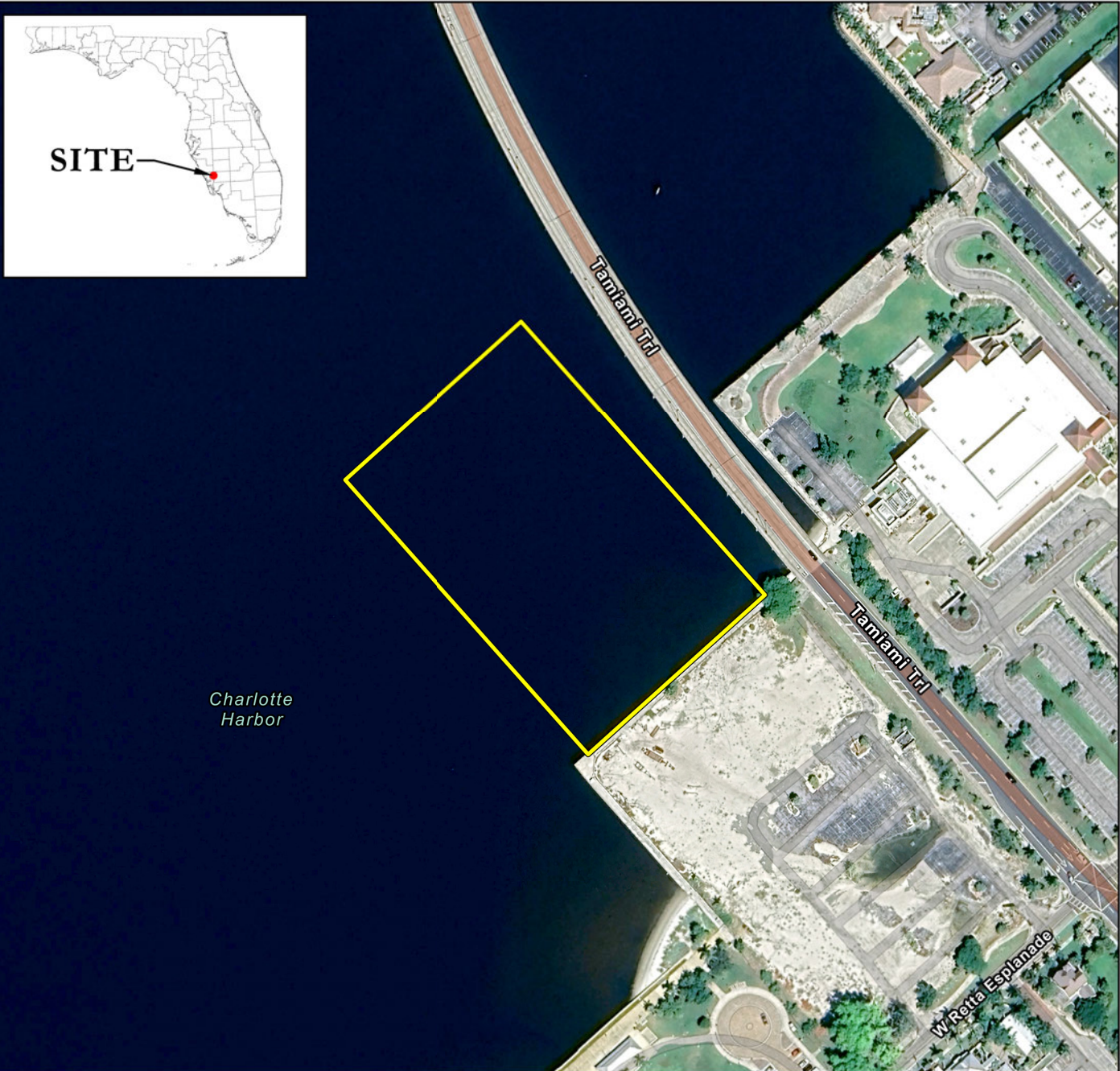






 Proposed Lease Area

0 100 200 400

Feet



Punta Gorda Hotel, LLC
Lease No. 080842525
Charlotte County, Florida

PROJECT DESCRIPTION

1. Location: Latitude 26° 56' 7.7635/ Longitude 82° 3' 15.8832"
Aquatic Preserve: Gasparilla Sound-Charlotte Harbor, Resource Protection Area 3
Waterbody/Classification: Peace River, Class III Outstanding Florida Waters
Designated Manatee County: Yes, with an approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: No
2. Preempted Area: 162,116.3 square feet total
 - Proposed Project: Installation of approximately 21,801 square feet of new dock structures to provide 63 boat slips. The construction will include:
 - Installation on the northeast side of the facility of an 8-foot-wide by 182-foot-long fixed wooden, piling-supported access dock (connected to Dock B), connected to a 12-foot-wide by 205-foot-long floating concrete access dock (connected to Dock C) held in place by concrete pilings, and a 5-foot-wide by 30-foot-long aluminum ramp connecting the two access docks.
 - Installation of Dock A, consisting of an 8-foot-wide by 500-foot-long fixed wooden, piling-supported dock with a 20-foot-wide by 20-foot-long fixed concrete pile-supported fishing platform. A concrete or vinyl breakwater will be installed adjacent to this dock. Dock A connects to Dock D.
 - Installation of Dock B, consisting of an 8-foot-wide by 237-foot-long fixed wooden, pile-supported access dock with eight 4-foot-wide by 30-foot-long fixed wooden, pile-supported finger piers and 16 boat lifts.
 - Installation of Dock C, consisting of a 5-foot-wide by 30-foot-long aluminum ramp (connected to Dock B) connected to a 12-foot-wide by 205-foot-long floating concrete access dock held in place by concrete pilings, connected to a 10-foot-wide by 190-foot-long floating concrete terminal platform held in place by concrete pilings. Dock C includes five 4-foot-wide by 42-foot-long floating concrete finger piers and four 6-foot-wide by 52-foot-long floating concrete finger piers, with sixteen 4-foot-wide by 4 foot-long 45-degree corner braces (128 square feet total). Each 52-foot finger pier will include a mooring pile at the pier end and a shared mooring pile aft and amidship for every two slips. Each 42-foot finger pier will have one pile on each pier end, for a total of 13 mooring piles.
 - Installation of Dock D, consisting of an 8-foot-wide by 320-foot-long fixed wooden pile-supported access dock with eight 4-foot-wide by 40-foot-long wooden finger piers. Thirty-two fender piles will be installed on the waterward side of Dock D.
 - Handrails and "No Mooring" signs will be installed at the following locations:
 - Along the northeast side of the 8-foot-wide by 182-foot-long fixed wooden, piling-supported access dock (connected to Dock B) and along the northeast side of the 12-foot-wide by 205-foot-long floating concrete access dock (connected to Dock C).

- Along the entire length of the outer perimeter of Docks A and D, where no vessels will be docked.
 - Along the first 150 feet of the landward side of Dock B, where vessels will not be docked due to inadequate water depths.
- A functional, hard-piped sewage pump-out facility will be installed at the confluence of Dock A and Dock D, with signage indicating that this slip is dedicated for temporary mooring for sewage pumpout and is open to the public. A concrete or vinyl batter-board breakwater will be constructed along the outside of Dock A and Dock D. Floating dock dimensions may vary by up to 12 inches depending on the floating dock manufacturer, waler size, and rub strips along the dock's exterior edge.
 - Boats moored in the marina will include private recreational boats, commercial tour boats, commercial fishing boats, and rental boats. Vessel lengths will range from 30 to 60 feet, with drafts generally less than 2 feet and a maximum draft of 3.5 feet. A 2-foot draft restriction will apply to Dock A, slips six and seven, and Dock B, Slips 17 and 18. Pilings marked with "No Mooring" signs will be installed and maintained at the -3 foot mean low water contour within the submerged lands lease area to prevent use of the area landward of the -3 foot mean low water contour for boat mooring or as a turning basin.

Number of slips: 63 proposed

Vessels: Private recreational, commercial tour, commercial fishing, and rental vessels ranging from 30 to 60 feet in length.

3. Liveaboards: Not authorized in the Department's Environmental Resource Permit (ERP).
4. Sewage Pumpout Facility: A functional, hard-piped sewage pump-out facility will be installed at the confluence of Dock A and Dock D, with signage indicating that this slip is dedicated for temporary mooring for sewage pumpout, and is open to the public, as authorized in the Department's ERP.
5. Fueling facility: Not authorized in the Department's ERP.

REQUIREMENTS/ASSESSMENTS/COMMENTS

1. Department of Environmental Protection ERP 201020-002: Originally issued on July 2, 2009, with an expiration date of December 18, 2032.
2. United States Army Corps of Engineers permit: A standard lease condition references the need to obtain approval, if required.
3. On February 27, 2008, Fish and Wildlife Conservation Commission (FWC), provided Specific permit conditions for the permit as follows: (1) follow the Standard Manatee Conditions for In-water Work for all in-water activities; (2) The permittee/lessee shall develop and implement a FWC-approved marina education program which includes, at a minimum, permanent manatee educational signs, manatee educational brochures and

Charlotte County Boater's Guides no later than 30 days prior to slip occupancy taking place. Permittee/lessee must maintain this educational program for the life of the facility. (3) In addition to FWC's recommendations, a special lease condition will require the lessee to ensure that the user of any slip at the docking facility enters into a signed agreement, between the lessee and the user, stating that the slip user agrees to comply with all manatee related requirements such as speed zones adopted by Charlotte County and approved by FWC.

4. On November 2, 2006, the Florida Department of State, Division of Historical Resources (DHR) provided the following permit condition: If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact DHR's Compliance and Review Section at 850-245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal and/or written authorization from DHR. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S.
5. Riparian rights line setback: The proposed lease boundary complies with the required riparian setbacks.
6. Noticing: The sovereignty submerged lands lease was noticed to two property owners within a 500-foot radius of the project, and other interested parties, pursuant to Rule 18-21.004(1)(m), F.A.C., and no objections were received by April 24, 2025, the end of the comment period

PUBLIC INTEREST STATEMENT

The sovereignty submerged lands lease area is located within an aquatic preserve though it will not result in the sale of sovereign submerged lands. Therefore, to receive approval, the proposal is specifically required to demonstrate that it is "clearly in the public interest," pursuant to Rule 18-20.004(2), F.A.C.

In accordance with Rule 18-20.004(2), F.A.C., and section 258.42(1), F.S., public interest is determined by a balancing test, used to establish whether the social, economic, and/or environmental benefits clearly exceed the costs. The proposed project is consistent with the provision of Gasparilla Sound-Charlotte Harbor Aquatic Preserve Management Plan adopted by the Board of Trustees on April 11, 2017.

The Applicant has proposed to contribute \$189,800 to the Friends of Charlotte Harbor Aquatic Preserve. In addition, the Applicant will install and maintain an educational display, including distribution of aquatic preserve and natural resource educational materials, at the site regarding the aquatic preserve and marine ecosystems and provide sewage pumpout to the general public at no charge.

Based on the merits of the proposal, the Applicant has given reasonable assurance that the proposal will maintain essentially natural conditions and will not significantly impact fish and wildlife or other natural resources, including public recreation and navigation. The impacts from the proposed project were not deemed adverse and therefore no mitigation is required.

Therefore, the Department is of the opinion that the proposal is "clearly in the public interest" and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands.

FACILITY HISTORY:

On August 30, 2024, the Department received a request (File 201050-010) to execute a new lease consistent with the Board of Trustees' previously approved project for Punta Gorda Hotel, LLC. Although the project had been approved, it was never constructed, and the existing facility fell into disrepair due to hurricane damage. After the dilapidated structures were removed, the prior lease was cancelled. The associated regulatory permit has been extended several times and remains valid. The current request seeks the proprietary authorization necessary to proceed with the project.

