lying within a parcel of land as

154 described in Instrument Number 2013000044684, public
 155 records of Lee County, Florida.

156 I. In Township 47 South, Range 25 East, All of
 157 Section 8.

159 LESS AND EXCEPT:

160 The East Half (E-1/2) of the Northwest Quarter (NW-
 161 1/4) and the West Half (W-1/2) of the West Half (W-
 162 1/2) of the Northeast Quarter (NE-1/4) of Section 8,
 163 Township 47 South, Range 25 East, less the south 40
 164 feet for the Coconut Road Right-of-way.

165 ALSO LESS AND EXCEPT:

166 The West Half (W-1/2) of the Northwest Quarter (NW-
 167 1/4) of Section 8, Township 47 South, Range 25 East.

169 ALSO LESS AND EXCEPT:

170 That portion of Coconut Road lying in the West Half
 171 (W-1/2) of the Southwest Quarter (SW-1/4) of Section
 172 8, Township 47 South, Range 25 East.

174 ALSO LESS AND EXCEPT:

175 Being a portion of land located in Section 8, Township
 176 47 South, Range 25 East, Lee County, Florida, more
 177 particularly described as follows:

178 Commence at the southwest corner of the Coconut Road
 179 Right-of-way as shown on the specific purpose survey

180 prepared by Johnson Engineering, inc. dated December
 181 15, 1999 with a project number of 19991898; thence run
 182 along the south line of said right-of-way South
 183 89°43'06" East, for a distance of 45.84 feet, to the
 184 Point of Beginning of the parcel of land herein
 185 described; thence continue along said south line South
 186 89°43'06" East, for a distance of 904.21 feet to the
 187 intersection of the extension of the west line of Via
 188 Veneto right-of-way as recorded in Official Records
 189 Book 4408, page 470 of the public records of Lee
 190 County, Florida and said south line of Coconut Road;
 191 thence run along the westerly line of said right-of-
 192 way and extension thereof for the following four (4)
 193 courses and distances:
 194 1. South 00°17'49" West, for a distance of 47.01
 195 feet;
 196 2. thence run South 74°36'33" East, for a distance of
 197 58.19 feet;
 198 3. thence run South 50°54'15" East, for a distance of
 199 143.04 feet;
 200 4. thence run South 00°11'43" West, for a distance of
 201 82.19 feet to a point on the Westerly line of parcel 5
 202 of those lands recorded in Instrument Number
 203 2009000192836 of said public records; thence run along
 204 said westerly line for the following eight (8) courses
 205 and distances:

206 1. North 89°47'57" West, for a distance of 34.12
 207 feet;
 208 2. thence run South 63°30'43" West, for a distance of
 209 230.57 feet;
 210 3. thence run South 47°26'14" West, for a distance of
 211 466.86 feet;
 212 4. thence run South 41°35'17" West, for a distance of
 213 46.90 feet to a point on a circular curve concave
 214 northwest, whose radius point bears North 48°24'38"
 215 West, a distance of 100.00 feet therefrom;
 216 5. thence run southwesterly along the arc of said
 217 curve to the right, having a radius of 100.00 feet,
 218 through a central angle of 28°01'16", subtended by a
 219 chord of 48.42 feet at a bearing of South 55°36'00"
 220 West, for an arc length of 48.91 feet to a point on a
 221 circular curve concave southeast, whose radius point
 222 bears South 20°23'12" East, a distance of 105.00 feet
 223 therefrom;
 224 6. thence run southwesterly along the arc of said
 225 curve to the left, having a radius of 105.00 feet,
 226 through a central angle of 54°28'46", subtended by a
 227 chord of 96.12 feet at a bearing of South 42°22'25"
 228 West, for an arc length of 99.84 feet to a point on a
 229 circular curve concave northwest, whose radius point
 230 bears North 74°51'54" West, a distance of 100.00 feet
 231 therefrom;

232 7. thence run southwesterly along the arc of said
 233 curve to the right, having a radius of 100.00 feet,
 234 through a central angle of 14°44'34", subtended by a
 235 chord of 25.66 feet at a bearing of South 22°30'23"
 236 West, for an arc length of 25.73 feet to the end of
 237 said curve;

238 8. thence run South 29°52'39" West, for a distance of
 239 22.93 feet; thence run North 34°45'41" West, for a
 240 distance of 134.67 feet; thence run North 53°03'31"
 241 West, for a distance of 119.51 feet; thence run North
 242 19°08'07" West, for a distance of 117.09 feet; thence
 243 run North 41°42'16" West, for a distance of 86.54
 244 feet; thence run North 00°49'46" West, for a distance
 245 of 150.18 feet; thence run North 50°28'56" West, for a
 246 distance of 47.03 feet; thence run North 20°07'09"
 247 West, for a distance of 19.34 feet; thence run North
 248 34°54'03" West, for a distance of 30.82 feet; thence
 249 run North 23°07'05" East, for a distance of 44.14
 250 feet; thence run North 28°21'44" West, for a distance
 251 of 88.04 feet; thence run North 39°18'43" East, for a
 252 distance of 25.46 feet; thence run North 07°41'43"
 253 East, for a distance of 98.70 feet; thence run North
 254 10°04'01" West, for a distance of 18.32 feet to the
 255 Point of Beginning.

256 Containing 12.26 acres, more or less.

258 ALSO LESS AND EXCEPT:
 259 A parcel of land located in Section 7 and 8, Township
 260 47 South, Range 25 East, Lee County, Florida being
 261 more particularly described as follows:
 262 Commence at the East Quarter corner of Section 7,
 263 Township 47 South, Range 25 East, Lee county, Florida;
 264 thence along the east line of said Section 7, South
 265 00°50'02" East, a distance of 25.00 feet to a point on
 266 the south right-of-way line of Coconut Road, the same
 267 being the Point of Beginning of the parcel of land
 268 herein described; thence run along said south line,
 269 South 89°43'21" East, a distance of 45.84 feet; thence
 270 South 10°04'01" East, a distance of 18.32 feet; thence
 271 South 07°41'43" West, a distance of 98.70 feet; thence
 272 South 39°18'43" West, a distance of 25.46 feet; thence
 273 South 28°21'44" East, a distance of 88.04 feet; thence
 274 South 23°07'05" West, a distance of 44.14 feet; thence
 275 South 34°54'03" East, a distance of 30.82 feet; thence
 276 South 20°07'09" East, a distance of 19.34 feet; thence
 277 South 50°28'56" East, a distance of 47.03 feet; thence
 278 South 00°49'46" East, a distance of 150.18 feet;
 279 thence South 41°42'16" East, a distance of 86.54 feet
 280 to a point on the boundary line of Conservation
 281 Easement Number 14, recorded in Official Records Book
 282 3094, page 3234, public records of Lee County,
 283 Florida; thence along said boundary, South 75°38'07"

284 West, a distance of 112.79 feet to a point on the
 285 boundary of a Conservation Easement recorded in
 286 Official Records Book 4283, page 3774, public records
 287 of Lee County, Florida; thence follow along the
 288 boundary of said Conservation Easement to the
 289 intersection of the south line of Section 8, Township
 290 47 South, Range 25 East, Lee County, Florida, for the
 291 following courses and distances, South 13°27'24" West,
 292 a distance of 68.12 feet; thence South 38°25'26" West,
 293 a distance of 13.31 feet; thence South 22°41'02" East,
 294 a distance of 9.38 feet; thence South 14°12'53" West,
 295 a distance of 28.04 feet; thence North 83°09'35" East,
 296 a distance of 75.71 feet; thence South 17°31'04" West,
 297 a distance of 24.03 feet; thence South 01°58'43" West,
 298 a distance of 35.44 feet; thence South 80°03'12" East,
 299 a distance of 25.81 feet; thence South 76°58'32" East,
 300 a distance of 32.43 feet; thence South 58°26'34" East,
 301 a distance of 32.79 feet; thence South 50°42'32" East,
 302 a distance of 25.83 feet; thence South 06°30'32" West,
 303 a distance of 20.53 feet; thence South 34°00'38" West,
 304 a distance of 22.57 feet; thence South 86°51'04" West,
 305 a distance of 39.79 feet; thence North 71°44'14" West,
 306 a distance of 18.15 feet; thence North 79°21'50" West,
 307 a distance of 24.88 feet; thence North 54°46'17" West,
 308 a distance of 19.72 feet; thence North 70°05'51" West,
 309 a distance of 36.50 feet; thence South 14°42'48" West,

310 a distance of 28.87 feet; thence South 31°00'38" West,
 311 a distance of 25.53 feet; thence South 46°04'37" West,
 312 a distance of 27.43 feet; thence South 79°48'07" East,
 313 a distance of 48.50 feet; thence South 41°58'46" East,
 314 a distance of 40.98 feet; thence South 42°24'51" East,
 315 a distance of 36.16 feet; thence South 83°34'30" East,
 316 a distance of 24.52 feet; thence South 15°52'35" West,
 317 a distance of 34.51 feet; thence South 59°45'12" East,
 318 a distance of 25.96 feet; thence South 60°07'55" East,
 319 a distance of 30.22 feet; thence South 28°14'30" East,
 320 a distance of 18.56 feet; thence South 12°04'44" West,
 321 a distance of 31.95 feet; thence North 82°28'58" West,
 322 a distance of 22.54 feet; thence North 78°36'49" West,
 323 a distance of 29.64 feet; thence North 60°50'08" West,
 324 a distance of 22.14 feet; thence South 14°57'51" West,
 325 a distance of 38.06 feet; thence South 11°26'36" West,
 326 a distance of 19.74 feet; thence South 58°07'12" East,
 327 a distance of 25.45 feet; thence South 12°12'57" East,
 328 a distance of 22.75 feet; thence South 86°12'55" East,
 329 a distance of 20.51 feet; thence South 56°23'00" East,
 330 a distance of 28.55 feet; thence South 41°44'09" West,
 331 a distance of 15.79 feet; thence North 71°14'30" West,
 332 a distance of 22.95 feet; thence North 67°33'53" West,
 333 a distance of 23.50 feet; thence South 54°36'26" West,
 334 a distance of 44.61 feet; thence North 53°20'16" West,
 335 a distance of 28.47 feet; thence North 35°50'04" West,

336 a distance of 42.22 feet; thence North 41°43'16" East,
 337 a distance of 24.56 feet; thence North 82°15'02" West,
 338 a distance of 13.75 feet; thence South 58°55'16" West,
 339 a distance of 31.96 feet; thence South 22°08'04" West,
 340 a distance of 21.15 feet; thence South 40°59'54" East,
 341 a distance of 20.68 feet; thence South 47°19'30" East,
 342 a distance of 50.06 feet; thence South 03°17'09" East,
 343 a distance of 19.29 feet; thence South 39°41'04" East,
 344 a distance of 35.54 feet; thence South 00°32'00" West,
 345 a distance of 23.73 feet; thence South 36°13'51" West,
 346 a distance of 33.30 feet; thence South 26°54'16" West,
 347 a distance of 22.25 feet; thence South 21°50'28" West,
 348 a distance of 36.79 feet; thence South 63°28'06" West,
 349 a distance of 28.23 feet; thence South 25°24'38" West,
 350 a distance of 13.47 feet; thence South 42°37'08" West,
 351 a distance of 36.84 feet; thence South 19°49'02" West,
 352 a distance of 36.20 feet; thence South 48°17'57" West,
 353 a distance of 25.07 feet; thence South 48°46'20" East,
 354 a distance of 23.96 feet; thence South 07°18'24" East,
 355 a distance of 39.41 feet; thence South 61°42'17" East,
 356 a distance of 63.96 feet; thence South 19°30'39" East,
 357 a distance of 37.00 feet; thence South 07°11'44" East,
 358 a distance of 30.87 feet; thence South 57°48'34" West,
 359 a distance of 26.54 feet; thence South 39°49'37" West,
 360 a distance of 51.91 feet; thence South 33°12'43" West,
 361 a distance of 21.35 feet; thence South 09°34'48" West,

