

ENGINEER'S REPORT
FOR
THE HERITAGE BAY COMMUNITY DEVELOPMENT DISTRICT

Prepared For:

The Board of Supervisors
The Heritage Bay Community Development District

Prepared By:
Engineer:

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The Heritage Bay Community Development District Engineer's Report

1. INTRODUCTION

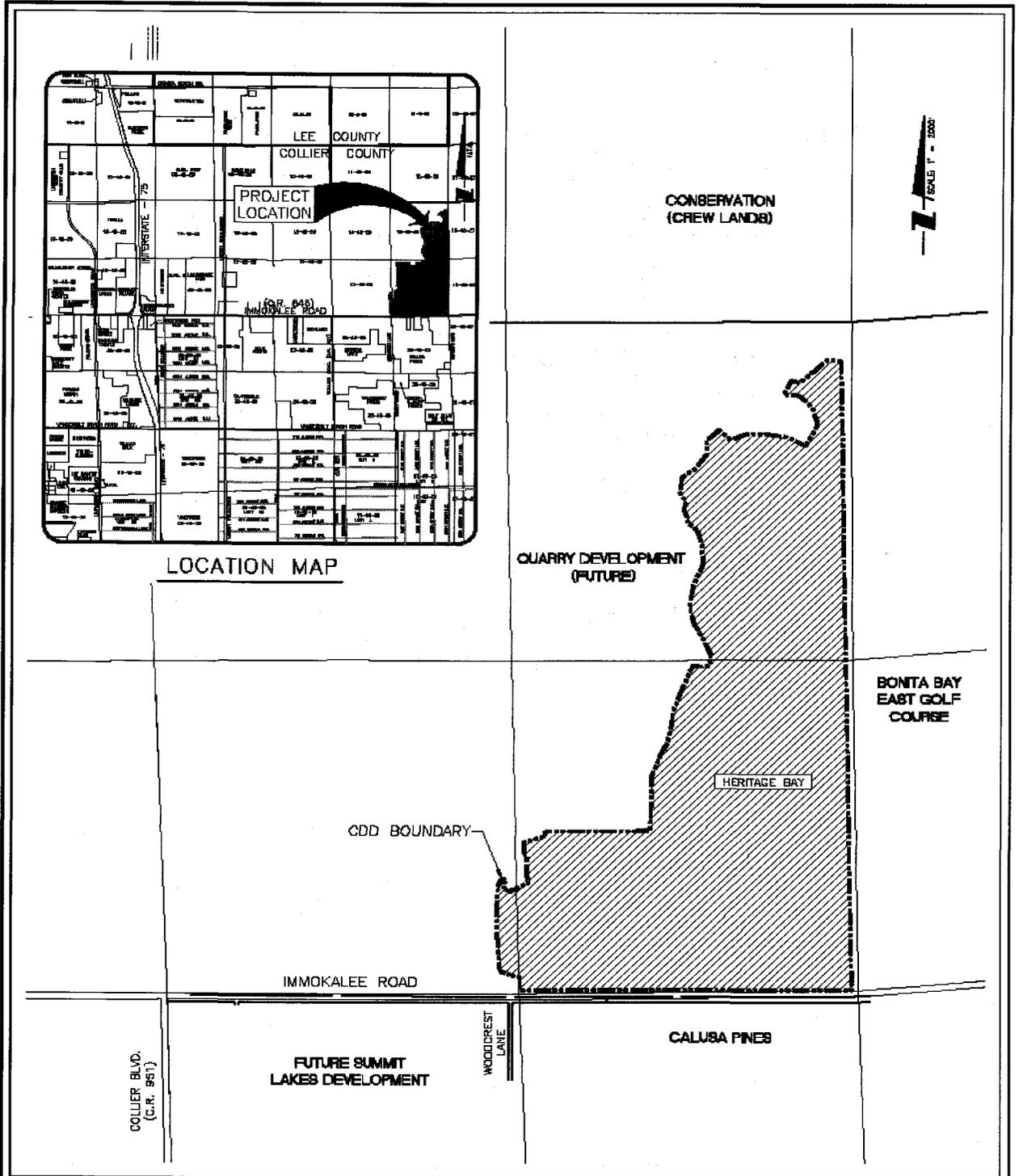
1.1. Description of the Heritage Bay Community Development District

The Heritage Bay CDD (District) consists of approximately 687 acres of land located wholly within unincorporated Collier County, Florida and lying in portions of Sections 13, 23 and 24, Township 48 South, Range 26 East. In addition, the District is located within the approved Planned Unit Development (PUD) and Development of Regional Impact (DRI) known as Heritage Bay (Heritage Bay DRI). The Heritage Bay DRI is a planned mixed-use community consisting of approximately 2,562 acres lying East of Interstate 75 on Immokalee Road (County Road 846) as shown in Exhibit 1. A metes and bounds legal description of the boundaries of the District is provided in Appendix A.