SPECIAL LEASE CONDITIONS

1. Require the lessee to ensure that the user of any slip at the docking facility enters into a signed agreement between the lessee and the user, stating that the slip user agrees to comply with all manatee-related requirements such as speed zones adopted by Charlotte County and approved by FWC.
2. A minimum of 90 percent of the wet slips at the docking facility shall be made available for rent to the general public on a "first come, first served" basis, as defined in subsection 18-21.003(25), F.A.C., with no longer than one-year rental terms and with no automatic renewal rights or conditions. To help ensure compliance with and to assist in providing public awareness of this requirement, the Lessee shall erect permanent signs at the waterward entrance to the docking facility and at the upland entrance to the docking facility which are clearly visible to passing boaters and the general public. The signs shall contain language clearly indicating that no less than 90 percent of the wet slips at the docking facility are available for rent to the general public. Any dockage rate sheet publications and dockage advertising for the docking facility shall clearly state that 90 percent of the wet slips at the docking facility are open to the general public on a "first come, first served" basis.
3. During the term of this lease and all subsequent renewal periods, the Lessee shall maintain the manatee informational display and manatee awareness signs as required by the Department's ERP.
4. The Lessee shall provide and make available to all vessels utilizing the docking facility operational and well-maintained sewage pumpout facilities acceptable to the Department or local government, whichever entity applies the more stringent criteria.
5. The Lessee shall inform all wet slip occupants in writing of the availability and requirement to use the sewage pumpout facilities provided on Dock A. The Lessee shall also advise all

wet slip occupants that no overboard discharges of trash, human or animal waste, including fish carcasses, shall occur at the leased premises at any time. Discharge from any holding tank or marine sanitation device, including those approved by the United States Coast Guard is strictly prohibited within the leased premises.

6. Throughout the term of this lease and all subsequent renewals or modifications, Lessee shall use a Department approved wet slip user agreement to assign or transfer the right to use a wet slip at the docking facility to a third party. The wet slip user agreement shall include provisions acceptable to Department.
7. Lessee shall maintain riprap at the toe of the existing vertical bulkhead along the length of the northwest bulkhead, which is a distance of approximately 300 feet.

FEE CALCULATION

CONSIDERATION DUE: \$34,790.97

(1) Lease Fee: 162,116.3 sq. ft. x \$.0.2259 = \$36,622.07

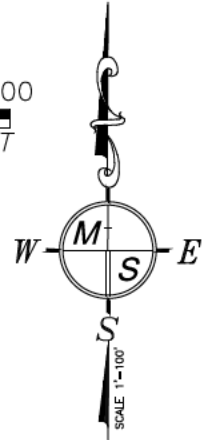
Less 30% Discount
\$36,622.07 x .30 = \$10,986.62

(2) One-time 25% Surcharge Payment for the New Lease Area
162,116.3 sq. ft. x \$0.2259 = \$36,622.07 x 0.25 = \$9,155.52

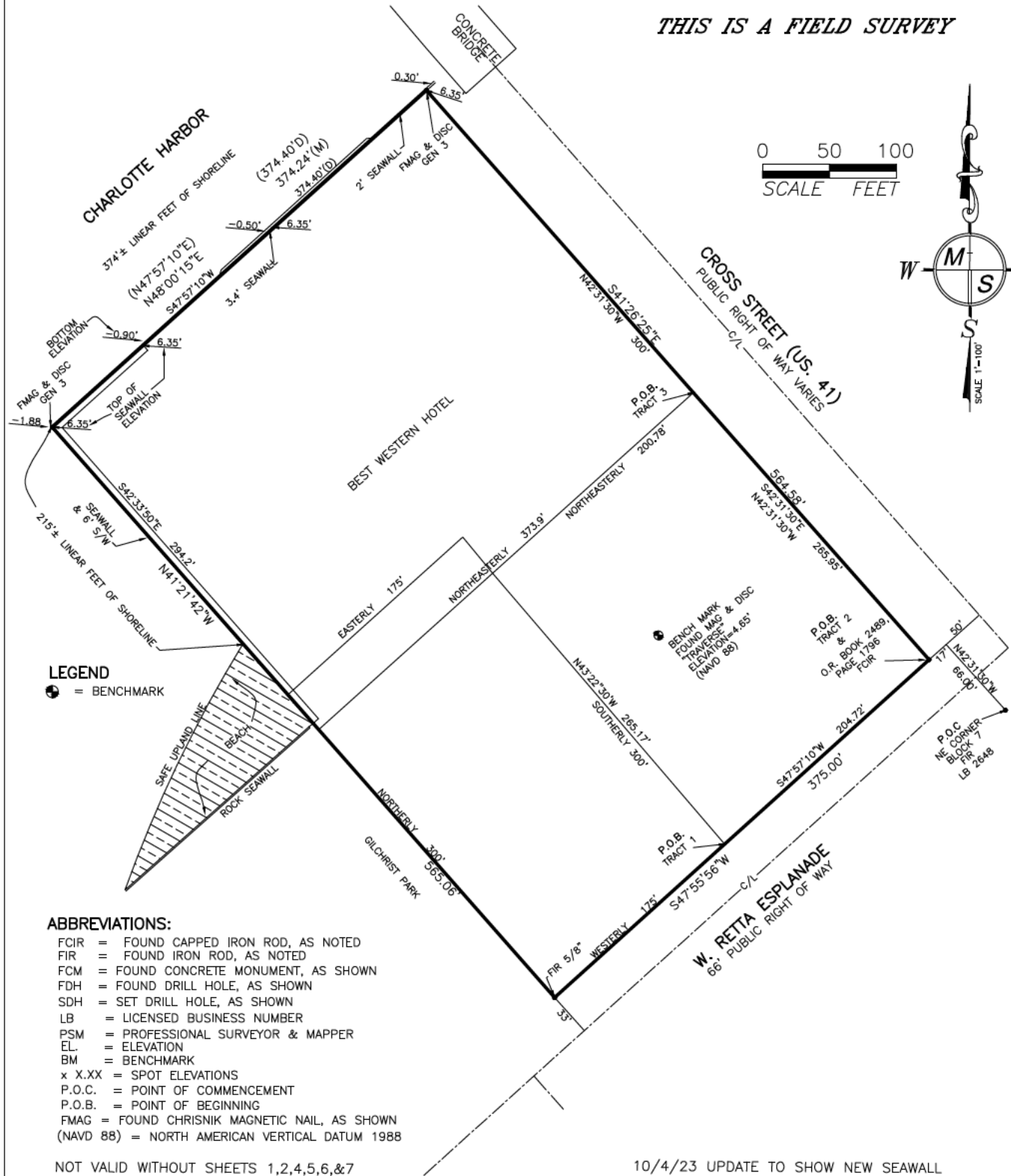
TOTAL CONSIDERATION DUE: \$34,790.97

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0 50 100
SCALE FEET



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 Port Charlotte, Florida 33952
 OFFICE (941) 743-8423
 FAX (941) 743-8404
 E-Mail: millersurveying@comcast.net
 LICENSED BUSINESS NO. 7413

DATE: 12/19/07

SCALE: 1"=100'

DRAWN BY: DSM

CHECKED BY: DSM

SEC: 6 TWP: 41S RGE: 23E

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
 UPLAND MAP

PROJECT NUMBER: 070802

SHEET NUMBER: 3 OF 7

FILE NUMBER: 070802

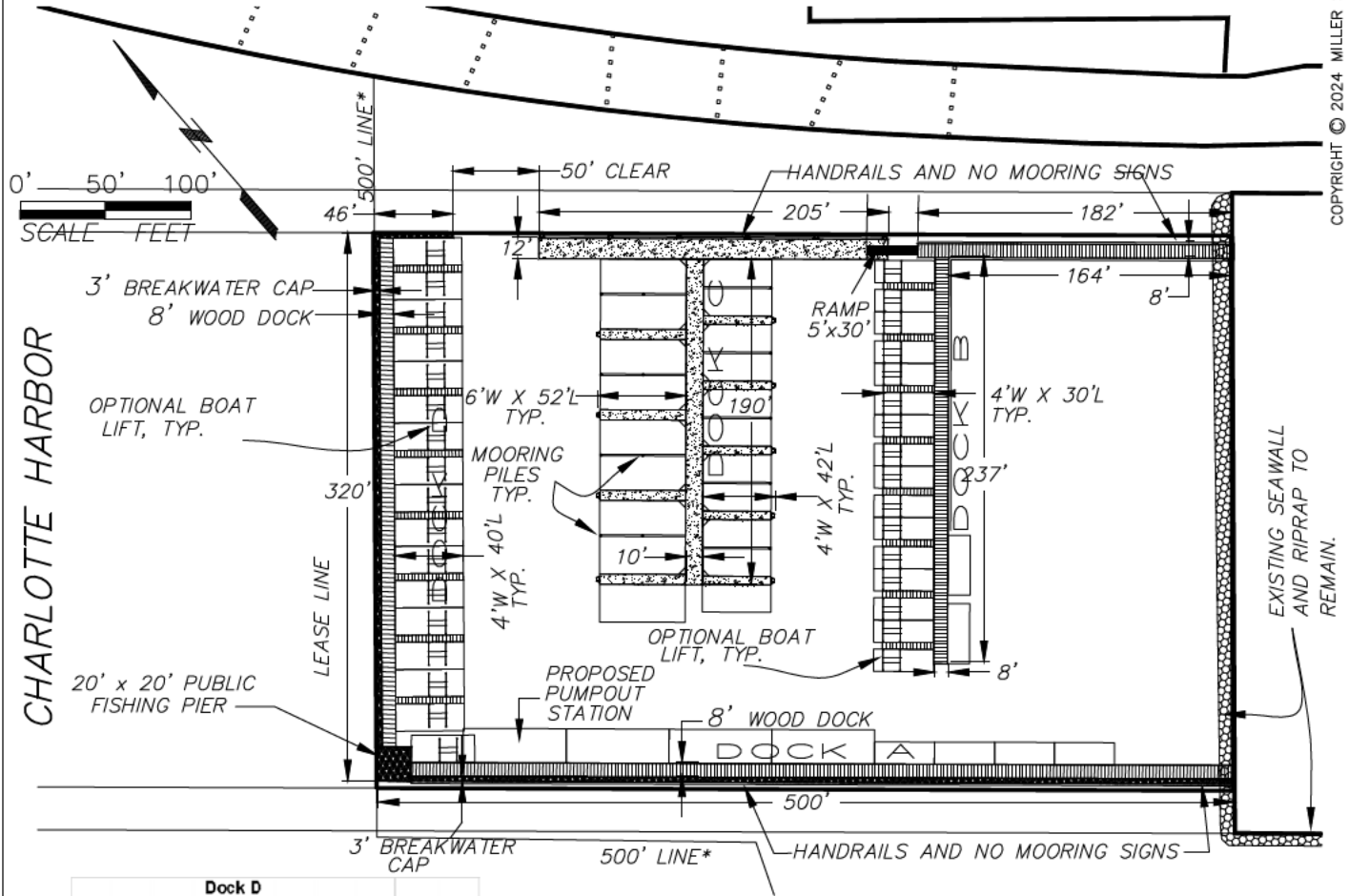
ATTACHMENT 1B

PAGE 9

THIS IS A FIELD SURVEY

LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"

ABBREVIATIONS:
TYP. - TYPICAL



Dock D			
Slip Number	Slip Width	Slip Length	
46	16	40	Lifts
47	16	40	Lifts
48	16	40	Lifts
49	16	40	Lifts
50	16	40	Lifts
51	16	40	Lifts
52	16	40	Lifts
53	16	40	Lifts
54	16	40	Lifts
55	16	40	Lifts
56	16	40	Lifts
57	16	40	Lifts
58	16	40	Lifts
59	16	40	Lifts
60	16	40	Lifts
61	16	40	Lifts
62	16	40	Lifts

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21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
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CHECKED BY: DSM

SEC: 6 TWP: 41S RGE: 23E

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
DOCK DETAILS

PROJECT NUMBER: 070802

SHEET NUMBER: 7 OF 7

FILE NUMBER: 070802

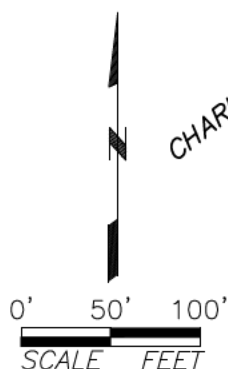
ATTACHMENT 1B

PAGE 10

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THIS IS A FIELD SURVEY

LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"



CHARLOTTE HARBOR
TO NAVIGABLE CHANNEL
2470±

GENERAL NOTES:

TOTAL SLIPS @ 62

*CHAPTER 18-20.004(5)(a)1.FAC

BATHYMETRIC SURVEY COMPLETED BY
HWA ON APRIL 21, 2006. DEPTHS
REFERENCE MLW.