362 a distance of 44.74 feet; thence South 20°48'56" East,
 363 a distance of 48.32 feet; thence South 24°55'57" West,
 364 a distance of 41.90 feet; thence South 02°45'31" East,
 365 a distance of 35.63 feet; thence South 33°18'17" East,
 366 a distance of 34.45 feet; thence South 08°14'15" West,
 367 a distance of 43.31 feet; thence South 19°59'58" East,
 368 a distance of 78.22 feet; thence South 27°23'35" East,
 369 a distance of 37.53 feet; thence South 37°39'35" West,
 370 a distance of 40.08 feet; thence South 01°14'30" East,
 371 a distance of 20.37 feet; thence South 71°18'06" West,
 372 a distance of 15.08 feet; thence South 57°59'14" West,
 373 a distance of 26.21 feet; thence South 27°10'02" West,
 374 a distance of 44.00 feet; thence South 34°26'29" East,
 375 a distance of 51.64 feet; thence South 12°11'33" East,
 376 a distance of 38.89 feet; thence South 31°00'48" East,
 377 a distance of 40.10 feet; thence South 05°32'22" East,
 378 a distance of 52.47 feet; thence South 14°06'44" West,
 379 a distance of 27.92 feet; thence South 18°32'06" West,
 380 a distance of 38.27 feet; thence North 86°57'32" East,
 381 a distance of 15.90 feet; thence North 67°34'27" East,
 382 a distance of 25.47 feet; thence South 12°39'01" East,
 383 a distance of 39.36 feet; thence South 84°33'25" West,
 384 a distance of 27.45 feet; thence South 47°36'58" West,
 385 a distance of 27.94 feet; thence South 34°56'23" East,
 386 a distance of 26.07 feet; thence North 89°13'57" East,
 387 a distance of 45.10 feet; thence South 16°15'58" East,

388 a distance of 49.58 feet; thence South 12°23'09" West,
 389 a distance of 35.75 feet; thence South 05°37'35" East,
 390 a distance of 67.77 feet; thence South 17°34'05" West,
 391 a distance of 40.65 feet; thence South 45°08'32" East,
 392 a distance of 43.24 feet; thence South 07°58'04" East,
 393 a distance of 16.70 feet to a point on the south line
 394 of aforementioned Section 8; thence along said south
 395 line, North 89°52'21" West, a distance of 34.61 feet
 396 to a the southeast corner of said Section 7; thence
 397 along the south line of said Section 7, North
 398 89°52'21" West, a distance of 2,276 feet more of less
 399 to the water of the Estero Bay; thence northerly along
 400 said waters, a distance of 4,498 feet, more or less;
 401 thence North 89°13'27" East, a distance of 742 feet
 402 more or less to a point on the boundary of the lands
 403 described in Official Records Book 3052, page 1859,
 404 public records of Lee County, Florida; thence along
 405 the boundary of said lands for the following three (3)
 406 calls: 1) South 00°46'33" East, a distance of 650.00
 407 feet; 2) thence North 89°13'27" East, a distance of
 408 1,107.21 feet; 3) thence North 00°50'02" West, a
 409 distance of 625.00 feet to the Point of Beginning.
 410 Containing 110.89 acres, more or less.
 411 A. In Township 46 South, Range 25 East, that portion
 412 of the Southwest Quarter (SW-1/4) of Section 23 lying

413 west of the west right-of-way line of Interstate 75
 414 (State Road No. 93).

415 B. In Township 46 South, Range 25 East, that portion
 416 of the Southeast Quarter (SE-1/4) of Section 20 lying
 417 south of the north line of a parcel of land described
 418 in Instrument Number 2012000146389, public records of
 419 Lee County, Florida and northeast of the northeast
 420 right-of-way line of US 41 - Tamiami Trail (State Road
 421 No. 45).

422 C. That portion of a Tract or Parcel of land lying in
 423 Sections 20, Township 46, South, Range 25 East, which
 424 Tract or Parcel is more particularly described as
 425 follows:

426 Beginning at the Southeast corner of said Section 20
 427 and run Westerly along the south line of said Section
 428 20 for 660 feet to the Easterly boundary of lands
 429 described in deed recorded in Deed Book 217, at Page
 430 367, of the Public Records of Lee County; thence run
 431 Northerly along said Easterly boundary, parallel with
 432 the East line of said Section 21 for 995.91 feet to
 433 the Southwesterly corner of lands described in deed
 434 recorded in Deed Book 295, at Page 505 of said Public
 435 Records, thence run Easterly along the Southerly
 436 boundary of said lands and an Easterly prolongation
 437 thereof, parallel with the south line of said Section
 438 21 for 498.56 feet; thence deflect 35°25'00" left and

439 run Northeasterly, perpendicular to the centerline of
 440 the Tamiami Trail (State Road 45) for 126.84 feet to a
 441 Point on the Southwesterly line (68 feet from said
 442 centerline) of said Tamiami Trail thence run
 443 Southeasterly along said Southwesterly line for 100.00
 444 feet to a concrete monument on the line common to said
 445 sections 20 and 21, thence continue Southeasterly
 446 along said Southwesterly line of said Tamiami Trail
 447 for 315.24 feet to a concrete monument; thence deflect
 448 126°13' to the right and run Westerly, perpendicular
 449 to said line common to said Sections 20 and 21 for
 450 186.26 feet to a point on said section line; thence
 451 run Southerly along said section line for 733.59 feet
 452 to the Point of Beginning.

453
 454 AND

455
 456 A tract or parcel of land lying in the Southeast
 457 quarter of the Southeast quarter of Section 20,
 458 Township 46, Range 25 East, Lee County, Florida, which
 459 Tract or Parcel is described as follows:
 460 From the concrete monument marking the Southeast
 461 corner of said Section 20, run S 88°30'00" W, along
 462 the South line of said Section for 660.0 feet to a
 463 concrete monument; thence run N 0°42'00" W, parallel
 464 with the East line of said Section 995.91 feet to a

465 concrete monument; thence run N 88°30'00" E, parallel
 466 with said South line for 498.56 feet to a concrete
 467 monument, thence run N 53°05'00" E, for 23.96 feet to
 468 concrete monument and the point of beginning. From
 469 said point of beginning run N 38°56'00" W for 286.25
 470 feet to a steel pin, thence run N 17°25'50" E, for
 471 62.04 feet to a concrete monument marking the
 472 intersection with the southerly line of Pine Road,
 473 thence run N 88°39'20" E, along southerly line,
 474 parallel with and 25 feet (as measured on a
 475 perpendicular) Southerly from the North line of said
 476 fraction of a Section for 76.95 feet to an
 477 intersection with the southwesterly line (68 feet from
 478 the center line) of the Tamiami Trail (State Road No.
 479 45); thence run S 36°55'00" E., along said
 480 Southwesterly line for 277.49 feet to a concrete
 481 monument, thence run S 53°05'00" W, perpendicular to
 482 said southwesterly line for 102.88 feet to the Point
 483 of Beginning.

484
 485 Section 4. Village council.—

486 (1) GENERAL POWERS AND DUTIES.—All powers of the village
 487 shall be vested in the council, except as otherwise provided by
 488 law or this charter, and the council shall provide for the
 489 exercise thereof and for the performance of all duties and
 490 obligations permitted by or imposed on the village by law.

491 (2) COMPOSITION; ELIGIBILITY; TERMS.—
 492 (a) Composition.—There shall be a village council composed
 493 of seven council members. One council member shall be elected by
 494 the voters of the village at large in each of seven districts,
 495 district one through district seven.
 496 (b) Eligibility.—
 497 1. Each candidate for the office of village council member
 498 shall be a qualified elector of the village.
 499 2. Each candidate for council shall have been a resident
 500 of the village for a minimum period of 1 year before qualifying
 501 for office.
 502 3. Each council member must reside in the district the
 503 member represents for the duration of his or her term.
 504 (c) Terms.—The term of office for council members shall be
 505 4 years. No council member shall serve more than two consecutive
 506 terms. After 1 year out of office, a former council member may
 507 requalify for a seat on the council. For purposes of calculating
 508 term limits, partial terms shall not be counted toward term
 509 limits.
 510 (3) MAYOR; VICE MAYOR.—
 511 (a) Mayor.—At the first regularly scheduled meeting after
 512 the village's regular election, the council, by a majority vote,
 513 shall elect from its membership a mayor. The mayor shall serve
 514 as chairperson during the meetings of the council and shall
 515 serve as the head of municipal government for the purpose of

516 execution of legal documents as required by ordinance. The mayor
517 shall also serve as the ceremonial head of the village.

518 (b) Vice mayor.—At the first regularly scheduled meeting
519 after the village's regular election, the council, by a majority
520 vote, shall elect from its membership a vice mayor who shall
521 serve as mayor during the absence or disability of the mayor
522 and, if a vacancy of the mayor occurs, shall become interim
523 mayor until the next regularly scheduled election.

524 (4) COMPENSATION.—The salary of each council member,
525 except for the mayor, shall be \$6,000 per year, payable in equal
526 monthly installments. The salary of the mayor shall be \$9,000
527 per year, payable in equal monthly installments. An ordinance
528 increasing or decreasing compensation of the council may be
529 adopted at any time; however, if the council takes action to
530 change the level of compensation, the salary of council members
531 shall not be adjusted until after the first day after the next
532 regular municipal election. The council may provide for
533 reimbursement of actual expenses incurred by its members,
534 including the mayor, while performing their official duties.

535 (5) COUNCIL MEETINGS.—

536 (a) The council shall schedule a minimum of 12 regular
537 meetings each year. Special meetings may be held at the call of
538 the mayor or a majority of the council members. At least a 24-
539 hour notice shall be provided to each council member for special
540 meetings. Except as authorized by law, all meetings shall be
541 open to the public.

542 (b) Four members of the village council shall normally
543 constitute a quorum for the conduct of business. Unless a quorum
544 is present, no action may be taken except to adjourn.

545 (c) All council members present shall vote on all matters
546 before the village council except on those matters for which a
547 council member announces a conflict of interest or the village
548 attorney determines that there is a conflict of interest.

549 (6) PROHIBITIONS.—

550 (a) Neither the council, nor any individual member of the
551 council, shall in any manner attempt to dictate the employment
552 or removal of any employee other than the village manager,
553 village attorney, and village clerk. The council is free to make
554 inquiries of village employees, but no individual member of the
555 council shall give orders to any officer or employee of the
556 village. Recommendations for improvements in village government
557 operations shall come through the village manager, but each
558 member of the council shall be free to discuss or recommend
559 improvements to the village manager, and the council is free to
560 direct the village manager to implement specific recommendations
561 for improvement in village government operations.

562 (b) No present or former elected village official shall
563 hold any compensated appointive office or employment with the
564 village until 1 year after leaving office.

565 (7) VACANCIES; FORFEITURE OF OFFICE; FILLING OF
566 VACANCIES.—

567 (a) Vacancies.—A vacancy in the office of council, mayor,
 568 or vice mayor shall occur upon the incumbent's death, inability
 569 to fulfill the duties of the office, movement of residence
 570 outside the district, resignation, appointment to another public
 571 office, judicially determined incompetence, or removal or
 572 forfeiture of office as described in this subsection.

573 (b) Forfeiture of office.—A member of the council may
 574 forfeit the office if the member:

575 1. Lacks at any time during the term of office any
 576 qualification for the office prescribed by this charter or by
 577 law;

578 2. Violates any express prohibition of this charter;

579 3. Is convicted of a felony or criminal misdemeanor, which
 580 felony or misdemeanor involves the office of village council;

581 4. Is found to have violated any standard of conduct or
 582 code of ethics established by law for public officials or has
 583 been suspended from office by the Governor, unless subsequently
 584 reinstated as provided by law; or

585 5. Misses three consecutive regularly scheduled council
 586 meetings, unless excused by the council.

587
 588 If any of these events should occur, a hearing shall
 589 automatically be conducted at the next regularly scheduled
 590 council meeting, and the member may be declared to have
 591 forfeited office by majority vote of the council.

592 (c) Filling of vacancies.—A vacancy on the council, except
593 for the position of mayor, shall be filled as follows:

594 1. If a vacancy occurs and the remainder of the unexpired
595 term is 28 months or less, the remaining council members shall,
596 within 60 days after the occurrence of such vacancy, by majority
597 vote of the remaining council members, appoint a person from the
598 same district to fill the vacancy for the remainder of the
599 unexpired term.

600 2. If a vacancy occurs and the remainder of the unexpired
601 term is more than 28 months, the remaining council members
602 shall, within 60 days after the occurrence of such vacancy, by a
603 majority vote of the remaining council members, appoint a person
604 from the same district to fill the vacancy until the next
605 regularly scheduled election, at which time the balance of the
606 term for the seat shall be filled pursuant to section 9.