Development within the Heritage Bay CDD will include approximately 424 single-family dwelling units, 826 multi-family units, a championship golf course, and clubhouse.

A land use summary for the property located within the District boundary is presented in Table 1. The District will construct, operate and maintain infrastructure to support the community within the District's boundaries. The District Boundary has been shown on Exhibit 1.

**EXHIBIT 1
LOCATION MAP AND DISTRICT BOUNDARIES**



<p>Wilson Miller <small>Planners • Drafters • Estimators • Surveyors • Landmarks Architects • Transportation Consultants</small> Wilson, Inc. <small>1800 S.W. 1st St., Suite 200, Ft. Lauderdale, FL 33304 • Phone: 954-333-0007 • Fax: 954-333-0008 • www.wilsonmiller.com</small></p>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>FILE #</td><td>010-000</td></tr> <tr><td>REV.</td><td>PHASE 211-000</td></tr> <tr><td>DATE</td><td>NOVEMBER 2004</td></tr> <tr><td>SCALE</td><td>AS SHOWN</td></tr> <tr><td>PREPARED BY</td><td>J.A.D.</td></tr> <tr><td>DESIGNED BY</td><td>J.A.D.</td></tr> <tr><td>APPROVED BY</td><td>D.M.</td></tr> </table>	FILE #	010-000	REV.	PHASE 211-000	DATE	NOVEMBER 2004	SCALE	AS SHOWN	PREPARED BY	J.A.D.	DESIGNED BY	J.A.D.	APPROVED BY	D.M.	<p>EXHIBIT 1 HERITAGE BAY CDD LOCATION MAP</p>
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PREPARED BY	J.A.D.																
DESIGNED BY	J.A.D.																
APPROVED BY	D.M.																

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**Table 1
Land Use Summary**

Category	Acres
Single Family Residential	56
Multi Family Residential	70
Golf Course	119
Club House	11
Golf Course Maintenance Facility	3
Roads Right-of-Way	115
Conservation Easement Buffer	7
Surface Water Management	108
Recreation Lakes	181
Open Space/Landscape Buffers, etc.	17
	687

The developer of Heritage Bay, Bayvest, LLC, began construction of the infrastructure needed to support the District in 2004 and should complete the construction in the year 2007. The timeline could be lengthened or shortened and could be modified based on actual Developer sales, economic conditions and future development trends in the area.

1.2. Authorization

WilsonMiller, Inc., hereinafter referred to as Engineer, prepared this Engineer's Report pursuant to the authorization of the Board of Supervisors of the Heritage Bay Community Development District.

1.3. Purpose and Scope

The purpose of this Report is to present the nature, extent, an estimated cost, and benefits associated with implementing the infrastructure needed to serve the District. Also, this Report presents a narrative description of the major components included with the infrastructure system. The financing is expected to be in the form of one or more series of special assessment revenue bonds to be issued by the

District. The financing and assessment methodology will be developed by the District's financial advisor.

This Report generally describes the improvements, the estimated costs, and benefits associated with implementing the improvements and recommendations. This Report is not intended to be used for exact representation or for construction purposes since detailed construction plans and specifications either have or will be prepared for the improvements authorized by this plan. The intent of this Report is to provide an estimated cost of planning, constructing and permitting the proposed infrastructure for the creation of the Heritage Bay Community Development District under Florida Statute Chapter 190.005(1)(a)6 which states, "These estimates shall be submitted in good faith but shall not be binding and may be subject to change."

The Engineer has considered and, in certain instances, relied upon opinions, information, and documentation prepared or supplied by others, which may have included public officials, public entities, the Developer, engineering professionals, general contractors, and surveyors.