PROPOSED DOCK CONFIGURATIONS
PROVIDED BY HANS WILSON &
ASSOCIATES.

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Dock A		
Slip Number	Slip Width	Slip Length
1	20	60
2	20	60
3	20	60
4	15	30
5	15	30
6	15	30
7	15	30

Dock B			
Slip Number	Slip Width	Slip Length	
8	13	35	Parallel
9	13	35	Parallel
10	13	35	Lift
11	13	35	Lift
12	13	35	Lift
13	13	35	Lift
14	13	35	Lift
15	13	35	Lift
16	13	35	Lift
17	13	35	Lift
18	13	35	Lift
19	13	35	Lift
20	13	35	Lift
21	13	35	Lift
22	13	35	Lift
23	13	35	Lift
24	13	35	Lift
25	13	35	Lift

Dock C		
Slip Number	Slip Width	Slip Length
26	16	40
27	16	40
28	16	40
29	16	40
30	16	40
31	16	40
32	16	40
33	16	40
34	16	40
35	16	40
36	16	40
37	20	50
38	20	50
39	20	50
40	20	50
41	20	50
42	20	50
43	20	50
44	20	50
45	20	50

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21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
LICENSED BUSINESS NO. 7413

DATE: 12/19/07

SCALE: 1"=100'

DRAWN BY: DSM

CHECKED BY: DSM

SEC: 6 TWP: 41S RGE: 23E

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
PROPOSED DOCK PLAN

PROJECT NUMBER: 070802

SHEET NUMBER: 6 OF 7

FILE NUMBER: 070802

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LEASE AREA DESCRIPTION

A PARCEL OR TRACT OF SUBMERGED LAND IN CHARLOTTE HARBOR, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEASTERLY CORNER OF THE TRACT FORMERLY KNOWN AS "HARVEY PARK" BEING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE, THENCE RUN S.47°55'56"W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE A DISTANCE OF 375.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID "HARVEY PARK" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HARVEY STREET; THENCE RUN N.41°21'42"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE NORTHWESTERLY EXTENTION THEREOF A DISTANCE OF 566.13 FEET TO THE FACE OF A SEAWALL AND THE MEAN HIGH WATER LINE OF SAID CHARLOTTE HARBOR; THENCE N.47°51'39"E. ALONG THE FACE OF SAID SEAWALL AND SAID MEAN HIGH WATERLINE FOR 25.00 FEET TO POINT OF BEGINNING OF THE HEREIN DESCRIBED LEASE AREA: THENCE FROM SAID POINT OF BEGINNING RUN N.41°37'47"W. FOR 500.02 FEET: THENCE RUN N.47°57'05"E. FOR 324.21 FEET: THENCE RUN S.41°37'52"E. FOR 500.07 FEET TO THE FACE OF A SEAWALL AND SAID MEAN HIGH WATER LINE OF CHARLOTTE HARBOR: THENCE RUN S.47°57'34"W. ALONG SAID SEAWALL AND MEAN HIGH WATERLINE FOR 324.22 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 162116.3 SQUARE FEET ± OR 3.7 ACRES MORE OR LESS.

GENERAL NOTES:

589'± LINEAR FEET OF SHORELINE. THERE IS 374'± OF SHORELINE ALONG THE WESTERLY PROPERTY LINE AND 215'± ALONG THE SOUTHWESTERLY PROPERTY LINE TO A SAFE UPLAND LINE.

THE SHORELINE 1,000' NORTH OF THE PROJECT IS 100% SEAWALLED AND THE SHORELINE 1,000' SOUTH OF THE PROJECT IS 100% SEAWALLED.

THE MEAN HIGH WATER LINE BASED ON D.E.P. TIDE STATION 872-5444, PUNTA GORDA, AND EXISTS AT THE VERTICAL FACE OF THE EXISTING SEAWALL.

POINT OF COMMENCEMENT (P.O.C.) STATE PLANE COORDINATE (SPC) WAS SCALED FROM A 2002 DIGITALLY RECTIFIED CHARLOTTE COUNTY AERIAL FLORIDA WEST ZONE 1983 NORTH AMERICAN DATUM (NAD).

CERTIFIED TO:

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND
PUNTA GORDA HOTEL, LLC.

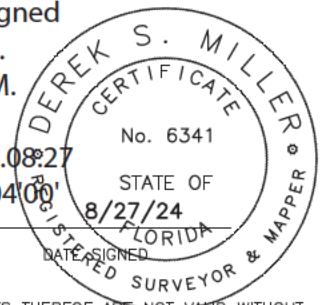
**Derek S.
Miller
P.S.M.
6341**

Digitally signed
by Derek S.
Miller P.S.M.
6341
Date: 2024.08.27
11:49:07 -04'00'

BY:

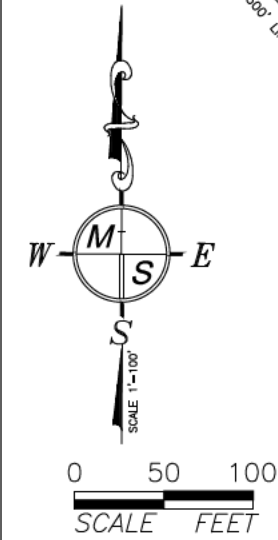
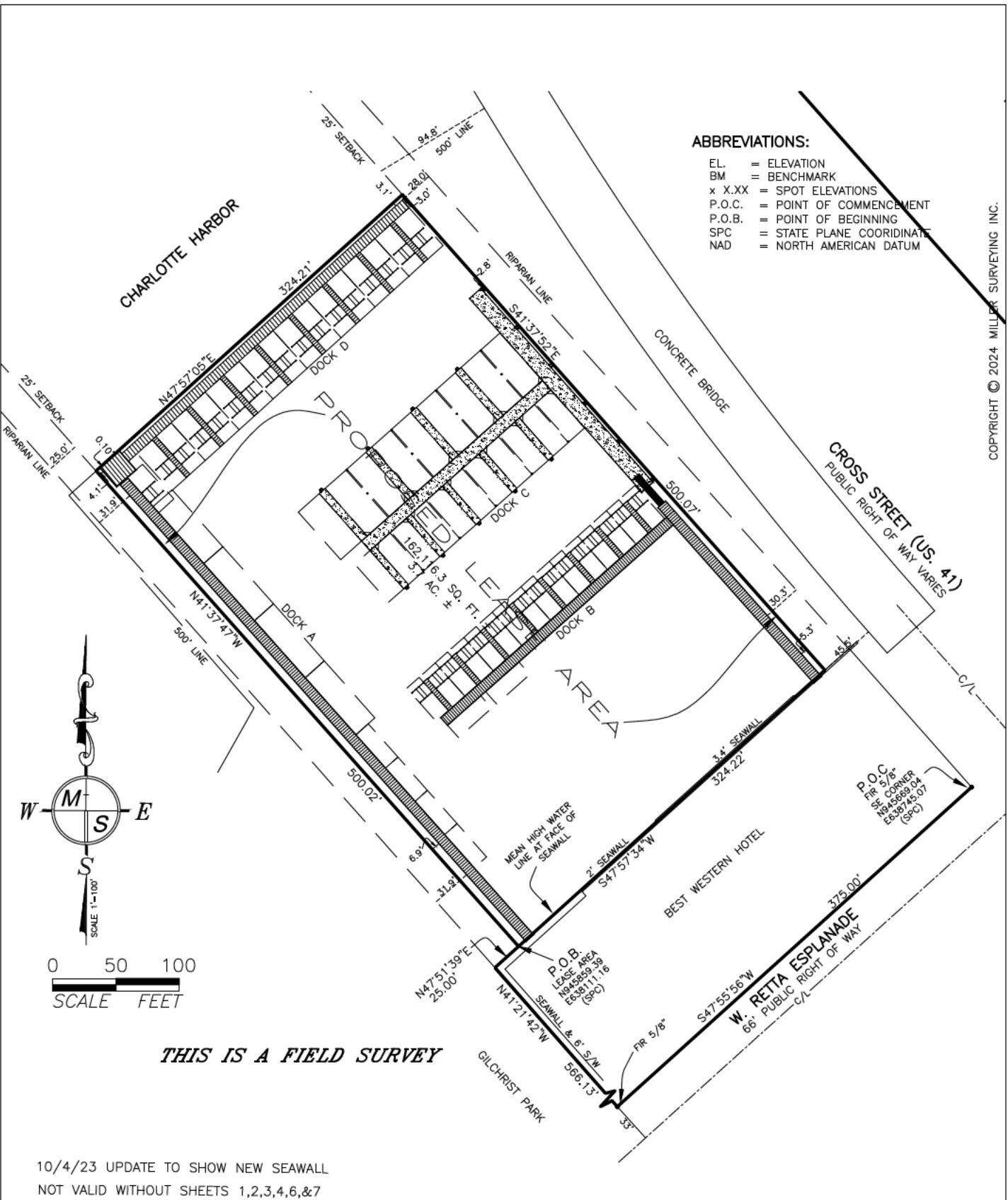
DEREK S. MILLER
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6341

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MILLER SURVEYING INC. 21053 Peachland Blvd. Port Charlotte, Florida 33952 OFFICE (941) 743-8423 FAX (941) 743-8404 E-Mail: millersurveying@comcast.net LICENSED BUSINESS NO. 7413	DATE: 12/19/07	CLIENT: PUNTA GORDA HOTEL, LLP		
	SCALE: N.T.S.			
	DRAWN BY: DSM	TITLE: BEST WESTERN HOTEL LEASE DESCRIPTION		
	CHECKED BY: DSM			
	SEC: 6 TWP: 41S RGE: 23E	PROJECT NUMBER: 070802	SHEET NUMBER: 4 OF 7	FILE NUMBER: 070802



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10/4/23 UPDATE TO SHOW NEW SEAWALL
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MILLER SURVEYING INC. 21053 Peachland Blvd. Port Charlotte, Florida 33952 OFFICE (941) 743-8423 FAX (941) 743-8404 E-Mail: millersurveying@comcast.net LICENSED BUSINESS NO. 7413	DATE: 12/19/07	CLIENT: PUNTA GORDA HOTEL, LLP		
	SCALE: 1"=100'	TITLE: BEST WESTERN HOTEL LEASE MAP		
	DRAWN BY: DSM			
	CHECKED BY: DSM			
SEC: 6	TWP: 41S	RGE: 23E	PROJECT NUMBER: 070802	SHEET NUMBER: 5 OF 7
			FILE NUMBER: 070802	

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LEGAL DESCRIPTION PER DEED
O.R. BOOK 266, PAGES 104 THRU 106

TRACT ONE:

