



1 A bill to be entitled
 2 An act relating to Lee County and the City of Cape Coral;
 3 providing for the annexation of various County-
 4 administered enclaves by interlocal agreement between the
 5 city and county, subject to approval by referendum;
 6 providing for procedures for adoption of the agreement and
 7 for a referendum; providing for authority for assumption
 8 of municipal service duties and transfer of
 9 infrastructure; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. The City of Cape Coral and Lee County are
 14 authorized to enter into an interlocal agreement subject to
 15 referendum approval for the orderly municipal annexation of
 16 various County-administered enclaves located within the City of
 17 Cape Coral. The following described areas are as follows:

18
 19 A. Two contiguous parcels of land located in Section
 20 17, Township 44 South, Range 23 East, described as:
 21 the east half of the west half of the west half of the
 22 southeast quarter of the southwest quarter (E 1/2 W
 23 1/2 W 1/2 SE 1/4 SW 1/4), and the west half of the
 24 west half of the west half of the southeast quarter of
 25 the southwest quarter (W 1/2 W 1/2 W 1/2 SE 1/4 SW
 26 1/4) of said Section 17, Township 44 South, Range 23
 27 East, as parcels of Greater Pine Island Water Company.
 28



29 B. Five contiguous parcels of land located in Section
 30 10, Township 44 South, Range 23 East, described as:

31
 32 1. Begin 1514.07 feet North and 143 feet West of the
 33 Southeast corner of Section 10, Township 44 South,
 34 Range 23 East; thence south 168.23 feet; thence West
 35 100 feet; thence North 168.23 feet; thence East 100
 36 feet to the Point of Beginning as described in Parcel
 37 113, Lee County Case No. 71-1137.

38
 39 2. From the Southeast corner of Section 10, Township
 40 44 South, Range 23 East, run North 1514.07 feet to the
 41 Centerline Proposed Subdivision road; thence west
 42 along centerline 543 feet to Point of Beginning;
 43 thence South 168.25 feet; thence west 100 feet; thence
 44 north 168.23 feet; thence east 100 feet to the Point
 45 of Beginning; less 25 foot easement on north for road
 46 right-of-way and 20 feet on south for drainage
 47 easement as described in Parcel 114, Lee County Case
 48 No. 71-1137.

49
 50 3. Begin 1514.07 foot north and 243 feet west of
 51 southeast corner of Section 10, Township 44 South,
 52 Range 23 East; thence south 168.23 feet; thence west
 53 100 feet; thence north 168.23 feet; thence east 100
 54 feet to the Point of Beginning as described in Parcel
 55 115, Lee County Case No. 71-1137.

56



57 | 4. Begin 1514.07 feet north and 343 feet west of the
 58 | southeast corner of Section 10, Township 44 South,
 59 | Range 23 East; thence south 168.23 feet; thence west
 60 | 100 feet; thence north 168.23 feet; thence east 100
 61 | feet to the Point of Beginning as described in Parcel
 62 | 116, Lee County Case No. 71-1137.

63 |
 64 | 5. Begin 1514.07 feet north and 443 feet west of
 65 | southeast corner of Section 10, Township 44 South,
 66 | Range 23 East; thence south 168.23 feet; thence west
 67 | 100 feet; thence north 168.23 feet; thence east 100
 68 | feet to the Point of Beginning as described in Parcel
 69 | 117, Lee County Case No. 71-1137.

70 |
 71 | NOTE: Above five parcels known as Whispering Pines.

72 |
 73 | C. Two contiguous parcels of land located in Section
 74 | 19, Township 43 South, Range 23 East, described as:

75 |
 76 | 1. The east half of the southeast quarter of the
 77 | northwest quarter of the southwest quarter; and the
 78 | west half of the southwest quarter of the northeast
 79 | quarter of the southwest quarter of Section 19,
 80 | Township 43 South, Range 23 East as described in
 81 | Parcel "C", Lee County Case No. 71-251.

82 |
 83 | 2. The east half of the southwest quarter of the
 84 | northeast quarter of the southwest quarter; and the



85 west half of the southeast quarter of the northeast
86 quarter of the southwest quarter of Section 19,
87 Township 43 South, Range 23 East as described in
88 Parcel "D", Lee County Case No. 71-251.