607 3. If four or more council vacancies occur at one time,
608 the remaining council members shall, within 60 days after the
609 occurrence of such vacancies, by a majority vote of the
610 remaining council members, appoint a person from the same
611 district to fill such vacancies until the next regularly
612 scheduled village election, at which time the balance of the
613 term for the seats shall be filled pursuant to section 9.

614 (8) JUDGE OF QUALIFICATIONS.—

615 (a) The council shall be the sole judge of the
616 qualifications of its members and shall hear all questions
617 relating to forfeiture of a council member's office, including

618 whether good cause for absence has been or may be established.
619 The council shall have the power to set additional written
620 standards of conduct for its members beyond those specified in
621 this charter and may provide for such penalties as it deems
622 appropriate, including forfeiture of office. In order to
623 exercise these powers, the council shall have power to subpoena
624 witnesses, administer oaths, and require the production of
625 evidence. A member charged with conduct constituting grounds for
626 forfeiture of office shall be entitled to a public hearing on
627 demand, and notice of such hearing shall be published in one or
628 more newspapers of general circulation in the village at least 7
629 days before the hearing.

630 (b) The burden of establishing good cause for absences
631 shall be on the council member in question; however, any council
632 member may, at any time during a duly held meeting, move to
633 establish good cause for his or her absence. A council member
634 whose qualifications are in question or who is otherwise subject
635 to forfeiture of his or her office shall not vote on such
636 matters.

637 (9) INVESTIGATIONS.—

638 (a) The council may undertake investigations into the
639 affairs of the village and the conduct of any village
640 department, office, or agency and for this purpose may subpoena
641 witnesses, administer oaths, take testimony, and require the
642 production of evidence. Failure or refusal to obey a lawful
643 order issued in the exercise of these powers by the council

644 shall be a misdemeanor punishable by fines or imprisonment as
 645 provided in chapter 838, Florida Statutes.

646 (b) The council shall act on any such findings as it may
 647 determine to be in the best interest of the village.

648 Section 5. Administration.-

649 (1) VILLAGE MANAGER.-

650 (a) Appointment and qualifications.-The council shall
 651 appoint a village manager for a fixed compensation who shall
 652 serve at the pleasure of the council. The village manager shall
 653 be appointed primarily on the basis of executive and
 654 administrative qualifications.

655 (b) Removal.-The village manager may be suspended by a
 656 resolution approved by a majority vote of the council, which
 657 shall set forth the reasons for suspension and proposed removal.
 658 A copy of such resolution shall immediately be served upon the
 659 village manager. The village manager shall have 5 days to reply
 660 to the resolution in writing, and upon request shall be afforded
 661 a public hearing, which shall occur at least 5 days but not more
 662 than 30 days after such hearing is requested. After the public
 663 hearing, if one is requested, and after full consideration, the
 664 council, by a majority vote of its membership, may adopt a final
 665 resolution of removal. The village manager shall continue to
 666 receive full salary until the effective date of a final
 667 resolution of removal.

668 (c) Residency.—The village manager need not be a resident
 669 of the village at the time of the manager's appointment and may
 670 reside outside the village while in office.

671 (d) Powers and duties of the village manager.—The village
 672 manager shall:

673 1. Appoint, suspend, demote, or dismiss any village
 674 employee under the village manager's jurisdiction in accordance
 675 with law, and may authorize any department head to exercise
 676 these powers with respect to subordinates in that department.

677 2. Direct and supervise the administration of all
 678 departments of the village except the office of the village
 679 attorney.

680 3. Attend all village council meetings unless excused by
 681 council, and shall have the right to take part in discussions,
 682 but not to vote.

683 4. Ensure that all laws, charter provisions, ordinances,
 684 resolutions, and other acts of the council subject to
 685 enforcement are faithfully executed, and perform such other
 686 duties as are specified in this charter and city code.

687 5. Submit the annual budget, budget message, and capital
 688 program to the council; keep the council fully advised as to the
 689 financial condition and future needs of the village; and make
 690 such recommendations to the council concerning the affairs of
 691 the village as the village manager deems appropriate. The
 692 village manager shall promptly communicate with the council his
 693 or her reasonable expectation of any significant deviations from

694 an expenditure identified within the annual budget. The
695 definition of the term "significant deviations" shall be
696 determined by the council.

697 6. Designate a qualified village employee to exercise the
698 powers and perform the duties of village manager during any
699 temporary absence or incapacity of the village manager. The
700 council may revoke such designation at any time and appoint
701 another qualified person, other than a currently seated council
702 member, to serve as acting village manager until the village
703 manager returns or his or her incapacity shall cease.

704 7. With the consent of the council, appoint an employee to
705 serve as village clerk.

706 (2) VILLAGE ATTORNEY.—There shall be a village attorney
707 who shall be a member of The Florida Bar in good standing, be
708 appointed by the council, and serve as the chief legal advisor
709 to the council and village administrators, departments, and
710 agencies. The village attorney shall attend all council meetings
711 unless excused by council and shall perform such professional
712 duties as may be required by law or by the council in the
713 furtherance of law. The council may remove the village attorney
714 for any reason by a majority vote of its members.

715 (3) VILLAGE CLERK.—There shall be a village clerk who
716 shall be appointed by the village manager with the consent of
717 the council. The village clerk shall serve at the pleasure of
718 the village manager and shall:

719 (a) Give notice of council meetings to its members and the
 720 public.

721 (b) Keep the journal and minutes of the proceedings of the
 722 council and its committees, which shall be public records.

723 (c) Authenticate by signature and record all ordinances
 724 and resolutions passed by council.

725 (d) Be the custodian of the village seal.

726 (e) Have the power to administer oaths.

727 (f) Perform such other duties as may be assigned by the
 728 village manager.

729 Section 6. Departments; personnel; planning.—

730 (1) DEPARTMENTS; BOARDS; AGENCIES.—The council may
 731 establish or terminate such departments, boards, or agencies as
 732 it determines necessary for the efficient administrative
 733 operation of the village. Such departments, boards, or agencies
 734 shall be determined by ordinance.

735 (2) PERSONNEL.—Consistent with all applicable state and
 736 federal laws, the council shall provide by ordinance for the
 737 establishment, regulation, and maintenance of a system governing
 738 personnel policies necessary for the effective administration of
 739 employees of the village's departments, boards, and agencies.

740 (3) PLANNING.—Consistent with all applicable state and
 741 federal laws with respect to land use, development, and
 742 environmental protection, the village shall:

743 (a) Designate an agency or agencies to execute the
 744 planning functions with such decisionmaking responsibilities as
 745 may be specified by ordinance or general law.

746 (b) Adopt a comprehensive plan and ensure that zoning and
 747 other land use control ordinances are consistent with the plan,
 748 all in accordance with general law. The Estero Community Plan,
 749 as amended, approved by the Board of County Commissioners of Lee
 750 County shall serve as the initial comprehensive plan of the
 751 village.

752 (c) Adopt zoning and development regulations, to be
 753 specified by ordinance, to implement the plan.

754 Section 7. Ordinances and resolutions.-

755 (1) DEFINITIONS.-As used in this charter, the term:

756 (a) "Ordinance" means an official legislative action of
 757 the council, which action is a regulation of general and
 758 permanent nature and enforceable as a local law.

759 (b) "Resolution" means an expression of the council
 760 concerning matters of administration, an expression of a
 761 temporary character, or a provision for the disposition of a
 762 particular item of the administrative business of the village.

763 (2) ADOPTION OF ORDINANCES.-The procedure for adoption of
 764 ordinances and resolutions shall be as provided in s. 166.041,
 765 Florida Statutes.

766 (3) EMERGENCY ORDINANCES.-To meet a public emergency
 767 affecting life, health, property, or the public peace, the
 768 council may, except where prohibited by general law, adopt one

769 or more emergency ordinances. Such emergency ordinances may not
 770 levy taxes; grant, renew, or extend a franchise; regulate the
 771 rate charged by any utility for its services; or authorize the
 772 borrowing of money except as provided in this charter. An
 773 emergency ordinance or resolution may not establish or amend the
 774 actual zoning map designation of a parcel or parcels of land or
 775 that changes the list of permitted, conditional, or prohibited
 776 uses within a zoning category. An emergency ordinance shall be
 777 plainly designated as an emergency ordinance and shall contain,
 778 after the enacting of the clause, a declaration stating that an
 779 emergency exists and describing the emergency in clear and
 780 specific terms. An emergency ordinance shall become effective
 781 upon adoption and automatically stand repealed as of the 61st
 782 day after the date on which it was adopted. This shall not
 783 prevent reenactment of an emergency ordinance under regular
 784 procedures, or if the emergency continues to exist, in the
 785 manner specified in this subsection.

786 Section 8. Financial management.—

787 (1) FISCAL YEAR.—The fiscal year of the village shall
 788 begin on the first day of October and end on the last day of
 789 September of each year.

790 (2) SUBMISSION OF THE BUDGET AND THE BUDGET MESSAGE.—On or
 791 before the 15th day of July of each year, the village manager
 792 shall submit to the council a budget in accordance with state
 793 law. The budget shall outline the financial policies of the
 794 village for the ensuing fiscal year; describe the important

795 features of the budget; indicate any major changes from the
796 current year in financial policy, including any changes in
797 budgetary accounting methods from the current year's
798 expenditures and revenues together with the reasons for such
799 changes; summarize the village's debt position; and include such
800 other material as the village manager deems necessary.

801 (3) BUDGET.—The budget shall provide a complete financial
802 plan of all village funds and activities for the ensuing fiscal
803 year and, except as required by law or this charter, shall be in
804 such form as the village manager deems desirable or the council
805 may require for effective management and an understanding of the
806 relationship between the budget and the village's strategic
807 goals. The budget shall begin with a clear general summary of
808 its contents; shall show in detail all estimated revenue,
809 indicating the proposed property tax levy, and all proposed
810 expenditures, including debt service, for the ensuing fiscal
811 year; and shall be so arranged as to show comparative figures
812 for actual and estimated revenue and expenditures of the current
813 fiscal year and actual revenue and expenditures of the preceding
814 fiscal year. The budget shall indicate in separate sections:

815 (a) The proposed goals and expenditures for the current
816 operations during the ensuing fiscal year, detailed for each
817 fund by department or by other organizational unit, and by
818 program, purpose, or activity; methods of financing such
819 expenditures; and methods to measure outcomes and performance
820 related to the goals.

821 (b) Proposed longer-term goals and capital expenditures
822 during the ensuing fiscal year, detailed for each fund by
823 department or by other organization unit when practical, the
824 proposed method of financing each such capital expenditure, and
825 the methods used to measure outcomes and performance related to
826 the goals.

827 (c) The proposed goals, anticipated revenue and expenses,
828 and profit and loss for the ensuing year for each utility or
829 other enterprise fund or internal service fund operated by the
830 village, and methods to measure outcomes and performance related
831 to goals. For any fund, the total of proposed expenditures shall
832 not exceed the total of estimated revenue plus carried forward
833 fund balances exclusive of required reserves.

834 (4) VILLAGE COUNCIL ACTION ON BUDGET.—The council shall
835 adopt the budget by resolution on or before the 30th day of
836 September of each year. If the council fails to adopt a budget
837 by this date, the budget proposed by the village manager shall
838 go into effect.

839 (5) ADMINISTRATION OF BUDGET.—The council shall provide,
840 by ordinance, the procedures for administering the budget.

841 (6) BUDGET AMENDMENTS AFTER ADOPTION.—

842 (a) Supplemental appropriations.—If, during or before the
843 fiscal year, the village manager certifies that there are
844 available for appropriation revenues in excess of those
845 estimated in the budget, the council by ordinance may make

846 supplemental appropriations for the year up to the amount of
847 such excess.

848 (b) Emergency appropriations.—To address a public
849 emergency affecting life, health, property, or the public peace,
850 the council may make emergency appropriations. Such
851 appropriations may be made by emergency ordinance in accordance
852 with subsection (3) of section 7. To the extent that there are
853 no available unappropriated revenues or a sufficient fund
854 balance to meet such appropriations, the council may by such
855 emergency ordinance authorize the issuance of emergency notes,
856 which may be renewed.