PART OF THAT CERTAIN TRACT OR PARCEL OF LAND IN THE CITY OF PUNTA GORDA, FLORIDA, BOUNDED ON THE EASTERLY SIDE BY CROSS STREET, ON THE SOUTHERLY SIDE BY RETTA ESPLANADE, ON THE WESTERLY SIDE BY HARVEY STREET, AND ON THE NORTHERLY SIDE BY THE WATERS OF CHARLOTTE HARBOR, THE MAJOR PORTION OF SAID LAND BEING COMMONLY KNOWN AS "HARVEY PARK" TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO APPERTAINING, AND MORE PARTICULARLY DESCRIBED AS:

THE WEST SIDE OF THAT CERTAIN LOT ON WHICH REDINGER LODGE IS NOW SITUATE BEGINNING AT A POINT 5 FEET WEST OF THE GARAGE NOW LOCATED THEREON AND RUNNING 175 FEET, MORE OR LESS, WESTERLY ALONG RETTA ESPLANADE TO HARVEY STREET THENCE NORTHERLY 300 FEET MORE OR LESS, ALONG THE EASTERN LINE OF HARVEY STREET TO THE WATERFRONT, THENCE SOUTHERLY 300 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

TRACT TWO:

COMMENCE AT THE NORTHEASTERLY CORNER OF BLOCK 7, CITY OF PUNTA GORDA, AS RECORDED IN PLAT 1, PAGE 1 OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 42°31'30"WEST ALONG THE EASTERLY LINE OF SAID BLOCK 7 EXTENDED, 66 FEET TO THE NORTHERLY LINE OF RETTA ESPLANADE; THENCE SOUTH 47°57'10" WEST 17 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND KNOWN AS "HARVEY PARK" FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 47°57'10"WEST 204.72 FEET; THENCE NORTH 43°22'30"WEST 265.17 FEET, MORE OR LESS, TO THE WATERS OF CHARLOTTE HARBOR; THENCE NORTHEASTERLY ALONG THE SHORES OF CHARLOTTE HARBOR, 200.78 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 42°31'30"WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 42°31'30" EAST 265.95 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

TRACT THREE: A PARCEL OF SEAWALLED LAND IN CHARLOTTE HARBOR IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF BLOCK 7, CITY OF PUNTA GORDA, FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 1, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 42°31'30"WEST, ALONG THE EASTERLY LINE OF SAID BLOCK 7, EXTENDED, 66 FEET TO THE NORTHEASTERLY LINE OF RETTA ESPLANADE; THENCE SOUTH 47°57'10" WEST, 17 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND KNOWN AS HARVEY PARK; THENCE NORTH 42°31'30"WEST, 265.95 FEET TO THE MEAN HIGH WATER MARK OF CHARLOTTE HARBOR FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 42°31'30"WEST, 300.00 FEET; THENCE SOUTH 47°57'10"WEST, 374.40 FEET; THENCE SOUTH 42°33'50"EAST, 294.20 FEET TO THE MEAN HIGH WATER MARK OF CHARLOTTE HARBOR; THENCE NORTHEASTERLY ALONG SAID MEAN HIGH WATER MARK 373.9 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SURVEYORS DESCRIPTION: O.R. BOOK 2489, PAGE 1796

A PARCEL OF LAND IN THE CITY OF PUNTA GORDA FORMERLY KNOWN AS "HARVEY PARK" ACCORDING TO THE PLAT OF THE CITY OF PUNTA GORDA ("TRABUE") AS RECORDED IN PLAT BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA ALONG WITH A PARCEL OF FORMERLY SUBMERGED LANDS LYING NORTHWESTERLY OF AND ADJACENT TO SAID "HARVEY PARK" BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF THE TRACT FORMERLY KNOWN AS "HARVEY PARK" BEING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE, RUN THENCE SOUTH 47°55'56"WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE A DISTANCE OF 375.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID "HARVEY PARK" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HARVEY STREET; THENCE NORTH 41°21'42"WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE NORTHWESTERLY EXTENTION THEREOF A DISTANCE OF 565.06 FEET; THENCE NORTH 48°00'15"EAST A DISTANCE OF 374.24 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET); THENCE SOUTH 41°26'25"EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 564.58 FEET TO THE POINT OF BEGINNING. CONTAINING 4.858 ACRES MORE OR LESS.

SAID LANDS SITUATE, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA

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MILLER SURVEYING INC.

21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
LICENSED BUSINESS NO. 7413

DATE: 12/19/07

SCALE: N.T.S.

DRAWN BY: DSM

CHECKED BY: DSM

SEC: 6 TWP: 41S RGE: 23E

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
LEGAL DESCRIPTION

PROJECT NUMBER: 070802

SHEET NUMBER: 2 OF 7

FILE NUMBER: 070802

THIS IS A FIELD SURVEY

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GENERAL NOTES:

DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS A COMPARISON IS MADE, MEASURED BEARINGS AND DISTANCES ARE IDENTICAL WITH PLAT VALUES.

NO OTHER PERSON OR ENTITY MAY RELY UPON THIS SURVEY.

THIS BOUNDARY SURVEY IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT OF TITLE NOT REVIEWED.

SURFACE, SUBSURFACE AND AERIAL IMPROVEMENTS, UNLESS DEPICTED HEREON, WERE NOT LOCATED.

THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THIS SURVEY REPRESENTS EXISTING CONDITIONS AS OBSERVED ON THE DATE OF LAST FIELD WORK: SEPTEMBER 14, 2023.

EASEMENTS SHOWN IF ANY WERE INTERPRETED FROM RECORD PLAT DEDICATIONS OR TITLE INFORMATION SUPPLIED TO OR ACQUIRED BY THE SURVEYOR AT TIME OF SURVEY. SURVEYED PROPERTY MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

PROPERTY LIES WITHIN FLOOD ZONES "9AE", "10AE", "11AE", "11VE" & "12VE", AND A COASTAL A ZONES, WITH BASE FLOOD ELEVATION OF 12', BEING THE MOST RESTRICTIVE, AS PER FLOOD INSURANCE RATE MAPS, COMMUNITY NUMBER 120062, MAP AND PANEL NUMBER 12015C 0241 G DATED DECEMBER 15, 2022

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

BEARING ARE BASED ON THE CENTERLINE OF U.S. HIGHWAY 41 AS IT IS SHOWN TO BEAR S.41°26'14"E. PER FDOT RIGHT OF WAY MAP 01010-2519.

X.XX x DENOTES SPOT ELEVATIONS.

ELEVATIONS BASED ON NATIONAL GEODECTIC VERTICAL DATUM (NGVD) 1929.

PROPERTY ADDRESS IS #300 W. RETTA ESPLANE.

ABBREVIATIONS:

FCIR = FOUND CAPPED IRON ROD, AS NOTED
FIR = FOUND IRON ROD, AS NOTED
FCM = FOUND CONCRETE MONUMENT, AS SHOWN
FDH = FOUND DRILL HOLE, AS SHOWN
SDH = SET DRILL HOLE, AS SHOWN
LB = LICENSED BUSINESS NUMBER
PSM = PROFESSIONAL SURVEYOR & MAPPER
EL. = ELEVATION
BM = BENCHMARK
x X.XX = SPOT ELEVATIONS
SPC = STATE PLAIN COORDINATES
FMAG = FOUND CHRISNIK MAGNETIC NAIL, AS SHOWN
(NAVD 88) = NORTH AMERICAN VERTICAL DATUM 1988

LEGEND

⊙ = BENCHMARK

CERTIFIED TO:

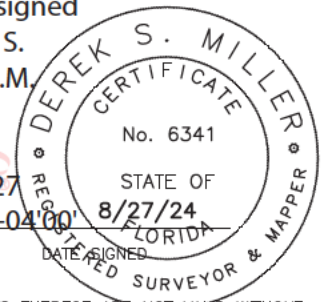
BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND
PUNTA GORDA HOTEL, LLC.

Derek S.
Miller
P.S.M.
6341

Digitally signed
by Derek S.
Miller P.S.M.
6341
Date:
2024.08.27
11:48:06 -04'00'

BY:

DEREK S. MILLER
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6341
SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT
THE SIGNATURE AND THE ORIGINAL RAISED OR DIGITALLY ATTACHED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER.



NOT VALID WITHOUT SHEETS 2,3,4,5,6&7

MILLER SURVEYING INC.

21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
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DATE:
12/9/07

SCALE:
N.T.S.

DRAWN BY:
DSM

CHECKED BY:
DSM

SEC: TWP: RGE:
6 41S 23E

CLIENT:

PUNTA GORDA HOTEL, LLC

TITLE:

BEST WESTERN HOTEL
NOTES

PROJECT
NUMBER:

070802

SHEET
NUMBER:

1 OF 7

FILE
NUMBER:

070802

ATTACHMENT 1B

PAGE 15



Florida Department of Environmental Protection

South District Office
P.O. Box 2549
Ft. Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

JUL 06 2009

SUBMERGED LANDS AND ENVIRONMENTAL RESOURCE PROGRAM

CONSOLIDATED ENVIRONMENTAL RESOURCE PERMIT AND SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:

Punta Gorda Hotel, LLC
c/o Hans Wilson & Associates, Inc.
1938 Hill Avenue
Fort Myers, FL. 33901

Permit/Authorization Number:
08-0201050-002

Date of Issue:
July 2, 2009

Expiration Date of Construction Phase:
July 2, 2014

County: Charlotte

Project: reconfiguration and expansion
of a commercial docking facility
BOT Lease No. 080842525

This project requires an Individual Permit. The Department is issuing this permit under the authority of Part IV of Chapter 373, Florida Statutes (F.S.), and Chapters 62-330 and 62-343, Florida Administrative Code (F.A.C.), and the Operating Agreements adopted between the Department and the water management districts in Chapter 62-113, F.A.C.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

This permit also constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Please be advised that this permit does not constitute the issuance of a NPDES Stormwater Permit or acceptance of an NPDES Stormwater Pollution Prevention Plan. For additional information regarding this matter please contact the NPDES Stormwater

Notices Center toll free at (866) 336-6312 or Department personnel in Tallahassee at (850) 245-7522.

This activity also requires a proprietary authorization, as the activity is located on sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, F.A.C., and Section 62-343.075, F.A.C.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined that the activity requires the following authorizations:

1. A modified lease is required for the docking structures and associated mooring areas over sovereignty submerged lands, pursuant to Section 253.77, F.S. The final documents required to execute the modified lease have been sent to the Division of State Lands. The Department intends to issue the modified lease, upon satisfactory execution of those documents. **You may not begin construction of the new docking structures on state-owned, sovereignty submerged lands until the modified lease has been issued by the Department.**

In addition, the Department has determined, pursuant to Section 380.0651(3)(e), F.S., that the facility is located so that it will not adversely impact Outstanding Florida Waters or Class II waters, and will not contribute to boat traffic in a manner that will adversely impact the manatee.

A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by the USACOE. You are hereby advised that authorizations also may be required by other federal, state and local entities. This authorization does **not** relieve you from the requirements to obtain all other required permits and authorizations.

The above named Permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto and made a part hereof. **This permit and authorization to use sovereignty**

submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached 25 General Conditions and 42 Specific Conditions which are a binding apart of this permit and authorization. You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification/authorization, as specifically described below.

Twelve (12) 8.5" x 11" permit drawings as prepared by Hans Wilson & Associates, Inc., signed and sealed by Hans J.M. Wilson, P.E., on January 8, 2009, and three (3) 8.5" x 11" permit drawings as prepared by Hans Wilson & Associates, Inc., signed and sealed by Hans J.M. Wilson, P.E., on April 8, 2009, are incorporated by reference and attached to this permit.