89
90 D. A parcel of land located in Section 8, Township 44
91 South, Range 24 East, described as the east 1080 feet
92 of the north 1/4 (N 1/4) of Section 8, Township 44
93 South, Range 24 East.

94
95 NOTE: The above described east 1080 feet of the North
96 1/4 (N 1/4) of Section 8, Township 44 South, Range 24
97 East includes within its limits the following
98 individually and otherwise or elsewhere described
99 excluded parcels:

100
101 1. Beginning 40 feet South and 690 feet West of the
102 Northeast corner of Section 8, Township 44 South,
103 Range 24 East; thence run west for 390 feet; thence
104 South for 1317.5 feet; thence East for 390 feet;
105 thence North for 1306.8 feet to the point of beginning
106 as described in parcel "E", Lee County Case No. 71-
107 251.

108
109 2. Forty-two lots located within Pondella Heights
110 according to a plat recorded in Official Records Book
111 11, Page 52 and Official Records Book 12, Page 25,
112 Public Records of Lee County, Florida, as described in



113 Parcels No. 3, 13, 14, 23, 24, 25, 26, 27, 28, 29, 40,
 114 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 54, 55, 56,
 115 57, 61, 62, 67, 68, 70, 72, 74, 75, 76, 77, 78, 87,
 116 90, 91, 92, 99, and 128, Lee County Case No. 71-1137.

117
 118 E. A parcel of land located in Section 5, Township 44
 119 South, Range 24 East, described as: From the Southeast
 120 corner of Section 5, Township 44 South, Range 24 East;
 121 run Northerly along the East line of said Section 5
 122 for 33.17 feet to the North line of Pondella Road;
 123 thence run West parallel to and 33 feet from the
 124 centerline of Pondella Road for 720 feet to the Point
 125 of Beginning. Thence continue West along the North
 126 side of Pondella for 180 feet; thence run North on a
 127 perpendicular to Pondella for 312 feet, thence run
 128 Westerly parallel to Pondella for 180 feet; thence run
 129 North and perpendicular to Pondella for 1005.2 feet;
 130 thence run East and perpendicular to Pondella for 360
 131 feet; thence run South along a perpendicular to
 132 Pondella for 1317.2 to the Point of Beginning as
 133 described in Parcel "F", Lee County Case No. 71-251.

134
 135 F. A tract or parcel of land situated in the State of
 136 Florida, County of Lee, being a part of Section 20 and
 137 Section 29, Township 44 South, Range 23 East, and
 138 further bounded and described as follows:

139



140 Beginning at the southeast corner of the northwest one
 141 quarter (NW¼) of said Section 29; Thence S89°34'12"W
 142 along the south line of said northwest one quarter
 143 (NW¼) for 1627.86 feet; Thence N00°25'48"W for 283.17
 144 feet; Thence N10°06'26"E for 526.78 feet; Thence
 145 N88°00'44"E for 25.27 feet; Thence N11°37'39"W for
 146 126.79 feet; Thence N40°10'46"W for 78.86 feet; Thence
 147 N32°09'21"W for 125.00 feet; Thence S57°50'39"W for
 148 152.19 feet; Thence N04°59'57"W for 723.70 feet;
 149 Thence N26°25'24"E for 262.19 feet; Thence N14°52'17"E
 150 for 495.94 feet; Thence N28°44'22"W for 307.15 feet;
 151 Thence N22°45'14"E for 111.36 feet to an intersection
 152 with a curve concave to the northwest having a radius
 153 of 65.00 feet and which intersection a radial line
 154 bears S29°16'46"w; Thence Easterly, Northeasterly, and
 155 Northerly along said curve through a central angle of
 156 140°26'17" for 159.32 feet; Thence N37°19'25"E along a
 157 line not tangent to said curve for 145.06 feet; Thence
 158 N72°32'22"W for 766.49 feet; Thence S79°31'57"W for
 159 125.20 feet; Thence N13°44'06"W for 88.04 feet to the
 160 beginning of a curve concave to the east having a
 161 radius of 100.00 feet; Thence Northerly along said
 162 curve through a central angle of 14°01'19" for 24.47
 163 feet; Thence S76°15'54"W along a line not tangent to
 164 said curve for 62.98 feet to an intersection with a
 165 curve concave to the southwest having a radius of
 166 119.75 feet and to which intersection a radial line
 167 bears N76°15'54"E; Thence Northwesterly along said