1.4. The Heritage Bay Community Development District

The District was established by Collier County Ordinance No. 05-24. This Ordinance was adopted on May 24, 2005 and became effective June 17, 2005. The petition for the District establishment was submitted and filed to the general purpose local governmental authority, the Collier Board of County Commissioners, in March of this year. The District was established in accordance with Florida State statutes (Ch 190) the Charter was created by law in order to plan, finance, construct, acquire, operate and maintain public infrastructure for the benefit of the District's landowners. The District has been granted the power to borrow money and issue bonds for the purpose of constructing and acquiring the improvements. The District has the power to levy and impose assessments, rates, and charges to pay for the construction, acquisition, and continued operation and maintenance of the improvements.

2. DISTRICT BOUNDARY AND PROPERTIES SERVED

2.1. Property Boundary

Exhibit 1 delineates the boundary of the Heritage Bay Community Development District. Appendix A contains a legal description of the District boundary. The District is located in Collier County Florida approximately 4.1 miles east of the intersection of Interstate 75 and Immokalee Road (County Road 846). The District is also within the Heritage Bay DRI, which is a planned mixed-use community located within the County's Urban Residential Mixed-use Sub-District and rural Fringe area. The Heritage Bay DRI is situated at a transitional land use location, bordered on the east by Bonita Bay East golf courses, on the north by undeveloped lands, on the south by a major county arterial road, the developing Grand Land Golf Club and approved RV parks, and on the west by the pending Tam O'Shanter PUD.

2.2. Description of Property Served

The District is located in portions of Sections 13, 23 and 24, Township 48 South, Range 26 East, Collier County, Florida. Previous and existing activities on site are primarily related to agriculture and mining. The site had been used for cattle grazing and raising livestock. The most recent use consisted of a mining operation

that has been in operation for twenty-eight (28) years. Since the District is contained within the Heritage Bay DRI, the District will need to abide to Resolution No. 03-255 and Development Order No. 03-01 of the Board of County Commissioner of Collier County, Florida.

2.3. Existing Infrastructure

There are no existing water, sewer, or roadway infrastructure within the District boundaries that will be utilized by the District. All District infrastructure needs will be extended from existing infrastructure along Immokalee Road. The existing offsite infrastructure is owned and operated by Collier County Government.

There are existing wells on site that are designated for observation, testing, and irrigation. According to the Heritage Bay DRI development order, these wells are not to be used for irrigation. The DRI development order specifies drilling irrigation wells from the Lower Tamiami aquifer to irrigate fifty (50) percent of the landscaping for the entire DRI including The Heritage Bay CDD and the other fifty (50) percent will be irrigated by withdrawals from the surface water system.

The most recent land use for the project is rock mining. A South Florida Water Management District Environmental Resource Permit (11-307936-9) has been issued for the surface water system for the mining operation. Currently, a network of on-site ditches and the excavated quarry pits collect on-site runoff. There are two water control structures outside the District boundaries, which discharge runoff to the Cocohatchee Canal. The proposed surface water system will utilize the existing quarry mine pits along with proposed lakes to attenuate surface water runoff and provide water quality treatment.

Other utilities, which are proposed to serve the project, include: Florida Power and Light Company (electric), Sprint (telephone), and cable television. In addition, water and sewer will be provided by Collier County Government, Public Works Division. Facilities are currently available directly to the site and/or exist along Immokalee Road to serve the project needs.

All utilities are available to the property or will be during the development of the infrastructure.

3. PROPOSED DISTRICT INFRASTRUCTURE

3.1. Summary of the Proposed District Infrastructure

With the adoption of Ordinance No 05-24, thereby granting the petition to form The Heritage Bay CDD, the Board of County Commissioners authorized the District, through its Board of Supervisors, to manage and finance basic infrastructure for the benefit of the landowners and residents of the Heritage Bay DRI that lie within the boundaries of The Heritage Bay CDD. This infrastructure, under section 190.012(1), FS, includes basic urban systems, facilities, and services. In accordance with the enabling legislation, the District will fund certain public infrastructure improvements (construction and/or acquisition of) for the landowner's and residents of The Heritage Bay CDD including, but not limited to, the following:

- Water Management
- Utilities
- Landscape and Irrigation
- Professional Services and Permitting for the above items

The capital improvements described in this Report represent the present intentions of the Developer and the District. The implementation of the improvements discussed in this Report requires the final approval by many local, state and federal regulatory and permitting agencies. The actual improvements may vary from the improvements proposed in this Report. Cost estimates contained in this Report have been prepared based upon the best available information at this time. The actual cost of construction, final engineering design, planning, approvals and permitting may vary from the cost estimates presented.