ACTIVITY DESCRIPTION:

The existing facility contains 8 slips and 2,270 square feet of docking structures serving the Best Western Hotel. The proposed project will preempt 162,105 square feet and provide 63 slips with the following activities:

Installation of approximately 21,801 square feet of new dock structures to provide 63 boat slips consisting of:

- (1) Removing the existing 2,270-square-foot docking structure;
- (2) On the northeast side of the facility, installing an 8-foot-wide by 182-foot-long fixed wooden piling supported access dock (connected to Dock B) connected to a 12-foot-wide by 205-foot-long floating concrete access dock (connected to Dock C) held in place by concrete pilings, and a 5-foot-wide by 30-foot-long aluminum ramp connecting the two access docks;
- (3) Installation of Dock A, consisting of an 8-foot-wide by 500-foot-long fixed wooden pile supported dock with a 20-foot-wide by 20-foot-long fixed concrete pile supported fishing platform. A concrete or vinyl breakwater will be installed adjacent to this dock. Dock A connects to Dock D;

- (4) Installation of Dock B, consisting of an 8-foot-wide by 237-foot-long fixed wooden pile supported access dock with eight (8) 4-foot-wide by 30-foot-long fixed wooden pile supported finger piers and 16 boat lifts;
- (5) Installation of Dock C, consisting of a 5-foot-wide by 30-foot-long aluminum ramp (connected to Dock B) connected to a 12-foot-wide by 205-foot-long floating concrete access dock held in place by concrete pilings, connected to a 10-foot-wide by 190-foot-long floating concrete terminal platform held in place by concrete pilings, with five 4-foot-wide by 42-foot-long floating concrete finger piers and four 6-foot-wide by 52-foot-long floating concrete finger piers, with (16) sixteen 4-foot-wide by 4 foot-long 45° corner braces at the base of each of the concrete floating finger piers (128 square feet). For each of the 52-foot-long finger piers the installation of a mooring pile at the end of each pier, and a shared mooring pile aft and amidship per (2) two boat slips. For each of the 42-foot-long finger piers, one pile on each pier end for a total of 13 mooring piles; and
- (6) Installation of Dock D, consisting of an 8-foot-wide by 320-foot-long fixed wooden pile supported access dock with eight (8) 4-foot-wide by 40-foot-long wooden finger piers. 32 fender piles will be installed on the waterward side of Dock D.

Handrails and "No Mooring" signs will be installed at the following locations.

- (1) Along the northeast side of the 8-foot-wide by 182-foot-long fixed wooden piling supported access dock (connected to Dock B) and along the northeast side of the 12-foot-wide by 205-foot-long floating concrete access dock (connected to Dock C)
- (2) Along the entire length of the outer perimeter of Docks A and D where no vessels will be docked.
- (3) Along the first 150 feet of the landward side of Dock B where no vessels will be docked because of inadequate water depths.

A functional hard-piped sewage pumpout facility will be installed at the confluence of Dock A and Dock D, with signage indicating that this slip is dedicated for temporary mooring for sewage pumpout, open to the public. A concrete or vinyl batter-board breakwater will be constructed along the outside of Dock A and Dock D. Floating dock dimensions to vary ± 12 inches depending on the floating dock manufacturer, waler size, and rub strips on the outside edge of each dock.

Boats moored in slips in the marina will be private recreational boats, commercial tour boats, commercial fishing boats, and rental boats. Boat sizes will range in lengths from 30 to 60 feet, with drafts of less than 2 feet and a maximum draft of 3.5 feet. A 2-foot

draft restriction will be placed at Dock A, Slips 6 & 7, and Dock B, Slips 17 & 18. Pilings with "No Mooring" signs will be installed and maintained at the -3 foot mean low water contour within the submerged lands lease to prevent use of the area landward of the -3 foot contour for boat mooring or as a turning basin.

ACTIVITY LOCATION:

The project is located at Best Western Hotel, 300 Retta Esplanade, Punta Gorda, FL, Peace River within the Gasparilla Sound-Charlotte Harbor Aquatic Preserve, Section 06, Township 41 South, Range 23 East, within the local jurisdiction of the City of Punta Gorda, in Charlotte County, Class II Outstanding Florida Waters not approved for shellfish harvesting.

GENERAL CONDITIONS:

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department of Environmental Protection (Department) staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violations of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within seven (7) days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving water body exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to the procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.

5. Department staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or other surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the Department as a permit prior to the dewatering event as a permit modification. The permittee is advised that the rules of the Southwest Florida Water Management District state that a water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, Florida Administrative Code (F.A.C.).

6. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven (7) days after the construction activity in that portion of the site has temporarily or permanently ceased.

7. Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operation schedules satisfactory to the Department.

8. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to the beneficial occupancy or use of the development being served by this system.

9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:

a. any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.

b. any existing septic tanks on site shall be abandoned at the beginning of construction.

c. any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

10. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.

11. **At least forty-eight (48) hours prior to commencement** of the activity authorized by this permit, the permittee shall submit to the Department's South District Office at (239) 332-6975, (P.O. Box 2549, Fort Myers, FL 33901) a written notification of commencement using an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.

12. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of the site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.

13. **Within thirty (30) days after completion** of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.), and "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form 62-343.900(7), F.A.C.). Additionally, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

14. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications, or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a modification has been applied for and

approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

15. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. Until a permit transfer is approved by the Department pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

16. Should any other regulatory agency require changes to the permitted system, the Department shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.

17. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.

18. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.

19. The permittee is hereby advised that Section 253.77, Florida Statutes (F.S.) states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorization from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

20. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.

22. The permittee shall notify the Department in writing within thirty (30) days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

23. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.

24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.

25. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIFIC CONDITIONS:

General Construction

1. The terms, conditions, and provisions of the required lease shall be met. **The new dock structures shall not be placed on sovereignty submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until the required lease instrument has been executed and recorded in the public records of Lee County.**

2. If a conflict occurs between the Specific Conditions of this permit and the drawings attached to this permit, the Specific Conditions of this permit will prevail.

3. Any deviation from the general and specific permit conditions or permit drawings shall not be undertaken without prior modification of this permit and submittal of the appropriate processing fee.

4. Best management practices for erosion and turbidity control, including but not limited to the use of silt screens and other appropriate turbidity barriers shall be used and maintained as necessary at all times during project construction. The Permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards resulting in a degradation of the water quality.

5. Construction of the project shall comply with applicable State Water Quality Standards, namely:

- a. 62-302.500 - Surface Waters: Minimum Criteria, General Criteria; and
- b. 62-302.530 - Table: Surface Water Quality Criteria
- c. 62-302.700 - Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters
- d. 62-4.242 - Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement.

6. If at any time during construction of the permitted facility, unforeseen construction impacts to adjacent surface waters occur, or complications preventing compliance with the specifications of this permit arise, the Permittee shall immediately cease work and notify the Department's South District Office, SLERP Section, P.O. Box 2549, Fort Myers Florida 33902-2549, 239-332-6975. The Permittee shall submit an alternate construction plan to the Department to allow construction to proceed without additional impact or non-compliance. Work shall not continue until the Department has approved the modification in writing. Substantial changes from the permitted activities may require formal review and modification of this permit.

Dock Construction

7. All structural support pilings, mooring pilings and pilings required by specific condition 34 below shall be non-CCA-leaching (recycled plastic, concrete, greenheart, or wrapped with impermeable plastic or PVC sleeves in such a manner as to eliminate the leaching of deleterious substances from the pilings into the water column and sediments). Pile wrapping shall extend to one-foot below the substrate and one-foot above the mean high water line.

8. The decking for all fixed dock structures, whether pressure treated wood or plastic or other material shall be installed so that a minimum of ¼-inch spacing is maintained between each plank to ensure maximum light penetration to the submerged bottom.

9. Manatee Protection - The Standard Manatee Conditions for In-Water work (revision 2005) shall be followed for all in-water activity. The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign

measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

Operations

10. The permittee shall develop and implement a Florida Fish and Wildlife Conservation Commission (FWC)-approved marina education program (which includes, at a minimum, permanent manatee educational signs, manatee educational brochures and Charlotte County Boater's Guides no later than 30 days prior to slip occupancy taking place. Permittee must maintain this educational program for the life of the facility. The permittee will be responsible for the cost of the educational material. The permittee shall develop this educational program with the assistance of FWC. FWC shall approve this education plan prior to its implementation. Marina educational program guidelines for brochure and sign information can be found at the following website like: <http://myfwc.com/manatees/signs/Educationplan.pdf>, or can be obtained from FWC. Contact the Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 Meridian Street, 6A, Tallahassee, FL 32399-1600 (telephone 850-922-4330). Information concerning the Charlotte County Boater's Guides can be found at <http://charlotte.ifas.ufl.edu/seagrant/sg-03a-boatersguide.htm>.

11. Prior to mooring any vessels at the permitted docking facility, the Permittee shall install an educational display, informing the general public on the importance of aquatic resources, and the potential threat that the public imposes on these resources. The educational display will consist of: (a) brochures and/or other educational materials; and (b) a three panel display on the following panel(s): seagrasses, mangroves and boating. The educational display's content and location shall require prior written approval by the State of Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, Charlotte Harbor Aquatic Preserves, 12301 Burnt Store Road, Punta Gorda, FL 33955. The educational display shall be maintained for the life of the permitted docking facility.

12. The "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.) referenced in General Condition 13 of this permit and required to be submitted to the Department by the permittee shall include written documentation from the FWC stating that the information display meets FWC requirements.

13. The total number of boat slips shall be limited to 63 wet slips, including one temporary mooring slip for use of the sewage pumpout facility.

14. Launching or other means of conveyance of vessels into the water shall be prohibited.

15. Liveaboards shall be prohibited at the docking facility. A liveboard shall be defined as a vessel docked at the facility that is inhabited by person or persons for any five consecutive days or a total of ten days within a thirty-day period.

16. Dry storage slips are prohibited at this facility. Any proposed dry storage slips will require a modification of this permit.

17. No fueling facilities or fuel storage shall be allowed at the docking facility and associated uplands. The Permittee shall however still be equipped to adequately respond to fuel spills at the marina. The Permittee shall accomplish this by: (a) installing, maintaining, and being capable of operating fuel spill equipment; (b) being a member of a fuel spill cooperative; or (c) contracting this responsibility to a fuel spill contractor acceptable to the Department.

18. The discharging of marine sewage, combustible or other hazardous materials shall be strictly prohibited at the permitted docking facility.

19. Prior to mooring vessels at the facility, the Permittee shall install and maintain an operable, fixed (not portable) sewage pumpout facility. The facility shall be available for use of boat slip users and the general public not renting/leasing a boat slip at the permitted docking facility. The facility shall be available to the public at no charge. The facility shall be located at a boat slip designated for sewage pumpout. The sewage pumpout boat slip shall include hard-piping for sewage collection.

20. Sewage pump-out service shall be made available to the facility patrons and the general public not otherwise using the docking facility or renting a hotel room in the adjacent upland hotel. No charge shall be assessed for the sewage pumpout service. Signage shall be installed indicating the availability of free sewage pump-out and hours of service. The signage shall be of appropriate size to be readable from both the landward side of the dock and viewed from the water by passing boats. The signage indicating sewage pump-out service shall be installed prior to the mooring of any vessels at the docking facility and shall be maintained for the life of the facility.

21. The sewage pumpout facilities shall be connected to a wastewater collection/treatment system approved by the Department of Environmental Protection. Please note: direct sewage pumpout hook-up to a wastewater treatment plant will require a permit from the Department's Water Facilities Section.

22. The sewage pumpout facilities shall be maintained in a functional condition and serviced on a regularly scheduled basis for the life of the facilities.

23. Marina operations staff shall inform all slip occupants in writing of the availability and requirement to use the appropriate sewage pumpout facility provided at the docking facility.

24. The Permittee shall maintain a log to record the number of times the sewage pump-out is used, along with the approximate amount of sewage pumped and date. A copy of the sewage pump-out log shall be submitted to the Department's South District office (P.O. Box 2549, Fort Myers, FL 33902-2549) by August 1st for the previous year of sewage pump-out use data. The permit number (08-0201050-002) shall be included in the submittal.