168 curve through a central angle of 81°21'07" for 170.03
169 feet to a parcel of reverse curve concave to the
170 northeast having a radius of 209.09 feet; Thence
171 Northwesterly along said curve through a central angle
172 of 95°46'09" for 349.49 feet; Thence N89°19'04"W along
173 the extension of a line radial to said curve for 75.00
174 feet to an intersection with the west line of the
175 southwest one quarter (SW¼) of the aforesaid Section
176 20; Thence N00°40'56"E along said west line for
177 1951.10 feet, to the southwest corner of the northwest
178 one quarter (NW¼) of said Section 20; Thence
179 N00°40'04"E along the west line of said northwest one
180 quarter (NW¼) for 1030.13 feet; Thence N00°08'86"W for
181 1305.34 feet to the southerly right-of-way line of
182 Pine Island Road; Thence S89°59'19"E along said right-
183 of-way line for 168.64 feet; Thence S00°16'07"E for
184 1305.45 feet; to the aforesaid south line of the north
185 one half (N½) of the northwest one quarter (NW ¼) of
186 Section 20; Thence S89°57'21"E along said south line
187 for 1545.20 feet; Thence S01°28'16"E along the east
188 line of said northwest one quarter (NW¼) of Section 20
189 for 1339.76 feet; Thence S01°28'16"E along the east
190 line of the aforesaid southwest one quarter (SW¼) of
191 Section 20 for 2656.31 feet; Thence S00°09'12"E along
192 the east line of the aforesaid northwest one quarter
193 (NW¼) of Section 29 for 2898.67 feet to the Point of
194 Beginning.
195



196 G. Twenty-nine contiguous parcels located within
 197 Sections 20 and 21, Township 44 South, Range 23 East;
 198 individually described as follows:

199
 200 1. Lot 14, Tract D of that certain subdivision known
 201 as Saddlewood Farms, as recorded in Official Records
 202 Book 1290, page 245 and 246 and more particularly
 203 described as follows: The south one half (S½) of the
 204 southwest one quarter (SW¼) of the northeast one
 205 quarter (NE¼) of the southeast one quarter (SE¼) of
 206 Section 20, Township 44 South, Range 23 East, Lee
 207 County, Florida.

208
 209 2. The south half of Lot 13, Tract D, Saddlewood
 210 Farms Official Records Book, Page 245 and 246, public
 211 records of Lee County, Florida more particularly
 212 described as follows: The south half (S½) of the north
 213 one half (N½) of the southwest one quarter (SW¼) of
 214 the northeast one quarter (NE ¼) of the southeast one
 215 quarter (SE¼) of Section 20, Township 44 South, Range
 216 23 East, Lee County, Florida.

217
 218 3. The north half of Lot 13, Tract D, Saddlewood
 219 Farms Official Records Book, Page 245 and 246, public
 220 records of Lee County, Florida more particularly
 221 described as follows: The north half (N½) of the north
 222 one half (N½) of the southwest one quarter (SW¼) of
 223 the northeast one quarter (NE ¼) of the southeast one



224 quarter (SE $\frac{1}{4}$) of Section 20, Township 44 South, Range
 225 23 East, Lee County, Florida.

226
 227 4. The west half (W $\frac{1}{2}$) of the west one half (W $\frac{1}{2}$) of
 228 the northwest one quarter (NW $\frac{1}{4}$) of the northeast one
 229 quarter (NE $\frac{1}{4}$) of the southeast one quarter (SE $\frac{1}{4}$) of
 230 Section 20, Township 44 South, Range 23 East, Lee
 231 County, Florida. Being the west half of Lot 12, Tract
 232 D, Saddlewood Farms Subdivision as shown as plat
 233 recorded in Official Records Book 1290, page 246 of
 234 the Public Records of Lee County, Florida.