857 (c) Reductions of appropriations.—If, at any time during
858 the fiscal year, it appears probable to the village manager that
859 the revenues or fund balances available will be insufficient to
860 finance the expenditures for which appropriations have been
861 authorized, the village manager shall report to the council
862 without delay, indicating the estimated amount of the deficit,
863 any remedial action taken by the village manager, and
864 recommendations as to any other steps to be taken. The council
865 shall then take such further action as it deems necessary to
866 prevent or reduce any deficit, and for that purpose it may, by
867 ordinance, reduce or eliminate one or more appropriations.

868 (d) Transfer of appropriations.—At any time during the
869 fiscal year, the council may by resolution transfer part or all
870 of the unencumbered appropriation balance from one department,
871 fund, service, strategy, or organizational unit to the

872 appropriation for other departments or organizational units or a
873 new appropriation. The village manager may transfer funds among
874 programs within a department, fund, service, strategy, or
875 organizational unit and shall report such transfers to the
876 council, in writing, in a timely manner.

877 (e) Limitation; effective date.—No appropriation for debt
878 service may be reduced or transferred, and no appropriations may
879 be reduced below any amount required by law to be appropriated,
880 or by more than the unencumbered balance thereof. The
881 supplemental and emergency appropriations and reduction of
882 transfer of appropriations authorized by this section may be
883 made effective immediately upon adoption.

884 (7) CAPITAL PROGRAM; COUNCIL ACTION ON CAPITAL PROGRAM;
885 PUBLIC RECORDS.—

886 (a) Capital program.—In conjunction with the submission of
887 the budget, the village manager shall prepare and submit to the
888 council a 5-year capital program to include cost estimates, time
889 schedules, methods of financing, and estimated annual costs of
890 operation and maintenance for such capital improvements. This
891 capital program shall be revised and extended each year
892 depending on which capital improvements are still pending or in
893 process of construction or acquisition.

894 (b) Council action on capital program.—The council shall
895 publish in one or more newspapers of general circulation within
896 the village a summary of the capital program and a notice of at
897 least two public hearings on the capital program. The council,

898 by resolution, shall adopt the capital program with or without
 899 amendments after the public hearings and on or before the 15th
 900 day of August of the then-current fiscal year.

901 (c) Public records.—Copies of the budget, capital program,
 902 and appropriation and revenue ordinances shall be public records
 903 and shall be made available to the public at suitable and
 904 published access places in the village, and shall be available
 905 for purchase at a reasonable price.

906 (8) ANNUAL INDEPENDENT AUDIT.—The council shall provide
 907 for an annual independent audit of all village accounts and
 908 pursuant to general law may provide for more frequent audits as
 909 it deems necessary. Such audits shall be made by a certified
 910 public accountant or a firm of such accountants who have no
 911 personal interest, direct or indirect, in the fiscal affairs of
 912 the village government or in any of its officers. Residency in
 913 the village shall not be construed as a prohibited interest.

914 Section 9. Nominations and elections.—

915 (1) NONPARTISAN ELECTIONS; ELECTORS; QUALIFYING.—

916 (a) Nonpartisan elections.—All elections shall be
 917 conducted on a nonpartisan basis without designation of
 918 political party affiliation.

919 (b) Electors.—Any person who is a resident of the village,
 920 who has qualified as an elector of this state, and who registers
 921 as prescribed by law shall be an elector of the village.

922 (c) Qualifying.—

923 1. Each candidate for village council shall be a qualified
924 elector of the village and must reside in the village for at
925 least 1 year before the beginning of the qualifying period for
926 the office sought.

927 2. Any elector of the village who wishes to become a
928 candidate for village council shall qualify with the Supervisor
929 of Elections of Lee County for the initial election; thereafter,
930 candidates shall qualify with the village clerk by providing
931 proof of voter registration, current address, or 1 year's
932 residency.

933 3. The qualifying period for candidates for village
934 council shall begin at noon on the second Monday in January of
935 odd-numbered years and end at noon on the Friday immediately
936 after.

937 (2) ELECTIONS.—

938 (a) Adoption of Florida Election Code.—All elections
939 required under any article or section of this charter shall be
940 conducted in accordance with the Florida Election Code, chapters
941 97-106, Florida Statutes, in its entirety and as it is
942 subsequently amended, except as otherwise provided in this
943 charter. The council, by ordinance, may adopt such election
944 procedures as are necessary and as provided by the Florida
945 Election Code, chapters 97-106, Florida Statutes.

946 (b) At-large elections.—

947 1. The regular election of council members beginning in
 948 2017 will be the first Tuesday in March on each odd-numbered
 949 year.

950 2. Electors may vote for one candidate from each of the
 951 seven council districts. The candidate in each district
 952 receiving the highest number of votes in the village at-large
 953 election shall be elected to such council district.

954 3. The term of office for an elected council member shall
 955 begin on the second Tuesday after the council election, and end
 956 on the Monday immediately before commencement of the following
 957 term.

958 (c) Village canvassing board.—The canvassing board shall
 959 consist of the mayor or council member designated by the mayor,
 960 the village clerk, and the Supervisor of Elections of Lee County
 961 who shall canvass the results. The election results shall be
 962 publicly announced after the election.

963 (3) COUNCIL DISTRICTS; REDISTRICTING.—

964 (a) There shall be seven village council districts. The
 965 districts shall be as roughly equal in permanent population as
 966 practicable according to the population figures available from
 967 the most recent Lee County population estimate determined by the
 968 decennial United States Census. Legal descriptions for the
 969 village council districts located within the boundary of the
 970 Village of Estero are as follows:

971
 972 DISTRICT 1

973
 974 Commencing at the Northwest section corner of Section
 975 29, Township 46 South, Range 25 East, also being the
 976 Point of Beginning (State Plane Coordinate X=709367.49
 977 Y=768888.62);
 978 thence run North 88°50'15" East, for a distance of
 979 2641.85 feet;
 980 thence run North 88°24'49" East, for a distance of
 981 1988.08 feet;
 982 thence run North 89°51'10" East, for a distance of
 983 30.25 feet to the approximate center line of
 984 Breckenridge Drive;
 985 thence run southwesterly along the arc a curve to the
 986 right having a radius of 247 feet, through a central
 987 angle of 44°53'57" with a chord bearing of South
 988 22°4'49" West;
 989 thence run southwesterly along the arc a curve to the
 990 left having a radius of 2583.18 feet, through a
 991 central angle of 4°3'41" with a chord bearing of South
 992 45°15'53" West;
 993 thence run southeasterly along the arc a curve to the
 994 left having a radius of 253.24 feet, through a central
 995 angle of 92°49'6" with a chord bearing of South
 996 5°54'52" East;
 997 thence run southeasterly along the arc a curve to the
 998 right having a radius of 285.56 feet, through a

999 central angle of 90°12'56" with a chord bearing of
 1000 South 17°41'1" East;
 1001 thence run South 34°18'15" West, for a distance of
 1002 119.36
 1003 thence run southwesterly along the arc a curve to the
 1004 left having a radius of 398.15 feet, through a central
 1005 angle of 53°44'15" with a chord bearing of South
 1006 3°40'29" West;
 1007 thence run southeasterly along the arc a curve to the
 1008 right having a radius of 268.84 feet, through a
 1009 central angle of 59°51'35" with a chord bearing of
 1010 South 0°50'50" East;
 1011 thence run southwesterly along the arc a curve to the
 1012 left having a radius of 1447.11 feet, through a
 1013 central angle of 7°18'53" with a chord bearing of
 1014 South 23°38'42" West;
 1015 thence run southeasterly along the arc a curve to the
 1016 left having a radius of 377.67 feet, through a central
 1017 angle of 79°49'18" with a chord bearing of South
 1018 23°55'38" East;
 1019 thence run southeasterly along the arc a curve to the
 1020 right having a radius of 119.37 feet, through a
 1021 central angle of 67°28'31" with a chord bearing of
 1022 South 27°35'15" East;
 1023 thence run South 0°59'11" East, for a distance of
 1024 115.22 feet to the approximate centerline of Boadway

1025 Way also being the north line of the south half of
 1026 Section 29, Township 46 South, Range 25 East;
 1027 thence run South 89°1'50" West, for a distance of
 1028 3551.72 feet to the approximate centerline of the FPL
 1029 ROW;
 1030 thence run South 21°36'8" East, for a distance of
 1031 2384.1 feet to the approximate centerline of the
 1032 Estero River;
 1033 thence following the approximate center line of the
 1034 Estero River for 1599.59 feet to a point lying 1328.56
 1035 feet South 76°37'13" West of the point of intersection
 1036 of the FPL ROW and the Estero River to the
 1037 approximate center line of Halfway Creek;
 1038 thence following the approximate center line of the
 1039 Halfway Creek for 9365.33 feet to a point lying
 1040 5640.75 feet South 15°19'02" East of the point of
 1041 intersection of the center lines of the Estero River
 1042 and Halfway Creek to the approximate centerline of
 1043 Williams Road also being the north line of Section 05,
 1044 Township 45 South, Range 25 East;
 1045 thence run North 88°32'36" East, for a distance of
 1046 3052.76 feet to the approximate centerline of
 1047 Tropicana Avenue;
 1048 thence run South 0°15'48" East, for a distance of
 1049 2675.32 feet to the approximate centerline of an FPL
 1050 easement;

1051 thence run South 21°9'37" East, for a distance of
 1052 5754.36 feet to the approximately centerline of
 1053 Coconut Road also being the north line of the south
 1054 half of Section 09, Township 47 South, Range 25 East;
 1055 thence run North 89°54'43" East, for a distance of
 1056 1415.44 feet to the approximate center line of US 41;
 1057 thence run South 0°37'40" East, for a distance of
 1058 642.06 feet;
 1059 Thence run southeasterly along the arc a curve to the
 1060 left having a radius of 4625.18 feet, through a
 1061 central angle of 12°3'37" with a chord bearing of
 1062 South 5°7'30 " East;
 1063 thence run South 9°39'59" East, for a distance of
 1064 1007.52 feet to the south line of Section 09, Township
 1065 47 South, Range 25 East also being the north boundary
 1066 of the City of Bonita Springs;
 1067 thence following said municipal boundary, run South
 1068 88°56'15" West, for a distance of 802.51 feet;
 1069 thence run South 89°0'41" West, for a distance of
 1070 2677.09 feet;
 1071 thence run North 89°52'21" West, for a distance of
 1072 2558.77 feet;
 1073 thence run North 89°52'22" West, for a distance of
 1074 2524.15 feet to a point on the east line of a
 1075 conservation easement recorded in Official Records

1076 Book 4283 Page 3774, Public Records of Lee County
 1077 Florida;
 1078 thence following said boundary for the following 102
 1079 courses and distances:
 1080 1. run North 7°58'04" West, for a distance of 16.70
 1081 feet;
 1082 2. thence run North 45°8'32" West, for a distance of
 1083 43.24 feet;
 1084 3. thence run North 17°34'5" East, for a distance of
 1085 40.65 feet;
 1086 4. thence run North 5°37'35" West, for a distance of
 1087 67.77 feet;
 1088 5. thence run North 12°23'9" East, for a distance of
 1089 35.75 feet;
 1090 6. thence run North 16°15'58" West, for a distance of
 1091 49.58 feet;
 1092 7. thence run South 89°13'57" West, for a distance of
 1093 45.10 feet;
 1094 8. thence run North 34°56'23" West, for a distance of
 1095 26.07 feet;
 1096 9. thence run North 47°36'58" East, for a distance of
 1097 27.94 feet;
 1098 10. thence run North 84°33'25" East, for a distance
 1099 of 27.45 feet;
 1100 11. thence run North 12°39'1" West, for a distance of
 1101 39.36 feet;

- 1102 12. thence run South 67°34'27" West, for a distance
- 1103 of 25.47 feet;
- 1104 13. thence run South 86°57'32" West, for a distance
- 1105 of 15.9 feet;
- 1106 14. thence run North 18°32'6" East, for a distance of
- 1107 38.27 feet;
- 1108 15. thence run North 14°6'44" East, for a distance of
- 1109 27.92 feet;
- 1110 16. thence run North 5°32'22" West, for a distance of
- 1111 52.47 feet;
- 1112 17. thence run North 31°0'48" West, for a distance of
- 1113 40.1 feet;
- 1114 18. thence run North 12°11'33" West, for a distance
- 1115 of 38.89 feet;
- 1116 19. thence run North 34°26'29" West, for a distance
- 1117 of 51.64 feet;
- 1118 20. thence run North 27°10'2" East, for a distance of
- 1119 44 feet;
- 1120 21. thence run North 57°59'14" East, for a distance
- 1121 of 26.21 feet;
- 1122 22. thence run North 71°18'6" East, for a distance of
- 1123 15.08 feet;
- 1124 23. thence run North 1°14'30" West, for a distance of
- 1125 20.37 feet;
- 1126 24. thence run North 37°39'36" East, for a distance
- 1127 of 40.08 feet;