25. Employees of the docking facility shall be trained in the proper use and maintenance of the sewage pump-out systems.

26. The Permittee shall initiate and maintain a dedicated fund for the repair and maintenance of all pumpout stations and train personnel to monitor the proper use of the equipment during operations. This fund shall at all times be of a sufficient amount to restore any non-functioning pumpout station to an operational level within 3 days the pumpout station ceases to operate.

27. A dockmaster shall be required to be at the docking facility at least during normal working hours (8:00 a.m. to 5:00 p.m., seven days per week) after completion of construction and occupancy of the docking facility.

28. Boat maintenance or repair activities that are reasonably anticipated to result in any discharges or release of oils or greases associated with engine and hydraulic repairs, and release of metal-based bottom paints associated with hull scraping, cleaning, and painting shall only occur after removal of the vessel being maintained or repaired from the water. Exceptions shall only be made in emergency conditions which have resulted in or can result in the sinking of a vessel. Minor repairs and boat maintenance that will not cause or contribute to the release of water pollutants and which are performed by owners or qualified marine mechanics are allowed.

29. To minimize the potential discharge of oils and greases or other hazardous materials from bilge water, the Permittee shall provide absorbent pads to all renters/lessees/owners of boat slips at the permitted facility. The absorbent pads shall be installed in vessel bilges when vessels are moored at the permitted facility. In the case of an emergency, a leaking vessel is to be surrounded by containment booms and

the owner notified of the problem. All clean up will be at the expense of the boat owner.

30. In water hull maintenance, including cleaning of boat hulls, throughout the facility shall be limited to use of sponges or plastic scouring pads (Starbrite, Hol-tite, or similar). The use of metal scrapers, stiff brushes, or similar implements to remove barnacles or extensive algae growth is prohibited. Pressure washing of vessels is also prohibited. Under no circumstances shall turbidity associated with hull maintenance in individual slips exceed 0 NTU's above water clarity in the center of the immediate marina freeway. If cathodic protection devices made of zinc are replaced, all zincs, or zinc particles, must be removed from the water.

31. All future authorized replacement pilings (structural support pilings, mooring pilings and pilings required by specific condition 34 below) shall be non-CCA-leaching (recycled plastic, concrete, greenheart, or wrapped with impermeable plastic or PVC sleeves in such a manner as to eliminate the leaching of deleterious substances from the pilings into the water column and sediments). Pile wrapping shall extend to one-foot below the substrate and one-foot above the mean high water line.

32. The maximum draft of vessels moored on a temporary or permanent basis shall not exceed 3.5 feet. However, the maximum draft of vessels moored on a temporary or permanent basis shall not exceed 2 feet at Dock A, Slips 6 & 7, and Dock B, Slips 17 & 18.

33. To ensure compliance with specific condition 32, the manufacturer's specifications (length, draft, etc.) for each vessel moored at the facility shall be maintained on site and made available for inspection by the State of Florida Department of Environmental Protection upon request.

34. The permittee shall install a sufficient number of pilings with "No Mooring" signs along the -3 foot mean low water contour within the sovereignty submerged lands lease to prevent use of the area landward of the -3 foot contour for boat mooring or as a turning basin. The pilings and signs shall be maintained for the life of the permitted docking facility.

35. Mooring, on either a temporary or permanent basis, shall be prohibited at the following locations depicted on the attached permit drawings:

- (a) at the 20-foot-long by 20-foot-wide fishing pier;
- (b) along the northeast side of the 8-foot-wide by 182-foot-long fixed wooden main access dock and 12-foot-wide by 205-foot-long floating concrete access dock on the northeast side of the project;
- (c) along the southwest side of Dock A; and

(d) along the northwest side of Dock D.

To ensure compliance, the Permittee shall place and maintain:

- (a) a guard and intermediate rail(s) consistent with state or local building code(s) or a 4-foot high railing and 2-foot high intermediate railing at these locations; and
- (b) signs at these locations advising boaters that mooring either on a temporary or permanent basis is prohibited.

36. Within 10 days of completion of the docking facility and prior to mooring of vessels at the docking facility, handrails and "no-mooring" signs shall be installed along all portions of the docking facility adjacent to all non-mooring areas. Handrails shall be constructed to eliminate access to the docking facility by boaters and shall be maintained for the life of the docking facility.

37. All vessels that moor, dock, or otherwise use the permitted docking facility shall possess a current vessel registration and title as required by Chapters 327 and 328, Florida Statutes, or a current vessel registration and title as required in another state or country.

38. All vessels that moor, dock, or otherwise use the permitted docking facility shall be maintained in a fully operational condition.

39. The permittee shall provide recycling bins for the separation and recycling of monofilament line.

40. The Permittee shall ensure that no exotic species as listed in the most recent published list of invasive species by the Florida Exotic Pest Plant Council (FLEPPC) are allowed to be planted or colonize on the upland property. The Internet website for FLEPPC is <http://www.fleppc.org/01list.htm>.

41. For the usable life of the permitted docking facility, the Permittee shall implement the attached Marina Operations Plan (or a Department approved modification of the same) that addresses, at a minimum, the following: educational programs, onsite enforcement, sewage pumpout facilities; fuel spill containment; gray water; boat maintenance; and boat slip agreements between the Permittee and boat slip users.

42. Operation of the permitted facility shall comply with applicable State Water Quality Standards, namely:

- 62-302.500 - Surface Waters: Minimum Criteria, General Criteria; and
- 62-302.530 - Table: Surface Water Quality Criteria

Permittee: Punta Gorda Hotel, LLC

Permit No. 08-0201050-002

Page 17 of 17

62-302.700 - Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters

62-4.242 - Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of District Management
South District

JMI/LAB/MRM/mm

Attachments:

- 5 pages permit forms
- 14 pages permit drawings
- 7 pages survey and legal description
- 6 pages Marina Operations Plan

cc: U.S. Army Corps of Engineers, Fort Myers, Log # P3448
Charlotte County Property Appraiser
Office of Coastal and Aquatic Managed Areas (Charlotte Harbor Aquatic Preserve)
Florida Fish and Wildlife Conservation Commission
Florida Department of Community Affairs

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and authorization to use sovereignty submerged lands, including all copies were mailed before the close of business on

July 2, 2009, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(7),
Florida Statutes, with the designated Department Clerk,
Receipt of which is hereby acknowledged.

Marie Vidrine 7-2-09
Clerk Date

FWC Approved Manatee Educational Sign Suppliers

ASAP Signs & Designs

624-B Pinellas Street
Clearwater, FL 33756
Phone: (727) 443-4878
Fax: (727) 442-7573

Wilderness Graphics, Inc.

P. O. Box 1635
Tallahassee, FL 32302
Phone: (850) 224-6414
Fax: (850) 561-3943
www.wildernessgraphics.com

Cape Coral Signs & Designs

1311 Del Prado Boulevard

Cape Coral, FL 33990

Phone: (239) 772-9992
Fax: (239) 772-3848

Municipal Supply & Sign Co.

1095 Fifth Avenue, North
P. O. Box 1765
Naples, FL 33939-1765
Phone: (800) 329-5366 or
(239) 262-4639
Fax: (239) 262-4645
www.municipalsigns.com

Vital Signs

104615 Overseas Highway
Key Largo, FL 33037
Phone: (305) 451-5133
Fax: (305) 451-5163

Universal Signs & Accessories

2912 Orange Avenue
Ft. Pierce, FL 34947
Phone: (800) 432-0331 or
(772) 461-0665
Fax: (772) 461-0669

New City Signs

1829 28th Street North
St. Petersburg, FL 33713
Phone: (727) 323-7897
Fax: (727) 323-1897

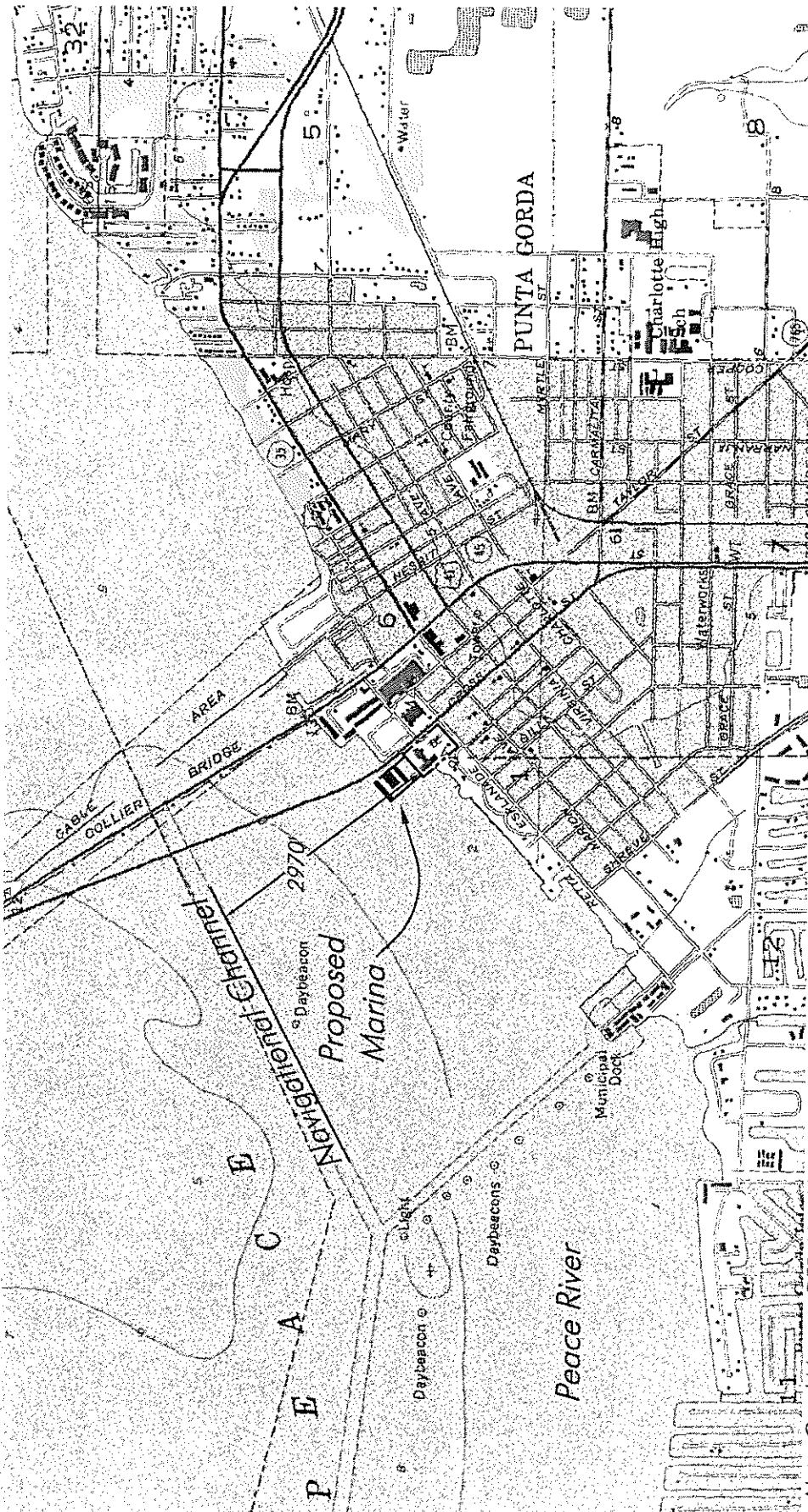
United Rentals Highway Technologies

309 Angle Road
Ft. Pierce, FL 34947
Phone: (772) 489-8772
or (800) 489-8758 (FL only)
Fax: (772) 489-8757

SECTION: 06
TOWNSHIP: 41 S.
RANGE: 23 E.

LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"

0 1000 2000
SCALE FEET



Note: Quad Map per DEP, Map No.
2417 Punta Gorda.