3.2. Water Management

The surface water management system for The Heritage Bay CDD will consist of lake excavation, rock blasting, drainage inlets, culverts, storm drain pipes, swales, berms, mass filling and grading of development areas, and water control structures necessary to capture and convey runoff from the site to the onsite lakes. The lakes will be interconnected and provide the necessary water quality treatment and stormwater attenuation prior to discharging offsite.

Stormwater management lakes within the District will be excavated and the material will be used for fill for roadways and development tracts to raise the elevations of these areas such that they meet permit requirements for the District. Due to the amount of rock and unsuitable material in the area, fill from offsite facilities will be utilized for the construction of the community. Items included are grubbing, grading, temporary sod and mulch, silt fence, offsite fill, disposal of unsuitable materials, and rock blasting.

The surface water management system will be designed in accordance with the South Florida Water Management District standards. These regulations set minimum criteria for water quality treatment of runoff and flood protection of floors to the 100-year 3-day rainfall event. The stormwater detention lakes will be designed to attenuate 25-year 3-day rainfall event. In addition all commercial areas and the golf course maintenance facility may require an additional 0.5-inch of dry pretreatment for water quality.

Stormwater lakes shall include, where practical, adequate maintenance easements around the lakes with access to a paved roadway. The Heritage Bay CDD shall conduct annual inspections of the surface water management system to ensure that the system is capable of accomplishing the level of stormwater storage and treatment for which it was intended.

Ditch and swale slopes shall be designed to minimize discharges so that these facilities may provide some additional water quality treatment prior to discharge. Treatment swales shall be planted with grass. The grassed stormwater treatment areas shall be mowed on a regular basis as part of the normal lawn maintenance of the District. Any debris that may accumulate in project lakes, ditches or swales, or which may interfere with the normal flow of water through discharge structures and, as applicable, under drain systems, shall be cleaned from the detention/retention areas on a regular basis. Any erosion of the banks of project lakes, ditches or swales shall be repaired immediately. Stormwater management system maintenance requirements shall include the removal of any mosquito productive nuisance plant species or invasive exotics (e.g., water lettuce, water hyacinth, cattails, and primrose willows) from the surface water system including but not limited to, lake littoral zones, conveyance systems and inlets and catch basins.

A sediment and erosion control plan will be prepared and implemented during construction. Best management practices outlined in Florida Department of Environmental Protection Land Development Manual will be used. Examples of these include slope and outfall protection; such as hay bales and staked silt fences, and floating turbidity barriers. A National Pollutant Discharge Elimination System (NPDES) permit will be required for the construction activities, which will include preparation of a Stormwater Pollution Prevention Plan. Periodic maintenance of Stormwater ponds will be conducted as part of the NPDES program requirement.

3.3. Utilities

The District is located within the Collier County Public Utilities water and sewer area, which will provide water and wastewater services to the community. At the present time, Collier County does not have the effluent reuse irrigation water capacity to serve the community, but should Collier County have capacity in the future, then the CDD will provide the necessary easements for this distribution system.

Potable water for the community will be provided by connections to a proposed Collier County 16" water main in the Quarry development at the intersection of Quarry Drive and Siesta Bay Drive and to a future County 16" watermain in Immokalee Road at the project main entrance.

This system will be constructed to provide adequate facilities for the development at build-out. The water main within platted right-of-ways and/or county utility easements will be dedicated and turned over to Collier County Public Utilities following an inspection, certification and warranty process. The potable water facilities will include both transmission and distribution lines along with necessary valves, fire hydrants, water services and facilities such as backflow preventers and air release valves.

The wastewater facilities include gravity collection mains with individual lot sewer services, collection system pump stations and force mains to connect to the existing Collier County Public Utilities system. The Heritage Bay wastewater collection system will connect to a 16" force main located in the Quarry Development at the intersection of Quarry Drive and Seista Bay Drive force main, gravity sewer, and pump stations will be located within platted right-of-ways and/or county utility easements, which will be dedicated and turned over to Collier County Public Utilities following an inspection, certification and warranty process.

The District will also provide underground electric to the community per the development order for the Heritage Bay DRI and as needed for the District infrastructure. Florida Power and Light will be the provider for electric. For all other utilities, a ten (10) foot wide public utility easement will be available along both sides of the District roadways for the installation of other non-District utilities.

3.4. Landscape and Irrigation

Landscaping will be provided at the District entrances. Landscaping will consist of sod, annual flowers, shrubs, trees, ground cover, entry sign wall and fountains. Also included is the perimeter landscape berm along Immokalee Road from the entrance west to the western District boundary.