- 1128 25. thence run North 27°23'35" West, for a distance
- 1129 of 37.53 feet;
- 1130 26. thence run North 19°59'58" West, for a distance
- 1131 of 78.22 feet;
- 1132 27. thence run North 8°14'15" East, for a distance of
- 1133 43.31 feet;
- 1134 28. thence run North 33°18'17" West, for a distance
- 1135 of 34.45 feet;
- 1136 29. thence run North 2°45'31" West, for a distance of
- 1137 35.63 feet;
- 1138 30. thence run North 24°55'57" East, for a distance
- 1139 of 41.9 feet;
- 1140 31. thence run North 20°48'56" West, for a distance
- 1141 of 48.32 feet;
- 1142 32. thence run North 9°34'48" East, for a distance of
- 1143 44.74 feet;
- 1144 33. thence run North 33°12'43" East, for a distance
- 1145 of 21.35 feet;
- 1146 34. thence run North 39°49'37" East, for a distance
- 1147 of 51.91 feet;
- 1148 35. thence run North 57°48'34" East, for a distance
- 1149 of 26.54 feet;
- 1150 36. thence run North 7°11'44" West, for a distance of
- 1151 30.87 feet;
- 1152 37. thence run North 19°30'39" West, for a distance
- 1153 of 37 feet;

- 1154 38. thence run North 61°42'17" West, for a distance
 1155 of 63.96 feet;
- 1156 39. thence run North 7°18'24" West, for a distance of
 1157 39.41 feet;
- 1158 40. thence run North 48°46'20" West, for a distance
 1159 of 23.96 feet;
- 1160 41. thence run North 48°17'57" East, for a distance
 1161 of 25.07 feet;
- 1162 42. thence run North 19°49'2" East, for a distance of
 1163 36.2 feet;
- 1164 43. thence run North 42°37'8" East, for a distance of
 1165 36.84 feet;
- 1166 44. thence run North 25°24'38" East, for a distance
 1167 of 13.47 feet;
- 1168 45. thence run North 63°28'6" East, for a distance of
 1169 28.23 feet;
- 1170 46. thence run North 21°50'28" East, for a distance
 1171 of 36.79 feet;
- 1172 47. thence run North 26°54'16" East, for a distance
 1173 of 22.25 feet;
- 1174 48. thence run North 36°13'51" East, for a distance
 1175 of 33.3 feet;
- 1176 49. thence run North 0°32'0" East, for a distance of
 1177 23.73 feet;
- 1178 50. thence run North 39°41'4" West, for a distance of
 1179 35.54 feet;

- 1180 51. thence run North 3°17'09" West, for a distance of
 1181 19.29 feet;
- 1182 52. thence run North 47°19'30" West, for a distance
 1183 of 50.06 feet;
- 1184 53. thence run North 40°59'54" West, for a distance
 1185 of 20.68 feet;
- 1186 54. thence run North 22°8'4" East, for a distance of
 1187 21.15 feet;
- 1188 55. thence run North 58°55'16" East, for a distance
 1189 of 31.96 feet;
- 1190 56. thence run South 82°15'2" East, for a distance of
 1191 13.75 feet;
- 1192 57. thence run South 41°43'16" West, for a distance
 1193 of 24.56 feet;
- 1194 58. thence run South 35°50'4" East, for a distance of
 1195 42.22 feet;
- 1196 59. thence run South 53°20'16" East, for a distance
 1197 of 28.47 feet;
- 1198 60. thence run North 54°36'26" East, for a distance
 1199 of 44.61 feet;
- 1200 61. thence run South 67°33'53" East, for a distance
 1201 of 23.5 feet;
- 1202 62. thence run South 71°14'30" East, for a distance
 1203 of 22.95 feet;
- 1204 63. thence run North 41°44'9" East, for a distance of
 1205 15.79 feet;

- 1206 64. thence run North 56°23'0" West, for a distance of
- 1207 28.55 feet;
- 1208 65. thence run North 86°12'55" West, for a distance
- 1209 of 20.51 feet;
- 1210 66. thence run North 12°12'57" West, for a distance
- 1211 of 22.75 feet;
- 1212 67. thence run North 58°7'12" West, for a distance of
- 1213 25.45 feet;
- 1214 68. thence run North 11°26'36" East, for a distance
- 1215 of 19.74 feet;
- 1216 69. thence run North 14°57'51" East, for a distance
- 1217 of 38.06 feet;
- 1218 70. thence run South 60°50'8" East, for a distance of
- 1219 22.14 feet;
- 1220 71. thence run South 78°36'49" East, for a distance
- 1221 of 29.64 feet;
- 1222 72. thence run South 82°28'58" East, for a distance
- 1223 of 22.54 feet;
- 1224 73. thence run North 12°4'44" East, for a distance of
- 1225 31.95 feet;
- 1226 74. thence run North 28°14'30" West, for a distance
- 1227 of 18.56 feet;
- 1228 75. thence run North 60°7'55" West, for a distance of
- 1229 30.22 feet;
- 1230 76. thence run North 59°45'12" West, for a distance
- 1231 of 25.96 feet;

- 1232 77. thence run North 15°52'35" East, for a distance
 1233 of 34.51 feet;
- 1234 78. thence run North 83°34'30" West, for a distance
 1235 of 24.52 feet;
- 1236 79. thence run North 42°24'51" West, for a distance
 1237 of 36.16 feet;
- 1238 80. thence run North 41°58'46" West, for a distance
 1239 of 40.98 feet;
- 1240 81. thence run North 79°48'7" West, for a distance of
 1241 48.5 feet;
- 1242 82. thence run North 46°4'37" East, for a distance of
 1243 27.43 feet;
- 1244 83. thence run North 31°0'38" East, for a distance of
 1245 25.53 feet;
- 1246 84. thence run North 14°42'48" East, for a distance
 1247 of 28.87 feet;
- 1248 85. thence run South 70°5'51" East, for a distance of
 1249 36.5 feet;
- 1250 86. thence run South 54°46'17" East, for a distance
 1251 of 19.72 feet;
- 1252 87. thence run South 79°21'50" East, for a distance
 1253 of 24.88 feet;
- 1254 88. thence run South 71°44'14" East, for a distance
 1255 of 18.15 feet;
- 1256 89. thence run North 86°51'4" East, for a distance of
 1257 39.79 feet;

- 1258 90. thence run North 34°0'38" East, for a distance of
 1259 22.57 feet;
- 1260 91. thence run North 6°30'32" East, for a distance of
 1261 20.53 feet;
- 1262 92. thence run North 50°42'32" West, for a distance
 1263 of 25.83 feet;
- 1264 93. thence run North 58°26'34" West, for a distance
 1265 of 32.79 feet;
- 1266 94. thence run South 76°58'32" West, for a distance
 1267 of 32.43 feet;
- 1268 95. thence run North 80°3'12" West, for a distance of
 1269 25.81 feet;
- 1270 96. thence run North 1°58'43" East, for a distance of
 1271 35.44 feet;
- 1272 97. thence run North 17°31'4" East, for a distance of
 1273 24.03 feet;
- 1274 98. thence run South 83°9'35" West, for a distance of
 1275 75.71 feet;
- 1276 99. thence run North 14°12'53" East, for a distance
 1277 of 28.04 feet;
- 1278 100. thence run North 22°41'2" West, for a distance
 1279 of 9.38 feet;
- 1280 101. thence run North 38°25'26" East, for a distance
 1281 of 13.31 feet;
- 1282 102. thence run North 13°27'24" East, for a distance
 1283 of 68.12 feet to the northwest corner of Conservation

1284 Easement number 14, recorded in Official Records Book
 1285 3094, Page 3234, Public Records of Lee County Florida;
 1286 thence along said boundary for the following four (4)
 1287 courses and distances:
 1288 1. run North 75°38'7" East, for a distance of 112.79
 1289 feet;
 1290 2. thence run South 19°8'7" East, for a distance of
 1291 117.08 feet;
 1292 3. thence run South 53°3'31" East, for a distance of
 1293 119.51 feet;
 1294 4. thence run South 34°45'41" East, for a distance of
 1295 134.67 feet;
 1296 thence run North 29°52'39" East, for a distance of
 1297 22.93 feet;
 1298 Thence run northeasterly along the arc a curve to the
 1299 left having a radius of 99.98 feet, through a central
 1300 angle of 14°44'42" with a chord bearing of North
 1301 22°30'22 " East;
 1302 Thence run northeasterly along the arc a curve to the
 1303 right having a radius of 104.66 feet, through a
 1304 central angle of 54°40'21" with a chord bearing of
 1305 North 42°22'25" East;
 1306 Thence run northeasterly along the arc a curve to the
 1307 left having a radius of 99.92 feet, through a central
 1308 angle of 28°2'33" with a chord bearing of North
 1309 55°36'0" East;

1310 thence run North 41°35'17" East, for a distance of
 1311 46.9 feet;
 1312 thence run North 47°26'14" East, for a distance of
 1313 466.86 feet;
 1314 thence run North 63°30'43" East, for a distance of
 1315 230.57 feet;
 1316 thence run South 89°48'2" East, for a distance of
 1317 34.12 feet;
 1318 thence run North 0°11'43" East, for a distance of
 1319 82.19 feet;
 1320 thence run North 50°54'15" West, for a distance of
 1321 143.04 feet;
 1322 thence run North 74°36'32" West, for a distance of
 1323 58.19 feet;
 1324 thence run North 0°17'51" East, for a distance of
 1325 47.01 feet;
 1326 thence run North 89°43'6" West, for a distance of
 1327 904.21 feet;
 1328 thence run North 89°43'19" West, for a distance of
 1329 45.84 feet;
 1330 thence run South 0°50'2" East, for a distance of 625
 1331 feet;
 1332 thence run South 89°13'27" West, for a distance of
 1333 1107.21 feet;
 1334 thence run North 0°46'33" West, for a distance of 650
 1335 feet;

1336 thence run South 89°13'28" West, for a distance of
 1337 9.44 feet;
 1338 thence run North 0°16'13" East, for a distance of
 1339 219.3 feet;
 1340 thence run North 3°47'55" West, for a distance of 202
 1341 feet;
 1342 thence run South 89°13'6" West, for a distance of
 1343 75.49 feet;
 1344 thence run South 81°53'4" West, for a distance of
 1345 115.98 feet;
 1346 thence run North 0°54'46" West, for a distance of
 1347 42.12 feet;
 1348 thence run North 78°19'31" East, for a distance of
 1349 121.8 feet;
 1350 thence run North 9°17'44" West, for a distance of
 1351 199.5 feet;
 1352 thence run South 89°5'16" West, for a distance of 549
 1353 feet to the intersection with the water of the Estero
 1354 Bay;
 1355 thence following the waters of the Estero Bay for
 1356 50,680.08 feet to a point lying 20,165.26 feet North
 1357 19°37'46" West of the point of intersection of the
 1358 waters of the Estero Bay and the north section line of
 1359 Section 25, Township 46 South, Range 24 East to the
 1360 north line of Section 25, Township 46 South, Range 24
 1361 East;

1362 thence run along the north section lines of Section
 1363 25, Township 46 South, Range 24 East and Section 30,
 1364 Township 46 South, Range 25 East the following
 1365 courses; North 89°32'47" East, for a distance of
 1366 2719.61 feet;
 1367 thence run South 68°7'41" East, for a distance of
 1368 182.45 feet;
 1369 thence run South 66°45'23" East, for a distance of
 1370 2831.06 feet;
 1371 thence run North 88°54'14" East, for a distance of
 1372 2629.27 feet to the point of beginning.

1373
 1374 LESS AND EXCEPT:

1375
 1376
 1377 The East Half (E-1/2) of the Northwest Quarter (NW-
 1378 1/4) and the West Half (W 1/2) of the West Half (W-
 1379 1/2) of the Northeast Quarter (NE-1/4) of Section 8,
 1380 Township 47 South, Range 25 East, less the south 40
 1381 feet for the Coconut Road Right-of-way.