U.S.G.S. Quadrangle Map

SCALE: 1" = 2,000'

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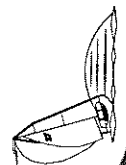
FEB 11 2009

Hans J.M. Wilson

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: JANUARY 28, 2009 1:02:27 p.m.
Drawing: ASMARMASTER.DWG

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HANS WILSON & ASSOC., INC.
1938 Hill Ave. Ft. Myers, Florida 33901
Tel: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS



1.28.09

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Best Western

Punta Gorda Hotel, LLC

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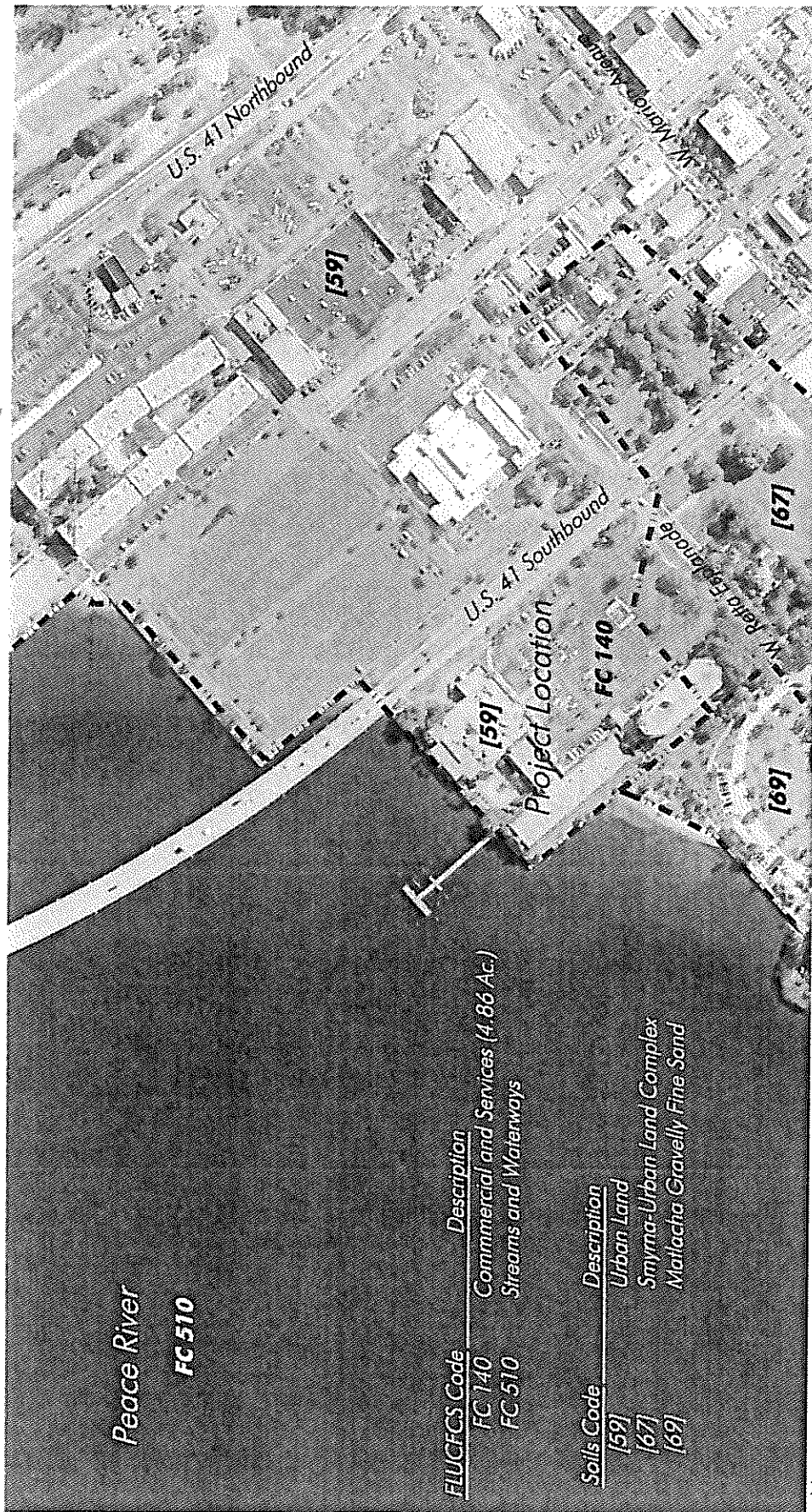
113

SECTION: 06
TOWNSHIP: 41 S.
RANGE: 23 E.

Property Line
Soil Line

0 150 300
SCALE FEET

08-0201050-002



FLUCFCS Code	Description
FC 140	Commercial and Services (4.86 Ac.)
FC 510	Streams and Waterways

Soils Code	Description
[59]	Urban Land
[67]	Smyrna-Urban Land Complex
[69]	Maitlacta Gravelly Fine Sand

Notes:

Soils per U.S. Soil Conservation Service,
U.S. Department of Agriculture, 1984.
FLUCFCS per Florida Land Use, Cover
and Forms Classification System,
January 1999.

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Soils and FLUCFCS Map

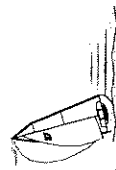
SCALE: 1" = 300'
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2/13

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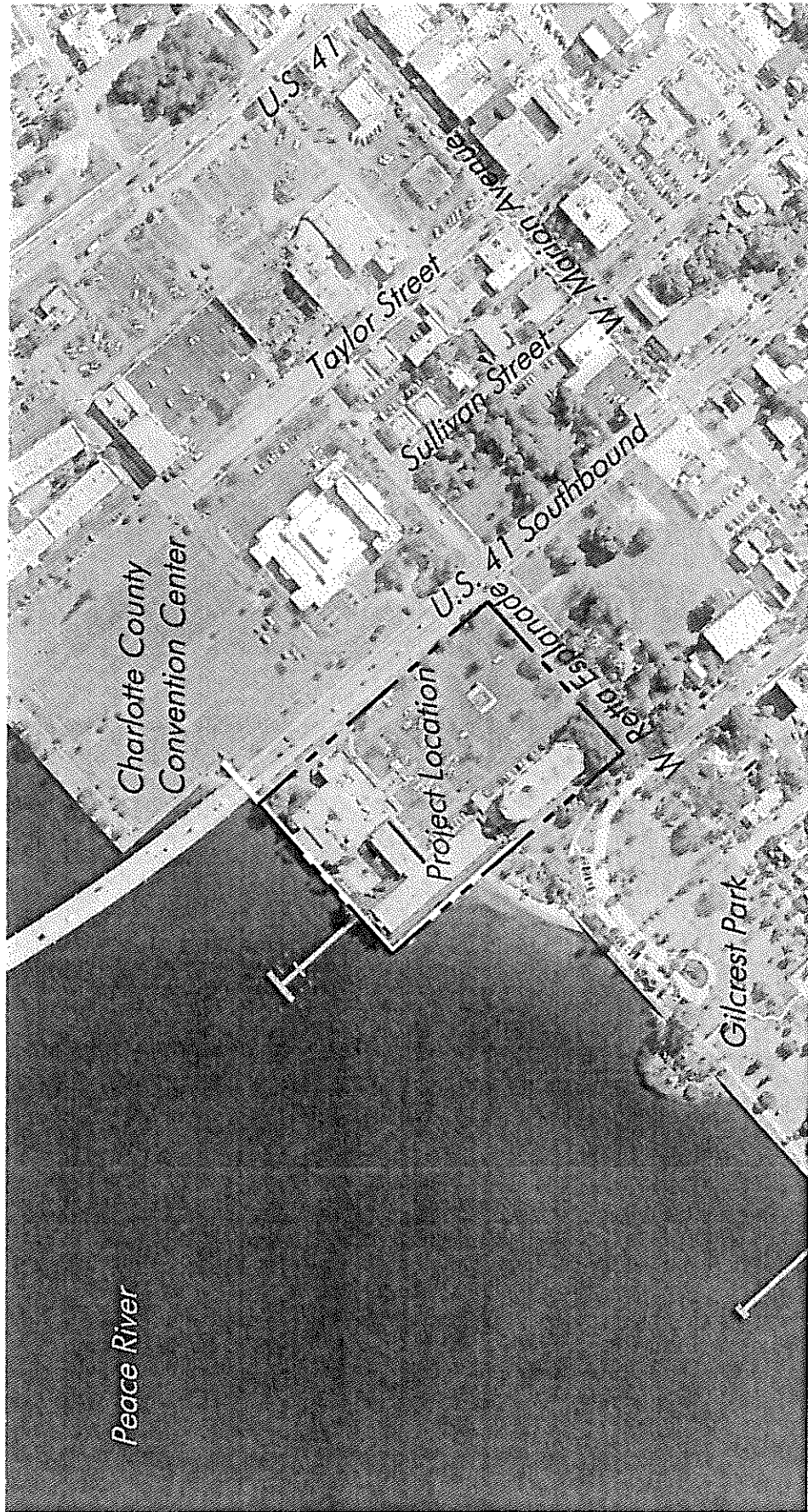
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EH



SECTION: 06 LATITUDE: 26°56'8"
 TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
 RANGE: 23 E.

2004 Charlotte Aerial

0 150 300
 SCALE FEET



Note: Upland site plan information per boundary survey by Johnson Engineering, Inc. dated 5/12/04.

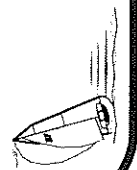
Overall Site Plan

SCALE: 1" = 300'

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 SOUTH DISTRICT
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 FLORIDA REGISTRATION NO. 39680
 DATE: January 28, 2009 1:02:27 p.m.
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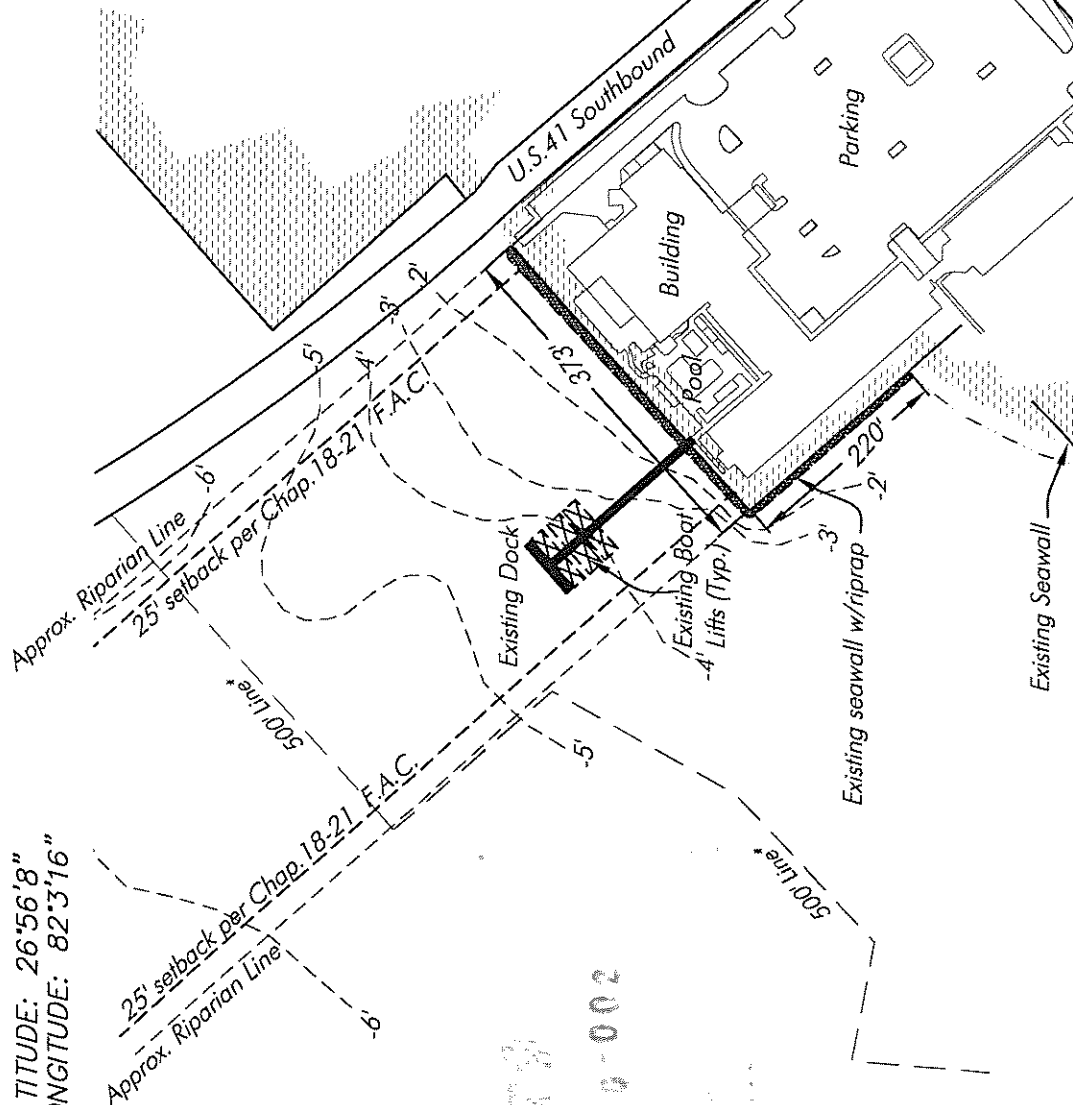
Punta Gorda Hotel, LLC