The irrigation facilities will include pump facilities to withdraw water from the lake system to supply irrigation water to the system. Transmission and distribution lines along with necessary valves and meters will be constructed throughout the community to deliver the irrigation water to the community landscaping and open space areas.

3.5. Professional Services, Permitting, and Miscellaneous Costs

Professional Services included but not limited to engineering, planning, landscape architecture, environmental audit, testing, surveying, and construction inspection, will be part of the District's Project budget.

Federal, state and local permits and engineering plan approvals have been obtained for the first phases of construction of site infrastructure. A comprehensive list of permits and approvals that have been obtained is included in Appendix B.

The timetable for remaining permits and modifications will be contingent upon the development schedule for the project phasing. The permit fees required for approval of the Project is also included in the District cost.

Other miscellaneous costs that the District will incur will be legal fees, Fannie Mae fees, and bond general fees.

4. OPINION OF PROBABLE CONSTRUCTION COSTS

4.1. Summary of Costs

Table 2 represents the opinion of probable costs for the District infrastructure. The opinion of probable costs includes the actual infrastructure costs for the various improvements, such as: materials, labor, construction, technical services, and contingencies. All estimates are in 2005 dollars and no inflation factor was utilized. It is estimated that the project build-out will be year 2007.

Table 2 presents a summary of the District financed improvements as described in Section 3 of this Report.

**Table 2
District Project Infrastructure Costs**

District Infrastructure	Amount
Water Management	\$18,730,000
Utilities	\$8,327,000
Landscape and Irrigation	\$2,205,000
Professional Services and Permitting	\$2,272,000
Sub Total	\$31,534,000
10% Contingency	\$3,153,000
Total	\$34,687,000

4.2. Distribution of Project Costs

It is proposed that Special Assessment Revenue Bonds will fund all or a portion of the District infrastructure. A breakdown of the costs associated with each of the major infrastructure elements is listed in Table 3. These items have been distributed over a time period of 3 years from 2005 to 2007.

Table 3
Heritage Bay Community Development District
Summary of Opinion of Probable Costs and Estimated Timetable

District Infrastructure	Year			
	2005	2006	2007	Total
Water Management	\$11,122	\$4,972	\$2,636	\$18,730
Utilities	\$3,401	\$2,804	\$2,122	\$8,327
Landscaping and Irrigation	\$2,205	\$0	\$0	\$2,205
Professional Fees and Permitting	\$1,008	\$753	\$511	\$2,272
10% Contingency (of the above)	\$1,774	\$853	\$526	\$3,153
Total Primary	\$19,510	\$9,382	\$5,795	\$34,687

1. Cost is in thousands of dollars.

5. OWNERSHIP AND MAINTENANCE AUTHORITY

The ownership and maintenance responsibilities for the major infrastructure improvements at The Heritage Bay CDD are presented in Table 4.

Table 4
Expected Ownership & Maintenance

Facility	Funded By	O&M By	Ownership
Water Management	CDD	CDD	CDD
Utilities	CDD	County	County
Landscape and Irrigation	CDD	CDD	CDD

*CDD = Heritage Bay Community Development District

*County = Collier County

Maintenance and operational responsibilities of the CDD include aquatic weed control for the lakes and preserve areas, surface water quality monitoring, and maintenance of the water control facilities, and the water management system. The CDD will also maintain the irrigation pump stations, irrigation piping system, and open spaces. Maintenance of the power line will be by Florida Power and Light. Maintenance of the water distribution and the wastewater collection system will be by Collier County Public Works and Public Utilities.

6. REPORT MODIFICATION

During development and implementation of the improvements identified in this Report, it may be necessary to make some modifications and deviations to the improvements. Therefore, if such deviations or modifications do not change the overall primary objective of this Report, then such changes will not materially affect the Report.

In addition, the development may undertake certain public infrastructure improvements, related to the subdivisions, which may include but are not limited to roads, drainage, water, wastewater, landscaping, and irrigation. Such improvements may be identified in a subsequent Engineer's Report.