235
 236 5. The east half (E $\frac{1}{2}$) of the west one half (W $\frac{1}{2}$) of
 237 the northwest one quarter (NW $\frac{1}{4}$) of the northeast one
 238 quarter (NE $\frac{1}{4}$) of the southeast one quarter (SE $\frac{1}{4}$) of
 239 Section 20, Township 44 South, Range 23 East, Lee
 240 County, Florida. Being the west half of Lot 12, Tract
 241 D, Saddlewood Farms Subdivision as shown as plat
 242 recorded in Official Records Book 1290, page 246 of
 243 the Public Records of Lee County, Florida.

244
 245 6. Lot 11, Tract D of that certain subdivision known
 246 as Saddlewood Farms, Inc. more particularly described
 247 as the east one half (E $\frac{1}{2}$) of the northwest one quarter
 248 (NW $\frac{1}{4}$) of the northeast one quarter (NE $\frac{1}{4}$) of the
 249 southeast one quarter (SE $\frac{1}{4}$) of Section 20, Township 44
 250 South, Range 23 East, Lee County, Florida.

251



252 7. Lot 5, Tract D of that certain subdivision known
 253 as Saddlewood Farms, more particularly described as
 254 the west one half (W½) of the southwest one quarter
 255 (SW¼) of the southeast one quarter (SE¼) of the
 256 northeast one quarter (NE ¼) of Section 20, Township
 257 44 South, Range 23 East, Lee County, Florida.

258
 259 8. Lot 6, Tract D of that certain subdivision known
 260 as Saddlewood Farms, more particularly described as
 261 the east one half (E½) of the southwest one quarter
 262 (SW¼) of the southeast one quarter (SE¼) of the
 263 northeast one quarter (NE ¼) of Section 20, Township
 264 44 South, Range 23 East, Lee County, Florida.

265
 266 9. Lot 4, Tract D of that certain subdivision known
 267 as Saddlewood Farms, as recorded in Official records
 268 Book 1290, page 245 and 246 and more particularly
 269 described as the south one half (S½) of the northwest
 270 one quarter (NW¼) of the southeast one quarter (SE¼)
 271 of the northeast one quarter (NE ¼) of Section 20,
 272 Township 44 South, Range 23 East, Lee County, Florida.

273
 274 10. Lot 3, Tract D of that certain subdivision known
 275 as Saddlewood Farms, as recorded in Official records
 276 Book 1290, page 245 and 246 and more particularly
 277 described as the north one half (N½) of the northwest
 278 one quarter (NW¼) of the southeast one quarter (SE¼)



279 of the northeast one quarter (NE ¼) of Section 20,
 280 Township 44 South, Range 23 East, Lee County, Florida.

281
 282 11. Lot 10, Tract D of that certain subdivision known
 283 as Saddlewood Farms, as recorded in Official records
 284 Book 1290, page 245 and 246 and more particularly
 285 described as the west one half (W½) of the northeast
 286 one quarter (NE¼) of the northeast one quarter (NE¼)
 287 of the southeast one quarter (SE ¼) of Section 20,
 288 Township 44 South, Range 23 East, Lee County, Florida.

289
 290 12. Lot 7, Tract D, unrecorded subdivision Saddlewood
 291 Farms, as recorded in Official records Book 1290, page
 292 246 in the west one half (W½) of the southeast one
 293 quarter (SE¼) of the southeast one quarter (SE¼) of
 294 the northeast one quarter (NE ¼) of Section 20,
 295 Township 44 South, Range 23 East, Lee County, Florida.

296
 297 13. The north half of Lot 9, Tract D of that certain
 298 subdivision known as Saddlewood Farms, more
 299 particularly described as the east one half (E½) of
 300 the northeast one quarter (NE¼) of the northeast one
 301 quarter (NE¼) of the southeast one quarter (SE¼) of
 302 Section 20, Township 44 South, Range 23 East, Lee
 303 County, Florida.

304
 305 14. The south half of Lot 9, Tract D of that certain
 306 subdivision known as Saddlewood Farms, more



307 particularly described as the east one half (E½) of
308 the northeast one quarter (NE¼) of the northeast one
309 quarter (NE¼) of the southeast one quarter (SE¼) of
310 Section 20, Township 44 South, Range 23 East, Lee
311 County, Florida.