1382
 1383 District Contains 4,128.3 Acres More Or Less

1384
 1385 DISTRICT 2

1386

1387 Commencing at the west quarter corner of Section 28,
 1388 Township 46 South, Range 25 East, also being the Point
 1389 of Beginning (state plane coordinates X= 714693.75
 1390 Y=766374.94)
 1391 thence run North 89°49'35" East, for a distance of
 1392 3330.54 feet to the approximate center line of US 41;
 1393 thence run South 1°50'8" East, for a distance of
 1394 3921.45
 1395 thence run southwesterly along the arc a curve to the
 1396 right having a radius of 14466.75 feet, through a
 1397 central angle of 3°33'47" with a chord bearing of
 1398 South 3°44'45" West;
 1399 thence run South 5°9'37" West, for a distance of
 1400 3075.17 feet;
 1401 thence run South 4°39'27" West, for a distance of
 1402 1352.53
 1403 thence run southeasterly along the arc a curve to the
 1404 left having a radius of 7063.4 feet, through a central
 1405 angle of 15°6'59" with a chord bearing of South
 1406 1°20'18" East;
 1407 thence run South 6°55'41" East, for a distance of
 1408 2662.67
 1409 thence run southeasterly along the arc a curve to the
 1410 right having a radius of 8613.59 feet, through a
 1411 central angle of 8°51'44" with a chord bearing of
 1412 South 3°44'22" East;

1413 thence run South 0°37'40" East, for a distance of
 1414 942.23 feet to the approximately centerline of Coconut
 1415 Road also being the north line of the south half of
 1416 Section 09, Township 47 South, Range 25 East;
 1417 thence run South 89°54'43" West, for a distance of
 1418 1415.44 feet to the approximate centerline of an FPL
 1419 easement;
 1420 thence run North 21°9'37" West, for a distance of
 1421 5754.36 feet to the approximate centerline of
 1422 Tropicana Avenue;
 1423 thence run North 0°15'48" West, for a distance of
 1424 2675.32 feet to the approximate centerline of Williams
 1425 Road also being the north line of Section 05, Township
 1426 45 South, Range 25 East;
 1427 thence run South 88°32'36" West, for a distance of
 1428 3052.76 feet to the approximate center line of Halfway
 1429 Creek;
 1430 thence following the approximate center line of the
 1431 Halfway Creek for 9365.33 feet to a point lying
 1432 5640.75 feet North 15°19'02" West of the point of
 1433 intersection of the center lines of the Williams Road
 1434 and Halfway Creek to the approximate centerline of the
 1435 Estero River;
 1436 thence following the approximate center line of the
 1437 Estero River for 1599.59 feet to a point lying 1328.56

1438 feet North 76°37'13" East of the point of intersection
 1439 of Halfway Creek and the Estero River to the FPL ROW;
 1440 thence run North 21°36'8" West, for a distance of
 1441 2384.1 feet to the approximate centerline of Boadway
 1442 Way also being the north line of the south half of
 1443 Section 29, Township 46 South, Range 25 East;
 1444 thence run North 88°55'55" East, for a distance of
 1445 3183.58 feet;
 1446 thence run North 89°48'50" East, for a distance of
 1447 368.19 feet;
 1448 thence run North 89°48'50" East, for a distance of
 1449 608.14 feet to the point of beginning.

1450
 1451 District Contains 1,769.65 Acres More Or Less

1452
 1453 DISTRICT 3

1454
 1455 Commencing at the northeast corner of Section 21,
 1456 Township 46 South, Range 25 East, also being the Point
 1457 of Beginning (state plane coordinates X= 714583.39
 1458 Y=774315.45);
 1459 thence run along the north section line of Section 21,
 1460 Township 46 South, Range 25 East, South 88°49'16"
 1461 East, for a distance of 2649.92 feet;
 1462 thence run South 89°29'33" East, for a distance of
 1463 2628.25 feet;

1464 thence run South 0°53'55" East, for a distance of
 1465 2646.15 feet to the north line of the southwest
 1466 quarter of Section 21, Township 46 South, Range 25
 1467 East;
 1468 thence run North 89°15'56" East, for a distance of
 1469 2658.71 feet;
 1470 thence run South 0°38'38" East, for a distance of
 1471 2574.91 feet;
 1472 thence run North 88°38'34" East, for a distance of
 1473 2590.9 feet;
 1474 thence run North 0°52'40" East, for a distance of
 1475 2547.76 feet to the north line of the southwest
 1476 quarter of Section 22, Township 46 South, Range 25
 1477 East;
 1478 thence run North 89°16'11" East, for a distance of
 1479 664.59 feet to the west ROW line of INTERSTATE 75;
 1480 thence run South 16°27'23" East, for a distance of
 1481 2671.61 feet to the north line of Section 26, Township
 1482 46 South, Range 25 East;
 1483 thence run South 89°44'7" East, for a distance of
 1484 230.64 feet to the approximate centerline of
 1485 INTERSTATE 75;
 1486 thence run South 18°17'40" East, for a distance of
 1487 1432.27 feet;

1488 thence run South 89°51'10" West, for a distance of
 1489 2038.08 feet to the approximate centerline of Three
 1490 Oaks Parkway;
 1491 thence run South 1°18'28" East, for a distance of
 1492 1272.84 feet to the north line of the south half of
 1493 Section 26, Township 46 South, Range 25 East;
 1494 thence run South 89°11'8" West, for a distance of
 1495 71.58 feet;
 1496 thence run South 89°11'9" West, for a distance of
 1497 5263.51 feet;
 1498 thence run South 89°49'3" West, for a distance of
 1499 599.42 feet to the approximately centerline of the
 1500 Seaboard Coast Line Railroad ROW;
 1501 thence run northwesterly along the arc a curve to the
 1502 left having a radius of 2968.18 feet, through a
 1503 central angle of 34°4'42" with a chord bearing of
 1504 North 17°54'8" West;
 1505 thence run North 32°1'23" West, for a distance of
 1506 1191.76 feet to the approximate centerline of Estero
 1507 Parkway;
 1508 thence run North 85°53'31" West, for a distance of
 1509 1260.18 feet;
 1510 thence run southwesterly along the arc a curve to the
 1511 left having a radius of 1124.38 feet, through a
 1512 central angle of 42°53'44" with a chord bearing of
 1513 South 74°19'14" West;

1514 thence run South 52°16'30" West, for a distance of
 1515 465.33 feet to the approximate centerline of US 41;
 1516 thence run North 36°48'36" West, for a distance of
 1517 1926.3 feet to the west line of Section 21, Township
 1518 46 South, 25 East;
 1519 thence run North 0°46'18" West, for a distance of
 1520 162.01 feet to the east ROW line of US41;
 1521 thence run North 36°55'0" West, for a distance of
 1522 806.81 feet;
 1523 thence run North 89°15'26" East, for a distance of
 1524 475.88 feet to the east line of Section 21, Township
 1525 46 South, 25 East;
 1526 thence run North 0°46'16" West, for a distance of
 1527 659.7 feet;
 1528 thence run North 0°47'43" West, for a distance of
 1529 2661.71 feet to the point of beginning.

1530
 1531 District Contains 1286.59 Acres More Or Less

1532
 1533 DISTRICT 4

1534
 1535 Commencing at the west quarter corner of Section 28,
 1536 Township 46 South, Range 25 East, also being the Point
 1537 of Beginning (state plane coordinates X=714693.75
 1538 Y=766374.94 feet);

1539 thence run North 89°49'35" East, for a distance of
 1540 3330.54 feet to the approximate center line of US 41;
 1541 thence run South 1°50'8" East, for a distance of
 1542 3921.45 feet to the approximate centerline of
 1543 Corkscrew Road;
 1544 thence run North 89°46'44" East, for a distance of
 1545 9317.45
 1546 thence run northeasterly along the arc a curve to the
 1547 left having a radius of 3230.33 feet, through a
 1548 central angle of 26°59'33" with a chord bearing of
 1549 North 73°48'1" East to the approximate centerline of
 1550 the INTERSTATE 75 ROW;
 1551 thence run North 18°17'40" West, for a distance of
 1552 5079.82 feet;
 1553 thence run South 89°51'16" West, for a distance of
 1554 2038.1 feet to the approximate centerline of the Three
 1555 Oaks Parkway ROW;
 1556 thence run South 1°18'28" East, for a distance of
 1557 1272.84 feet to the north line of the south half of
 1558 Section 26, Township 46 South, Range 25 East;
 1559 thence run South 89°11'8" West, for a distance of
 1560 71.58 feet;
 1561 thence run South 89°11'9" West, for a distance of
 1562 5263.51 feet;

1563 thence run South 89°49'3" West, for a distance of
 1564 599.42 feet to the approximately centerline of the
 1565 Seaboard Coast Line Railroad ROW;
 1566 thence run northwesterly along the arc a curve to the
 1567 left having a radius of 2968.18 feet, through a
 1568 central angle of 34°4'42" with a chord bearing of
 1569 North 17°54'8" West;
 1570 thence run North 32°1'23" West, for a distance of
 1571 1191.76 feet to the approximate centerline of Estero
 1572 Parkway;
 1573 thence run North 85°53'31" West, for a distance of
 1574 1260.18 feet;
 1575 thence run southwesterly along the arc a curve to the
 1576 left having a radius of 1124.38 feet, through a
 1577 central angle of 42°53'44" with a chord bearing of
 1578 South 74°19'14" West;
 1579 thence run South 52°16'30" West, for a distance of
 1580 465.33 feet to the approximate centerline of US 41;
 1581 thence run North 36°48'36" West, for a distance of
 1582 1926.3 feet to the west line of Section 21, Township
 1583 46 South, 25 East;
 1584 thence run South 0°46'28" East, for a distance of
 1585 177.04 feet to the intersection of said section line
 1586 the northeast boundary of the Breckenridge
 1587 Professional Center;

1588 thence run North 36°54'58" West, for a distance of
 1589 97.87 feet;
 1590 thence run North 36°55'10" West, for a distance of
 1591 277.55 feet;
 1592 thence run South 88°39'22" West, for a distance of
 1593 76.95 feet;
 1594 thence run South 17°23'50" West, for a distance of
 1595 62.04 feet;
 1596 thence run South 38°56'0" East, for a distance of
 1597 286.25 feet;
 1598 thence run South 52°56'45" West, for a distance of
 1599 23.92 feet;
 1600 thence run South 88°30'1" West, for a distance of
 1601 498.56 feet;
 1602 thence run South 0°41'56" East, for a distance of
 1603 995.94 feet;
 1604 thence run North 89°50'17" East, for a distance of
 1605 30.24 feet to the approximately centerline of
 1606 Breckenridge Drive;
 1607 thence run southwesterly along the arc a curve to the
 1608 right having a radius of 247 feet, through a central
 1609 angle of 44°53'57" with a chord bearing of South
 1610 22°4'49" West;
 1611 thence run southwesterly along the arc a curve to the
 1612 left having a radius of 2583.18 feet, through a

1613 central angle of 4°3'41" with a chord bearing of South
 1614 45°15'53" West;
 1615 thence run southeasterly along the arc a curve to the
 1616 left having a radius of 253.24 feet, through a central
 1617 angle of 92°49'6" with a chord bearing of South
 1618 5°54'52" East;
 1619 thence run southeasterly along the arc a curve to the
 1620 right having a radius of 285.56 feet, through a
 1621 central angle of 90°12'56" with a chord bearing of
 1622 South 17°41'1" East;
 1623 thence run South 34°18'15" West, for a distance of
 1624 119.36
 1625 thence run southwesterly along the arc a curve to the
 1626 left having a radius of 398.15 feet, through a central
 1627 angle of 53°44'15" with a chord bearing of South
 1628 3°40'29" West;
 1629 thence run southeasterly along the arc a curve to the
 1630 right having a radius of 268.84 feet, through a
 1631 central angle of 59°51'35" with a chord bearing of
 1632 South 0°50'50" East;
 1633 thence run southwesterly along the arc a curve to the
 1634 left having a radius of 1447.11 feet, through a
 1635 central angle of 7°18'53" with a chord bearing of
 1636 South 23°38'42" West;
 1637 thence run southeasterly along the arc a curve to the
 1638 left having a radius of 377.67 feet, through a central

1639 angle of 79°49'18" with a chord bearing of South
 1640 23°55'38" East;
 1641 thence run southeasterly along the arc a curve to the
 1642 right having a radius of 119.37 feet, through a
 1643 central angle of 67°28'31" with a chord bearing of
 1644 South 27°35'15" East;
 1645 thence run South 0°59'11" East, for a distance of
 1646 114.77 feet to the approximate centerline of Boadway
 1647 Way also being the north line of the south half of
 1648 Section 29, Township 46 South, Range 25 East;
 1649 thence run North 89°48'50" East, for a distance of
 1650 608.13 feet to the point of beginning.