7. CONCLUSION AND ENGINEER'S OPINION

It is my professional opinion that the infrastructure costs associated herein for the District improvements are reasonable to complete the construction of the infrastructure described herein and that these infrastructure improvements will benefit and add value to the District. All infrastructure costs are public improvements or community facilities as set forth in section 190.012(1) AND (2) of the Florida Statutes. The estimate of infrastructure construction costs is only an estimate and not a guaranteed maximum price. The estimated cost is based on current unit prices for ongoing and similar items of work in Collier County for the quantities as represented on construction plans. The future costs of labor, equipment, and material; coupled with changing regulations and construction process, are beyond our control. Due to this inherent opportunity for fluctuation of cost, the total final cost may be more or less than this estimate. Assuming project construction continues in a timely manner, it is our opinion that the proposed improvements, if constructed and built in substantial accordance with the approved plans and specifications, can be completed and meet their intended functions. Where necessary, historical costs and information from other professional or utility consultants and contractors have been used in preparation of this report. Consultants and contractors who have contributed in providing the cost data included in this report are reputable entities in the Collier County area. It is therefore our opinion that the construction of the proposed project can be complete at the cost stated.

David S Wilkison
Florida Registered Engineer #38871
WilsonMiller, Inc.
Eng. Bus Certificate of Authorization No. 43
Date: _____
Phone: 239-939-1020 / Fax: 239-939-3412

APPENDIX A
Legal Description of
The Heritage Bay CDD Boundary

EXHIBIT "2"

LEGAL DESCRIPTION HERITAGE BAY COMMUNITY DEVELOPMENT DISTRICT Being a portion of Sections 13 & 24, Township 48 South, Range 26 East, Collier County, Florida

A parcel of land being a portion of Sections 13 & 24, Township 48 South, Range 26 East, Collier County, Florida, being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 24; thence N.01°14'51"W. along the East line of Section 24, a distance of 100.02 feet to the **POINT OF BEGINNING**; thence, leaving said East line of Section 24, N.89°58'00"W., a distance of 2,638.89 feet; thence N.89°58'37"W., a distance of 2,514.00 feet; thence N.01°33'42"W., a distance of 1,535.94 feet; thence N.65°25'35"E. a distance of 270.30'; thence N.19°35'07"W., a distance of 187.78 feet; thence N.02°00'24"W., a distance of 272.35 feet to a point of curvature; thence along the arc of a tangent curve concave to the East, having for its elements a radius of 35.00 feet, a central angle of 35°05'48", a chord of 21.11 feet, a chord bearing of N.15°32'30"E., an arc distance of 21.44 feet; thence N.56°54'36"W., a distance of 20.00 feet; thence N.02°00'24"W., a distance of 353.42 feet; thence N.53°48'12"E., a distance of 91.45 feet; thence S.36°11'48"E., a distance of 58.90 feet to a point of curvature; thence along the arc of a tangent curve concave to the North, having for its elements a radius of 60.00 feet, a central angle of 71°39'28", a chord of 70.24 feet, a chord bearing of S.72°01'32"E., an arc distance of 75.04 feet; thence N.72°08'43"E., a distance of 147.48 feet; thence N.08°12'01"W., a distance of 69.11 feet; thence S.89°30'35"E., a distance of 211.29 feet; thence S.87°58'25"E., a distance of 164.30 feet; thence N.88°10'39"E., a distance of 189.91 feet; thence N.88°59'22"E., a distance of 167.28 feet; thence S.88°56'16"E., a distance of 149.44 feet; thence N.89°31'16"E., a distance of 138.78 feet; thence N.89°45'41"E., a distance of 110.44 feet; thence N.89°36'13"E., a distance of 119.99 feet; thence S.89°19'35"E., a distance of 154.78 feet; thence N.88°08'30"E., a distance of 180.40 feet; thence N.89°41'04"E., a distance of 38.61 feet; thence N.01°22'58"E., a distance of 902.58 feet; thence N.21°47'57"E., a distance of 391.48 feet; thence N.28°17'20"E., a distance of 190.21 feet; thence N.12°10'59"E., a distance of 299.09 feet; thence N.07°56'42"E., a distance of 77.53 feet; thence N.04°26'52"E., a distance of 138.12 feet; thence N.21°21'56"E., a distance of 700.45 feet; thence N.73°43'21"W., a distance of 5.43 feet; thence N.31°47'35"E., a distance of 117.82 feet; thence S.82°26'17"E., a distance of 54.75 feet; thence S.79°17'56"E., a distance of 76.80 feet; thence N.79°45'22"E., a distance of 109.31 feet; thence N.51°55'31"E., a distance of 44.51 feet; thence N.12°26'48"W., a distance of 54.47 feet; thence N.04°42'52"E., a distance of 100.62 feet; thence N.26°24'51"W., a distance of 132.45 feet; thence N.20°55'33"W., a distance of 114.96 feet; thence N.33°53'11"W., a distance of 80.19 feet; thence N.27°02'08"W., a distance of 95.88 feet; thence N.31°03'58"W., a distance of 113.23 feet; thence N.19°42'29"W., a distance of 77.43 feet; thence N.18°58'07"W., a distance of 99.15 feet; thence N.09°09'58"W., a distance of 127.56 feet; thence N.07°59'11"E., a distance of 85.65 feet; thence N.04°34'03"E., a distance of 88.03 feet; thence N.12°42'24"E., a distance of 151.66 feet; thence N.16°35'04"E., a distance of 147.18 feet; thence N.28°19'13"E., a distance of 100.89 feet; thence N.21°00'29"E., a distance of 98.19 feet; thence N.21°16'27"E., a distance of 79.29 feet; thence N.04°00'26"W., a distance of 71.26 feet; thence N.08°09'40"W., a distance of 112.57 feet; thence N.00°25'15"W., a distance of 65.37 feet; thence N.07°35'10"W., a distance of 84.46 feet; thence N.19°52'10"W., a distance of 62.40 feet; thence N.04°00'39"W., a distance of 50.18 feet; thence N.24°33'09"W., a distance of 87.86 feet; thence N.39°15'38"W., a distance of 74.17 feet; thence N.42°51'42"W., a distance of 55.72 feet; thence N.75°15'30"W., a distance of 75.06 feet; thence N.06°47'16"E., a distance of 42.98 feet; thence N.11°09'27"W., a distance of 71.52 feet; thence N.18°29'29"W., a distance of 86.64 feet; thence N.02°32'04"W., a distance of 70.78 feet; thence N.13°06'52"E., a distance of 80.21 feet; thence N.02°11'35"E., a distance of 51.22 feet; thence N.57°45'30"W., a distance of 31.60 feet; thence N.36°04'22"W., a distance of 17.68 feet; thence N.22°03'21"W., a distance of 38.91 feet; thence N.38°19'34"W., a distance of 62.73 feet; thence N.06°48'48"E., a distance of 256.83 feet; thence N.56°49'22"E., a distance of 230.89 feet; thence