312
313 15. Lot 1, Tract D of that certain subdivision known
314 as Saddlewood Farms, as recorded in Official Records
315 Book 1290, Page 245 and 246, and more particularly
316 described as follows: The east one half (E½) of the
317 northeast one quarter (NE¼) of the southeast one
318 quarter (SE¼) of the northwest one quarter (NW ¼) of
319 Section 20, Township 44 South, Range 23 East plus

320
321 Lot 9, Tract C of that certain subdivision known as
322 Saddlewood Farms, more particularly described as the
323 south one half (S½) of the southwest one quarter (SW¼)
324 of the southwest one quarter (SW¼) of the northwest
325 one quarter (NW¼) of Section 21, Township 44 South,
326 Range 23 East, Lee County, Florida plus

327
328 Lot 8, Tract D of that certain subdivision known as
329 Saddlewood Farms, as recorded in Official Records Book
330 1290, Page 245 and 246 and more particularly described
331 as follows: the east one half (E½) of the southeast
332 one quarter (SE¼) of the southeast one quarter (SE¼)
333 of the northeast one quarter (NE¼) of Section 20,
334 Township 44 South, Range 23 East, Lee County Florida.



335
 336 16. Lot 8, Tract C of that certain subdivision known
 337 as Saddlewood Farms, as more particularly described as
 338 the north one half (N½) of the southwest one quarter
 339 (SW¼) of the southwest one quarter (SW¼) of the
 340 northwest one quarter (NW¼) of Section 21, Township 44
 341 South, Range 23 East, Lee County, Florida.

342
 343 17. Lot 5, Tract C of that certain subdivision known
 344 as Saddlewood Farms, as more particularly described as
 345 the south one half (S½) of the northwest one quarter
 346 (NW¼) of the southwest one quarter (SW¼) of the
 347 northwest one quarter (NW¼) of Section 21, Township 44
 348 South, Range 23 East, Lee County, Florida.

349
 350 18. Lot 4, Tract C of that certain subdivision known
 351 as Saddlewood Farms, as more particularly described as
 352 the north one half (N½) of the northwest one quarter
 353 (NW¼) of the southwest one quarter (SW¼) of the
 354 northwest one quarter (NW¼) of Section 21, Township 44
 355 South, Range 23 East, Lee County, Florida.

356
 357 19. Lot 11, Tract C of that certain subdivision known
 358 as Saddlewood Farms, as more particularly described as
 359 the north one half (N½) of the northeast one quarter
 360 (NE¼) of the northwest one quarter (NW¼) of the
 361 southwest one quarter (SW¼) of Section 21, Township 44
 362 South, Range 23 East, Lee County, Florida.



363
364 20. Lot 10, Tract C of that certain subdivision known
365 as Saddlewood Farms, as more particularly described as
366 the south one half (S½) of the southeast one quarter
367 (SE¼) of the southwest one quarter (SW¼) of the
368 northwest one quarter (NW¼) of Section 21, Township 44
369 South, Range 23 East, Lee County, Florida.

370
371 21. The south half of Lot 7, Tract C, of that certain
372 subdivision known as Saddlewood Farms, more
373 particularly described as the north one half (N½) of
374 the southeast one quarter (SE¼) of the southwest one
375 quarter (SW¼) of the northwest one quarter (NW¼) of
376 Section 21, Township 44 South, Range 23 East, Lee
377 County, Florida.

378
379 22. The north half of Lot 7, Tract C, of that certain
380 subdivision known as Saddlewood Farms, more
381 particularly described as the north one half (N½) of
382 the southeast one quarter (SE¼) of the southwest one
383 quarter (SW¼) of the northwest one quarter (NW¼) of
384 Section 21, Township 44 South, Range 23 East, Lee
385 County, Florida.

386
387 23. The south half of Lot 6, Tract C, of that certain
388 subdivision known as Saddlewood Farms, more
389 particularly described as the south one half (S½) of
390 the northeast one quarter (NE¼) of the southwest one



391 quarter (SW $\frac{1}{4}$) of the northwest one quarter (NW $\frac{1}{4}$) of
392 Section 21, Township 44 South, Range 23 East, Lee
393 County, Florida.