1651
 1652 District Contains 1327.54 Acres More Or Less

1653
 1654 DISTRICT 5

1655
 1656 Commencing at the southwest corner of Section 36,
 1657 Township 46 South, Range 25 East, also being the Point
 1658 of Beginning (state plane coordinates X=735937.6
 1659 Y=758567.2);
 1660 thence following the south section lines of Sections
 1661 36, 35, 34, and 33, Township 46 South Range 25 East
 1662 for 7 courses: run South 89°21'40" West, for a
 1663 distance of 2638.23 feet;

1664 thence run North 88°39'21" West, for a distance of
 1665 2631.26 feet;
 1666 thence run South 89°50'15" West, for a distance of
 1667 2639.64 feet;
 1668 thence run South 89°50'34" West, for a distance of
 1669 2641.62 feet;
 1670 thence run South 89°52'7" West, for a distance of
 1671 2639.37 feet;
 1672 thence run South 89°51'22" West, for a distance of
 1673 2647.56 feet;
 1674 thence run South 88°19'39" West, for a distance of
 1675 2287.28 feet to the approximate centerline of US 41;
 1676 thence run North 5°9'37" East, for a distance of
 1677 3075.17
 1678 thence run northeasterly along the arc a curve to the
 1679 left having a radius of 14466.75 feet, through a
 1680 central angle of 3°33'47" with a chord bearing of
 1681 North 3°44'45" East to the approximate centerline of
 1682 Corkscrew Road;
 1683 thence run North 89°46'44" East, for a distance of
 1684 9317.45
 1685 thence run northeasterly along the arc a curve to the
 1686 left having a radius of 3230.33 feet, through a
 1687 central angle of 26°59'33" with a chord bearing of
 1688 North 73°48'1" East to the approximated centerline of
 1689 the INTERSTATE 75 ROW;

1690 thence run North 18°17'40" West, for a distance of
 1691 5079.82 feet;
 1692 thence run North 18°17'40" West, for a distance of
 1693 1432.34 feet to the north line of Section 26, Township
 1694 46 South, Range 25 East;
 1695 thence run South 89°45'8" East, for a distance of
 1696 997.08 feet;
 1697 thence run South 89°44'35" East, for a distance of
 1698 2107.98 feet to the approximate centerline of Ben Hill
 1699 Griffin Parkway;
 1700 thence run South 0°0'19" West, for a distance of
 1701 1064.21
 1702 thence run southeasterly along the arc a curve to the
 1703 left having a radius of 2214.94 feet, through a
 1704 central angle of 23°23'51" with a chord bearing of
 1705 South 16°20'0" East;
 1706 thence run South 31°40'32" East, for a distance of
 1707 719.1
 1708 thence run southeasterly along the arc a curve to the
 1709 right having a radius of 2223.22 feet, through a
 1710 central angle of 26°27'22" with a chord bearing of
 1711 South 22°6'3" East;
 1712 thence run South 6°27'32" East, for a distance of
 1713 416.71 feet;
 1714 thence run South 7°40'1" East, for a distance of
 1715 136.64

1716 thence run southeasterly along the arc a curve to the
 1717 left having a radius of 1451.88 feet, through a
 1718 central angle of 21°34'34" with a chord bearing of
 1719 South 18°26'6" East;
 1720 thence run South 29°39'33" East, for a distance of
 1721 302.71 feet to the approximate centerline of Corkscrew
 1722 Road;
 1723 thence run North 62°15'53" East, for a distance of
 1724 5042.42 feet to the west line of Section 25, Township
 1725 46 South, Range 25 East;
 1726 thence run South 1°2'2" East, for a distance of 135.83
 1727 feet;
 1728 thence run South 1°4'45" East, for a distance of
 1729 2642.78 feet;
 1730 thence run South 0°33'4" East, for a distance of
 1731 2640.43 feet;
 1732 thence run South 0°27'27" East, for a distance of
 1733 2643.53 feet to the point of beginning.

1734
 1735 District Contains 2348.31 Acres More Or Less

1736
 1737 DISTRICT 6

1738
 1739 Commencing at the southwest corner of Section 09,
 1740 Township 47 South, Range 25 East, also being the Point

1741 of Beginning (state plane coordinates X=718429.44
 1742 Y=747782.96);
 1743 Thence run South 88°56'16" West, for a distance of
 1744 1847.35 feet to the approximate centerline of US 41;
 1745 thence run North 9°39'59" West, for a distance of
 1746 1007.52 feet;
 1747 thence run northwesterly along the arc a curve to the
 1748 right having a radius of 4625.18 feet, through a
 1749 central angle of 12°3'37" with a chord bearing of
 1750 North 5°7'30" West;
 1751 thence run North 0°37'53" West, for a distance of
 1752 642.06 feet;
 1753 thence run North 0°37'40" West, for a distance of
 1754 923.23 feet;
 1755 thence run northwesterly along the arc a curve to the
 1756 left having a radius of 8613.59 feet, through a
 1757 central angle of 8°51'44" with a chord bearing of
 1758 North 3°44'22" West;
 1759 thence run North 6°55'41" West, for a distance of
 1760 2662.67 feet;
 1761 thence run northwesterly along the arc a curve to the
 1762 right having a radius of 7063.40 feet, through a
 1763 central angle of 15°6'59" with a chord bearing of
 1764 North 1°20'18" West to the north line of Section 04,
 1765 Township 47 South, Range 25 East;

1766 thence run North 4°39'27" East, for a distance of
 1767 1352.53 feet;
 1768 thence run North 88°19'39" East, for a distance of
 1769 2287.28 feet;
 1770 thence run North 89°51'22" East, for a distance of
 1771 2647.56 feet;
 1772 thence run North 89°52'7" East, for a distance of
 1773 2639.37 feet;
 1774 thence run North 89°50'34" East, for a distance of
 1775 2641.62 feet;
 1776 thence run North 89°50'15" East, for a distance of
 1777 2639.65 feet to the northeast corner of Section 02,
 1778 Township 47 South, Range 25 East;
 1779 thence run South 1°13'18" East, for a distance of
 1780 2678.29 feet;
 1781 thence run South 1°13'32" East, for a distance of
 1782 2655.29 feet;
 1783 thence run South 0°55'29" East, for a distance of
 1784 3018.01 feet;
 1785 thence run South 0°55'30" East, for a distance of
 1786 3018.02 feet to the southeast corner of Section 11,
 1787 Township 47 South, Range 25 East;
 1788 thence run North 82°32'47" West, for a distance of
 1789 2623.46 feet;
 1790 thence run North 82°29'22" West, for a distance of
 1791 2698.35 feet;

1792 thence run South 88°50'21" West, for a distance of
 1793 2665.25 feet;
 1794 thence run South 88°50'38" West, for a distance of
 1795 2663.15 feet to the point of beginning.

1796
 1797 District Contains 4388 Acres More Or Less

1798
 1799 DISTRICT 7

1800
 1801 Commencing at the southwest corner of Section 31,
 1802 Township 46 South, Range 26 East, also being the Point
 1803 of Beginning (state plane coordinates X=735937.47
 1804 Y=758567.08 feet;
 1805 thence run North 89°40'8" East, for a distance of
 1806 2638.47 feet;
 1807 thence run North 89°15'55" East, for a distance of
 1808 2632.21 feet;
 1809 thence run North 89°7'38" East, for a distance of
 1810 2643.33 feet;
 1811 thence run North 89°6'9" East, for a distance of
 1812 2641.82 feet to the southeast corner of Section 32,
 1813 Township 46 South, Range 26 East;
 1814 thence run North 0°20'14" East, for a distance of
 1815 2637.31 feet;
 1816 thence run North 0°21'15" East, for a distance of
 1817 2630.02 feet;

1818 thence run North 2°7'56" West, for a distance of
 1819 2645.68 feet;
 1820 thence run North 2°7'47" West, for a distance of
 1821 2646.39 feet;
 1822 thence run North 1°9'40" West, for a distance of
 1823 825.71 feet to the approximate centerline of Corkscrew
 1824 Road;
 1825 thence run South 86°34'11" West, for a distance of
 1826 4481.93 feet;
 1827 thence run southwesterly along the arc a curve to the
 1828 left having a radius of 893.4 feet, through a central
 1829 angle of 21°54'30" with a chord bearing of South
 1830 75°0'11" West;
 1831 thence run South 61°50'19" West, for a distance of
 1832 1130.65 feet to the north line of Section 30, Township
 1833 46 South, Range 26 East;
 1834 thence run South 89°21'59" West, for a distance of
 1835 2100.77 feet;
 1836 thence run South 89°21'54" West, for a distance of
 1837 2607.66 feet;
 1838 thence run South 89°28'25" West, for a distance of
 1839 2624.95 feet;
 1840 thence run South 89°28'10" West, for a distance of
 1841 2624.89 feet;

1842 thence run North 89°44'35" West, for a distance of
 1843 578.31 feet to the approximate centerline of Ben Hill
 1844 Griffin Parkway;
 1845 thence run South 0°0'19" West, for a distance of
 1846 1064.21
 1847 thence run northwesterly along the arc a curve to the
 1848 left having a radius of 2214.94 feet, through a
 1849 central angle of 23°23'51" with a chord bearing of
 1850 South 16°20'0" East;
 1851 thence run South 31°40'32" East, for a distance of
 1852 719.1
 1853 thence run northwesterly along the arc a curve to the
 1854 right having a radius of 2223.22 feet, through a
 1855 central angle of 26°27'22" with a chord bearing of
 1856 South 22°6'3" East;
 1857 thence run South 6°27'32" East, for a distance of
 1858 416.71 feet;
 1859 thence run South 7°40'1" East, for a distance of
 1860 136.64
 1861 thence run northwesterly along the arc a curve to the
 1862 left having a radius of 1451.88 feet, through a
 1863 central angle of 21°34'34" with a chord bearing of
 1864 South 18°26'6" East;
 1865 thence run South 29°39'33" East, for a distance of
 1866 302.71 feet to the approximate centerline of Corkscrew
 1867 Road;

1868 thence run North 62°15'53" East, for a distance of
 1869 5042.42 feet to the east line of Section 30, Township
 1870 46 South, Range 26 East;
 1871 thence run South 1°2'2" East, for a distance of 135.83
 1872 feet;
 1873 thence run South 1°4'45" East, for a distance of
 1874 2642.78 feet;
 1875 thence run South 0°33'4" East, for a distance of
 1876 2640.43 feet;
 1877 thence run South 0°27'27" East, for a distance of
 1878 2643.53 feet to the point of beginning.

1879
 1880 District Contains 2683 Acres More Or Less

1881
 1882 Population figures are from 2010 United States Census using
 1883 census block level data. The bearings and distances are based on
 1884 the State Plane Coordinates System Florida Zone West NAD 83
 1885 (CORS).

1886 (b) In the year 2015, and in odd-numbered years after each
 1887 decennial United States Census thereafter, and at any time
 1888 required by law, the council may redivide the village into seven
 1889 districts as roughly equal in permanent population as practical.

1890 (4) RECALL.—The qualified voters of the village shall have
 1891 the power to remove from office an elected official for
 1892 unethical or illegal conduct or actions resulting in the
 1893 endangerment of the public health and safety, malfeasance of

1894 office, or dereliction of duties. In order to recall a council
 1895 member, at least 25 percent of the total number of electors
 1896 registered to vote in the last regular village election within
 1897 the district shall be needed to sign a petition to recall the
 1898 council member from his or her district seat. If said number of
 1899 signatures is collected and certified by the Supervisor of
 1900 Elections of Lee County, a special recall election shall be held
 1901 no later than 90 days after such certification. A recall
 1902 election shall be held as provided for by the Florida Election
 1903 Code.

1904 Section 10. Initiative and referendum.—The powers of
 1905 initiative and referendum are reserved to the qualified
 1906 registered voters of the village. The election laws of the
 1907 state, as they currently exist or may hereafter be amended or
 1908 superseded, shall govern the exercise of the powers of
 1909 initiative and referendum under this charter.