EXHIBIT "2"

LEGAL DESCRIPTION
HERITAGE BAY
COMMUNITY DEVELOPMENT DISTRICT
Being a portion of Sections 13 & 24,
Township 48 South, Range 26 East,
Collier County, Florida

N.37°06'38"E., a distance of 307.08 feet; thence N.01°33'58"W., a distance of 220.27 feet; thence N.47°55'49"E., a distance of 261.06 feet; thence S.50°20'34"E., a distance of 238.48 feet; thence N.79°05'16"E., a distance of 44.71 feet; thence N.66°54'39"E., a distance of 198.99 feet; thence N.88°19'41"E., a distance of 309.14 feet; thence S.81°11'47"E., a distance of 382.30 feet; thence S.58°54'22"E., a distance of 212.84 feet; thence S.61°55'11"E., a distance of 69.00 feet; thence N.27°24'54"E., a distance of 326.91 feet; thence N.23°54'05"E., a distance of 52.09 feet; thence N.06°19'58"E., a distance of 45.01 feet; thence N.16°00'11"W., a distance of 225.09 feet; thence N.36°39'53"W., a distance of 161.08 feet; thence N.53°19'35"W., a distance of 170.55 feet; thence N.87°40'44"W., a distance of 222.13 feet; thence N.26°13'42"E., a distance of 257.95 feet; thence S.76°33'40"E., a distance of 135.04 feet; thence N.50°04'55"E., a distance of 317.50 feet; thence N.47°15'05"E., a distance of 238.71 feet; thence S.85°43'54"E., a distance of 224.24 feet to a point on the East line of Section 13; thence S.00°57'28"E. along said East line of Section 13, a distance of 2,313.38 feet; thence S.01°00'51"E., a distance of 1,348.99 feet; thence S.01°01'37"E., a distance of 1,349.74 feet to the Northeast corner of Section 24; thence S.01°04'52"E. along the East line of Section 24, a distance of 1,336.42 feet; thence S.01°05'01"E., a distance of 1,336.52 feet; thence S.01°14'51"E., a distance of 2574.53 feet to the **POINT OF BEGINNING**.

Containing 687.33 acres, more or less.