394
395 24. The north half of Lot 6, Tract C, of that certain
396 subdivision known as Saddlewood Farms, more
397 particularly described as the south one half (S $\frac{1}{2}$) of
398 the northeast one quarter (NE $\frac{1}{4}$) of the southwest one
399 quarter (SW $\frac{1}{4}$) of the northwest one quarter (NW $\frac{1}{4}$) of
400 Section 21, Township 44 South, Range 23 East, Lee
401 County, Florida.

402
403 25. The East 543 feet of the west one half (W $\frac{1}{2}$) of
404 the northeast one quarter (NE $\frac{1}{4}$) of the northwest one
405 quarter (NW $\frac{1}{4}$) of Section 21, Township 44 South, Range
406 23 East, Lee County, Florida. Less the easternmost
407 213 feet.

408
409 26. The East 213 feet of the west one half (W $\frac{1}{2}$) of
410 the northeast one quarter (NE $\frac{1}{4}$) of the northwest one
411 quarter (NW $\frac{1}{4}$) of Section 21, Township 44 South, Range
412 23 East, Lee County, Florida.

413
414 27. The north one half (N $\frac{1}{2}$) of the northeast one
415 quarter (NE $\frac{1}{4}$) of the southwest one quarter (SW $\frac{1}{4}$) of
416 the northwest one quarter (NW $\frac{1}{4}$) of Section 21,
417 Township 44 South, Range 23 East, Lee County, Florida.

418



419 28. Lot 2, Tract D of that certain subdivision known
 420 as Saddlewood Farms, as recorded in Official Records
 421 Book 1290, Page 246.

422
 423 29. Lots 15 and 16, Tract D of that certain
 424 subdivision known as Saddlewood Farms, best described
 425 as follows: the southeast one quarter (SE¼) of the
 426 northeast one quarter (NE¼) of the southeast one
 427 quarter (SE¼) of Section 20, Township 44 South, Range
 428 23 East, Lee County, Florida.

429
 430 Section 2. The interlocal agreement for the proposed
 431 annexation of the described County-administered enclaves as
 432 developed by the City of Cape Coral and Lee County shall be
 433 filed with the clerk of the city and the clerk of the courts for
 434 the county, and a duly advertised public hearing shall be held
 435 by both the city and the county, respectively, prior to the
 436 adoption of the interlocal agreement by the city council and the
 437 county commission. No changes to the terms and conditions of
 438 the interlocal agreement may be made by either the city or the
 439 county once filed with the respective clerks prior to the public
 440 hearings for consideration of the adoption of the interlocal
 441 agreement.

442 Section 3. (1) Subsequent to the adoption of the
 443 interlocal agreement between the city and the county, and prior
 444 to the implementation of the proposed annexation by the city of
 445 the described county enclaves, a referendum shall be held by the
 446 city in the City of Cape Coral and within the proposed described



447 enclave areas to be annexed for the ratification and approval of
448 the interlocal agreement by the registered electorates therein.

449 (2) The interlocal agreement shall be presented separately
450 to the registered voters residing within the city and the
451 registered voters residing within the proposed annexed areas as
452 further described in section 1 of this act. The procedures for
453 conducting the referendum shall be pursuant to the requirements
454 as set out in section 171.0413(2), Florida Statutes, as amended
455 from time to time. Upon a majority vote in favor of the
456 interlocal agreement by the registered voters of the City of
457 Cape Coral and a majority vote of the combined registered voters
458 residing in all county enclaves to be annexed, the interlocal
459 agreement shall be deemed to be ratified and approved and shall
460 become effective as provided for in the interlocal agreement but
461 otherwise not more than 1 year following the referendum. The
462 referendum for ratification and approval of the interlocal
463 agreement for annexation may be conducted by the city at any
464 regular election following the adoption of the interlocal
465 agreement by the city and the county.

466 Section 4. (1) For the areas subsequently annexed into
467 the city by interlocal agreement, the city shall assume all of
468 the municipal service duties of Lee County pursuant to the terms
469 and conditions of the approved interlocal agreement.

470 (2) The transfer from the county to the city of county
471 municipal service infrastructure located within the annexed
472 areas shall be pursuant to the terms and conditions of the
473 approved interlocal agreement.

474 Section 5. This act shall take effect upon becoming a law.



475

476