1910 Section 11. General provisions.—

1911 (1) CODE OF ETHICS.—It is essential to the proper conduct
 1912 and operation of the village that the officers and employees of
 1913 the village be independent and impartial and for their offices
 1914 not to be used for private gain other than the remuneration
 1915 provided by law or by ordinances. It is declared to be the
 1916 policy of the village that its officers and employees are agents
 1917 of the people and hold their positions for the benefit of the
 1918 public. Therefore, all village officers and employees shall

1919 adhere to the standards of conduct as set forth in part III of
 1920 chapter 112, Florida Statutes.

1921 (2) AMENDMENTS TO CHARTER.—

1922 (a) Amendments.—The charter may be amended in accordance
 1923 with the provisions for charter amendments as specified in the
 1924 Municipal Home Rules Powers Act, chapter 166, Florida Statutes,
 1925 or as otherwise may be provided by general law. The council may,
 1926 by ordinance, or the qualified registered voters of the village
 1927 may, by petition signed by 10 percent or 5,000 electors,
 1928 whichever is less, registered to vote in the last regular
 1929 village election, submit to the electors of the village a
 1930 proposed amendment to any part or all of the charter. The form,
 1931 content, and certification of any petition to amend the charter
 1932 shall be established by ordinance.

1933 (b) Election.—The council shall place the proposed
 1934 amendment contained in the ordinance or petition to a vote of
 1935 the electors of the village at the next village election or at a
 1936 special election called for such purpose.

1937 (c) Adoption of amendment.—If a majority of the registered
 1938 voters of the village vote in favor of a proposed charter
 1939 amendment, the amendment shall become effective at the time
 1940 fixed in the amendment or, if no time is fixed in the amendment,
 1941 30 days after the amendment is adopted by the voters.

1942 (3) SEVERABILITY.—If any provision of this charter or the
 1943 application thereof to any person or circumstance is held
 1944 invalid, the invalidity shall not affect other provisions or

1945 applications of this charter which can be given effect without
 1946 the invalid provisions or application, and to this end the
 1947 provisions of this charter are declared severable.

1948 Section 12. Referendum election; transition.—

1949 (1) REFERENDUM ELECTION.—The referendum election called
 1950 for by this act shall be held on November 4, 2014, at which time
 1951 the following question shall be placed upon the ballot:

1953 Shall the Village of Estero and its charter be created?

1955 YES

1957 NO

1959 In the event the question is answered affirmatively by a
 1960 majority of voters voting in the referendum, the charter will
 1961 take effect as provided for in this charter. The referendum
 1962 election shall be conducted by the Supervisor of Elections of
 1963 Lee County in accordance with the Florida Election Code, and the
 1964 cost of such election shall be funded by Lee County.

1965 (2) INITIAL ELECTION OF COUNCIL.—

1966 (a) After the adoption of this charter, the Supervisor of
 1967 Elections of Lee County shall call an election to be held on
 1968 March 3, 2015, for the election of seven village council
 1969 members. The election shall be conducted by the Supervisor of
 1970 Lee County Elections in accordance with the Florida Election

1971 Code, and the cost of such election shall be funded by Lee
 1972 County.

1973 (b) Any individual who wishes to run for one of seven
 1974 initial seats on the council shall qualify with the Supervisor
 1975 of Elections of Lee County in accordance with this charter and
 1976 general law. The qualifying period for the initial election of
 1977 the village council shall begin at noon on the second Monday in
 1978 January and end at noon on the Friday immediately following.

1979 (c) For the initial elections, the county canvassing board
 1980 shall certify the results of the elections in accordance with
 1981 general law.

1982 (d) The four council members receiving the highest number
 1983 of votes shall be elected to 4-year terms and the other three
 1984 council members shall be elected to initial 2-year terms. The
 1985 council members elected to the 2-year terms may serve, if
 1986 reelected, an additional 4-year term, which will constitute two
 1987 terms for term limit purposes.

1988 (3) SCHEDULE.—

1989 (a) First election of council members.—At the time of its
 1990 adoption, this charter shall be in effect to the extent
 1991 necessary so that the first election of members of the village
 1992 council may be conducted in accordance with this charter.

1993 (b) Time of taking full effect.—This charter shall be in
 1994 full effect for all purposes on and after the date of the first
 1995 meeting of the newly elected village council provided in
 1996 paragraph (c).

1997 (c) First council meeting.—On March 17, 2015, after the
 1998 first election of the village council under this charter, the
 1999 newly elected members of the village council shall meet at a
 2000 location to be determined. The initial council shall have the
 2001 authority and power to enter into contracts, arrange for the
 2002 hiring of legal counsel, begin recruiting applicants for village
 2003 manager, provide for necessary village offices and facilities,
 2004 and do such other things as it deems necessary and appropriate
 2005 for the village.

2006 (4) FIRST-YEAR EXPENSES.—The council, in order to provide
 2007 moneys for the expenses and support of the city, shall have the
 2008 power to borrow money necessary for the operation of municipal
 2009 government until such time as a budget is adopted and revenues
 2010 are raised in accordance with this charter.

2011 (5) TRANSITIONAL ORDINANCES AND RESOLUTIONS.—

2012 (a) All applicable county ordinances currently in place at
 2013 the time of passage of the referendum, unless specifically
 2014 referenced in this charter, shall remain in place until and
 2015 unless rescinded by action of the council, except that a county
 2016 ordinance, rule, or regulation which is in conflict with an
 2017 ordinance, rule, or regulation of the village shall not be
 2018 effective to the extent of such conflict. Any existing Lee
 2019 County ordinances, rules, and regulations, as of November 4,
 2020 2014, shall not be altered, changed, rescinded, or added to, nor
 2021 shall any variance be granted, if such action would affect the
 2022 village without the approval of the council.

2023 (b) The council shall adopt ordinances and resolutions
 2024 required to effect the transition. Ordinances adopted within 90
 2025 days after the first council meeting may be passed as emergency
 2026 ordinances as provided in this charter, except the transitional
 2027 ordinances shall be effective for no longer than 90 days after
 2028 adoption and, thereafter, may be readopted, renewed, or
 2029 otherwise continued only in the manner normally prescribed for
 2030 ordinances.

2031 (6) TRANSITIONAL COMPREHENSIVE PLAN.—Until such time as
 2032 the village adopts a comprehensive plan, the Lee County
 2033 Comprehensive Plan and the Estero Community Plan, as the same
 2034 exists on the day the village commences corporate existence,
 2035 shall remain in effect as the village's transitional
 2036 comprehensive plan. However, all planning functions, duties, and
 2037 authority shall thereafter be vested in the council, which shall
 2038 be deemed the local planning agency until the council
 2039 establishes a separate local planning agency.

2040 (7) TRANSITIONAL LAND DEVELOPMENT REGULATIONS.—To
 2041 implement the transitional comprehensive land use plan when
 2042 adopted, the village shall, in accordance with the procedures
 2043 required by the laws of the state, adopt ordinances providing
 2044 for land use development regulations within the corporate
 2045 limits. Until the village adopts the ordinances:

2046 (a) The comprehensive land use plan and land use
 2047 development regulations of Lee County and the Estero Community
 2048 Plan, as the same exists on the date the village commences

2049 corporate existence, shall remain in effect as the village's
 2050 transitional land use development regulations and comprehensive
 2051 land use plan.

2052 (b) All powers and duties of the Lee County Department of
 2053 Community Development, the Lee County Hearing Examiner, and
 2054 Board of County Commissioners of Lee County, as set forth in
 2055 these transitional land use development regulations, shall be
 2056 vested in the council until such time as the council delegates
 2057 all powers and duties, or a portion thereof, to another agency,
 2058 department, or entity.

2059 (c) Subsequent to the adoption of a local comprehensive
 2060 land use plan and subject to general law, the council is fully
 2061 empowered to amend, supersede, enforce, or repeal the
 2062 transitional land use development regulations, or any portion
 2063 thereof, by ordinance.

2064 (d) Subsequent to the commencement of the village's
 2065 corporate existence, an amendment of the comprehensive land use
 2066 plan or land use development regulations enacted by the Board of
 2067 County Commissioners of Lee County shall not be deemed an
 2068 amendment of the village's transitional comprehensive land use
 2069 plan or land use development regulations or otherwise take
 2070 effect within the village's municipal boundaries.

2071 (8) STATE-SHARED REVENUES.—The village shall be entitled
 2072 to participate in all revenue sharing programs of the state
 2073 effective April 1, 2015. The provisions of s. 218.23(1), Florida
 2074 Statutes, shall be waived for the purpose of conducting audits

2075 and financial reporting through the end of fiscal year 2014-
 2076 2015. For purposes of complying with s. 218.23(1), Florida
 2077 Statutes, relating to ad valorem taxation, the millage levied by
 2078 special districts may be used for an indefinite period of time.
 2079 Initial revised population estimates for calculating eligibility
 2080 for shared revenues shall be determined by the University of
 2081 Florida Bureau of Economic and Business Research. Should the
 2082 bureau be unable to provide an appropriate population estimate,
 2083 the Lee County Department of Community Development shall provide
 2084 the estimate.

2085 (9) LOCAL REVENUE SOURCES.—The village shall be entitled
 2086 to receive all local revenue sources available pursuant to
 2087 general law, including, but not limited to, the local
 2088 communications services tax imposed under s. 202.19, Florida
 2089 Statutes. The local communications services tax rate imposed by
 2090 Lee County will continue within the village boundaries during
 2091 the period commencing with the date of incorporation through
 2092 December 31, 2015. Revenues from the tax shall be shared by Lee
 2093 County with the village in proportion to the projected village
 2094 population estimate of the Lee County Planning Division compared
 2095 with the unincorporated population of Lee County before the
 2096 incorporation of the village.

2097 (10) LOCAL OPTION GAS TAX REVENUES.—The village shall be
 2098 entitled to receive local option gas tax revenues beginning
 2099 October 1, 2015, in accordance with an interlocal agreement if
 2100 executed before June 1, 2015. If such interlocal agreement is

2101 not executed before June 1, 2015, the distributions shall be in
 2102 accordance with the lane mile formula contained in s.
 2103 336.025(4)(b)1., Florida Statutes.

2104 (11) CONTRACTUAL SERVICES AND FACILITIES.—Contractual
 2105 services for police, emergency management, public works, parks
 2106 and recreation, planning and zoning, building inspection,
 2107 development review, animal control, library services, and solid
 2108 waste collection may be supplied by a contract between the
 2109 village and Lee County, special districts, municipalities, or
 2110 private enterprise until such time as the council establishes
 2111 such independent services. However, existing solid-waste
 2112 contracts shall be honored as required by s. 165.061(1)(f),
 2113 Florida Statutes, and s. 10, Article I of the State
 2114 Constitution. Facilities for housing the newly formed municipal
 2115 operations may be rented or leased until the village selects
 2116 more permanent facilities.

2117 (12) INDEPENDENT SPECIAL DISTRICTS.—It is recognized that
 2118 certain services within the municipal boundaries are provided by
 2119 independent special districts whose boundaries lie wholly within
 2120 the municipal boundaries of the village and are created by
 2121 special acts of the Legislature. The municipality is empowered
 2122 to merge the functions of such districts with the functions of
 2123 the municipality only upon dissolution of such district or upon
 2124 affirmation of a vote of a majority of the council and an
 2125 affirmative vote of a majority of the council or board governing
 2126 the district after meeting all requirements for merger or

2127 dissolution in the district's enabling legislation and chapter
 2128 189, Florida Statutes. It is recognized that certain planning
 2129 and interlocal agreements may be necessary between the village
 2130 and such districts, and the council shall endeavor to maximize
 2131 the benefits of the districts to the fullest extent possible. In
 2132 the event the council desires to supplement or duplicate
 2133 services determined to be inadequate, the council is fully
 2134 empowered to do so.

2135 (13) ELIMINATION OF TRANSITIONAL ELEMENTS FROM THIS
 2136 CHARTER.—Upon completion of the transitional phase provided in
 2137 this charter, the sections of the charter relating to transition
 2138 may be eliminated from this charter.

2139 Section 13. This act shall take effect only upon its
 2140 approval by a majority vote of those qualified electors residing
 2141 within the corporate limits of the proposed Village of Estero,
 2142 as described in section 3, in a referendum conducted in
 2143 accordance with the provisions of law relating to elections
 2144 currently in force, except that this section and subsection (1)
 2145 of section 12 shall take effect upon this act upon becoming a
 2146 law.