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

Bearings are based on the East line of the Southeast Quarter of Section 24 as being S01°14'51"E.

See attached sketch.

Prepared by:

WilsonMiller, Inc.

Stephen P. Erek, Professional Surveyor & Mapper
Florida Registration No. LS 3273

December 1, 2004
Date

Not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.

P.I.N.: N0442-211-000 GCCDD

Ref.: D-0442-122

Date: December 1, 2004

APPENDIX B
Heritage Bay Permits
And
Approvals

Collier County Permits

PERMIT #	DESCRIPTION	DATE
20891-E	ROW permit for Immokalee Rd. - Construction of access and turn lanes	5/17/2005
SDP-2004-AR-6406	Final Site Development plans approval for "Heritage Bay Phase 1B"	5/9/2005
SDP-2004-AR-7376	Insubstantial Change to "Heritage Bay - Entry Road and Sales Facility"	4/18/2005
AR-7377	Revisions to "Heritage Bay Commons"	4/5/2005
PPL-2002-AR-6653	Drainage and Grading Construction approval for "Heritage Bay Phase 1C" consisting of 97 single-family lots	3/22/2005
SDPI-2004-AR-7122	Insubstantial Change to "Heritage Bay - Entry Road"	2/17/2005
40572	Collier County Temporary Use permit for Heritage Bay "Model Sales Center"	1/1/2005
TU-20040457	Collier County Temporary Use permit for "Offices for Construction/Administration"	9/10/2004
AR-5877	Conditional Construction Plan Approval for "Heritage Bay Commons"	1/5/2004
21116-E	ROW permit for Immokalee Rd. - Construction of turn lanes, and open cut utility tie in	
DRI-2000-01	Heritage Bay DRI approval	9/8/2003
59.887/AR 5877	Heritage Bay Commons Excavation Permit	1/19/2005

FDEP Permits

PERMIT #	DESCRIPTION	DATE
247862-001-DSGP	Permit to construct extension to public water supply distribution system for "Heritage Bay Phase 1B"	5/10/2005
50581-432-DWC	Permit to construct a sewage collection/transmission system (dryline) for "Heritage Bay Phase 1B"	5/3/2005
50581-417-DWC	Permit to construct a sewage collection/transmission system (dryline) for "Heritage Bay Commons"	2/21/2005
241923-001-DSGP	Potable Water Permit to Construct	1/13/2005
50581-415-DWC	Permit to construct a sewage collection/transmission system (dryline) for "Heritage Bay - Entry Road and Sales Facility"	1/3/2005
240965-001-DS	Permit to construct potable water distribution system for "Heritage Bay - Entry Road and Sales Facility"	12/27/2004
0153961-004	DEP ERP Modification to relocate 12-acre littoral shelf mitigation (Florida Rock Industries, Inc.)	3/11/2002
0153961-003	DEP ERP Modification to revise Master Drainage Plan and add cross-section to drawing (Florida Rock Industries, Inc.)	7/25/2000
0153961-002	DEP ERP Modification to revise Master Drainage Plan and add cross-section to drawing (Florida Rock Industries, Inc.)	7/25/2000

SFWMD Permits

PERMIT #	APPLICATION #	DESCRIPTION	DATE
12612	05-0505-1	SFWMD General Permit Authorizing Electrical Conduit Construction	6/7/2005
11-02318-W	050225-3	Water Use (Letter Modification) - Dewatering	3/17/2005
11-02235-W	040525-33	Water Use Modification	12/8/2004
11-02319-W	040525-35	New Water Use	12/8/2004
11-02116-W	040525-30	Water Use Modification	11/10/2004
11-02234-P	040212-21	ERP Modification - Construct & Operate	11/10/2004
11-02318-W	040525-29	New Water Use - Dewatering	11/10/2004
11-02234-P	040907-5	ERP - Early Work	10/15/2004
11-02116-W	020528-13	New Water Use - Dewatering	9/10/2003
11-02234-P	020523-16	ERP - Conceptual Approval & New Construction/Operation	8/13/2003
11-02235-W	020528-11	New Water Use	8/13/2003
12250		SFWMD ROW permit (bridges, boat ramps etc. in SFWMD Cocohatchee Canal ROW)	9/28/2004

COE Permits

<u>PERMIT #</u>	<u>APPLICATION #</u>	<u>DESCRIPTION</u>	<u>DATE</u>
198700380 (IP-ML)	modification #1	COE Permit	10/13/1998