SHEET
 3/13

SECTION: 06
TOWNSHIP: 41 S.
RANGE: 23 E.

LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"

Peace River



*Chapter 18-20.004(5)(a)1.FAC
Project Upland Area is 4.86 Ac.
Project Shoreline is 593 ft. with riprap
at the toe of the existing seawall.

Note: Upland site plan information per boundary
survey by Johnson Engineering, Inc. dated 5/12/04.
Bathymetric survey completed by HWA on April
21, 2006. Depths reference MLW.

Existing Dock Plan

SCALE: 1" = 20' REVISED - D.E.P.

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Hans J.M. Wilson

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REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
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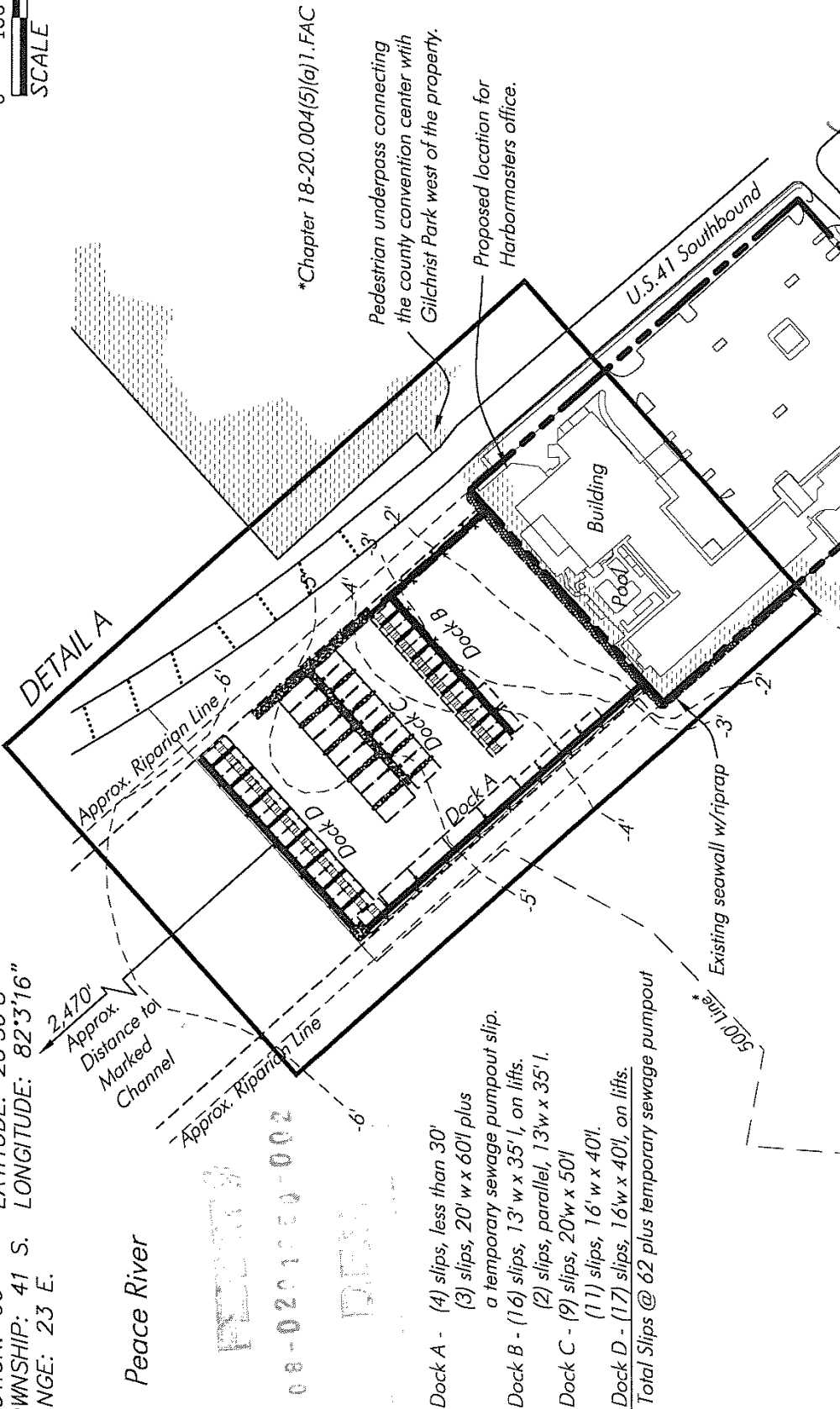
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A/13

SECTION: 06 LATITUDE: 26°56'8"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

Peace River

0' 100' 200'
SCALE FEET



- Dock A - (4) slips, less than 30' (3) slips, 20' w x 60' l plus a temporary sewage pumpout slip.
- Dock B - (16) slips, 13' w x 35' l, on lifts.
- Dock C - (9) slips, parallel, 13' w x 35' l.
- Dock D - (11) slips, 16' w x 40' l.
- Dock D - (17) slips, 16' w x 40' l, on lifts.
- Total Slips @ 62 plus temporary sewage pumpout

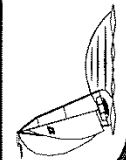
Note: Upland site plan information per boundary survey by Johnson Engineering, Inc. dated 5/12/04. Bathymetric survey completed by HWA on April 21, 2006. Depths reference MLW.

Proposed Dock Plan

SCALE: 1" = 200'
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5/13

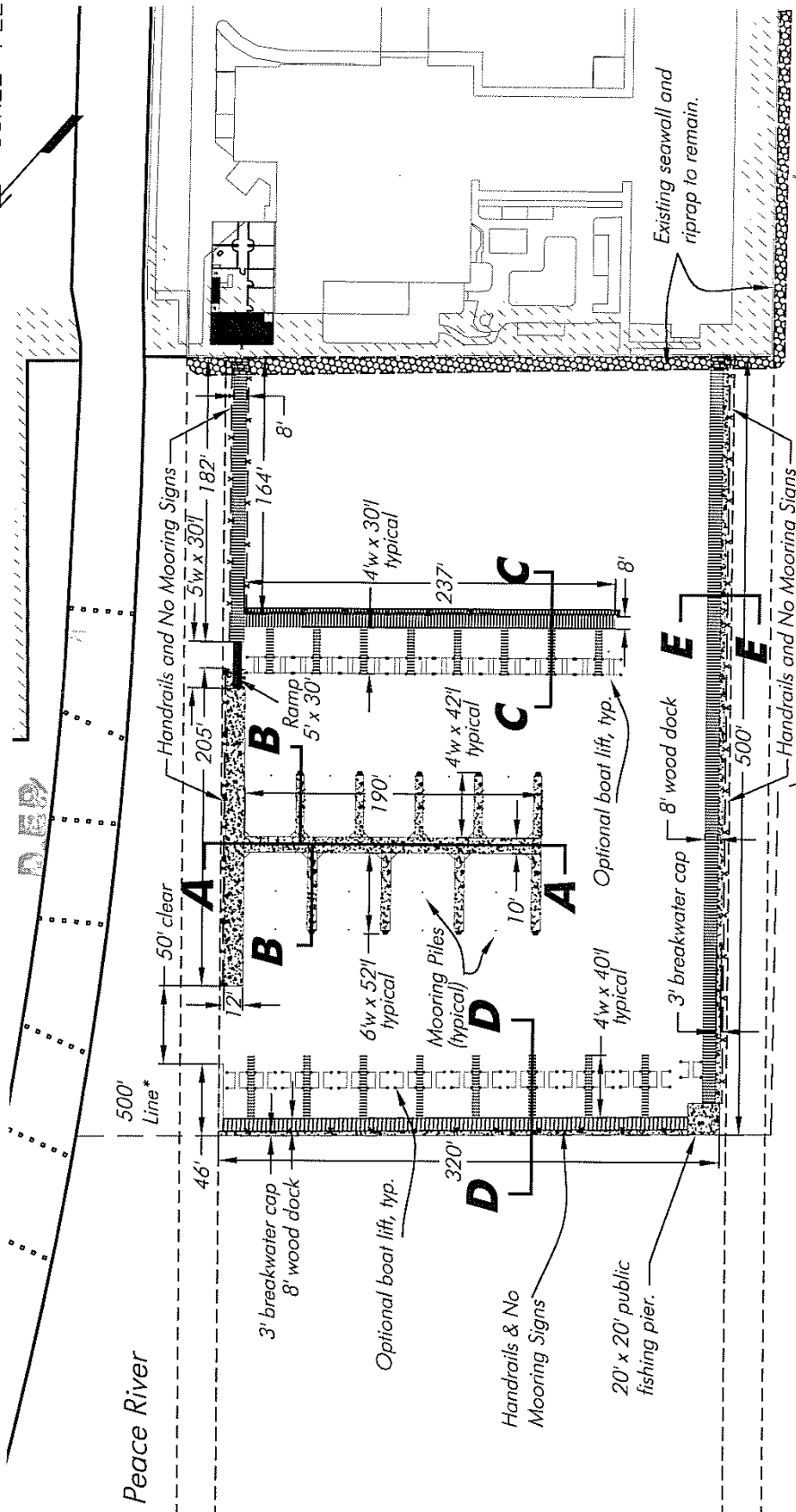
HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: JANUARY 28, 2009 1:02:27 p.m.
Drawing: ASNMARTMASTER.DWG

SECTION: 06
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

PERMIT #

U0 0601050 U02

0' 50' 100'
SCALE FEET



*Chapter 18-20.004(5)(a)1.FAC

Project Shoreline is 593 LF

Note: Bathymetric survey completed by HWA on April 21, 2006. Depths reference MLW.

Proposed Dock Plan - Detail A

SCALE: 1" = 100'

Hans J.M. Wilson

HANS J.M. WILSON

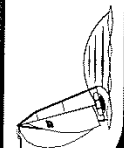
REGISTERED PROFESSIONAL ENGINEER

FLORIDA REGISTRATION NO. 39680

DATE: April 08, 2009 4:55:04 p.m.
Drawing: ASMAWMASTER.DWG

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1938 Hill Ave. Ft. Myers, Florida 33901
Tel: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS



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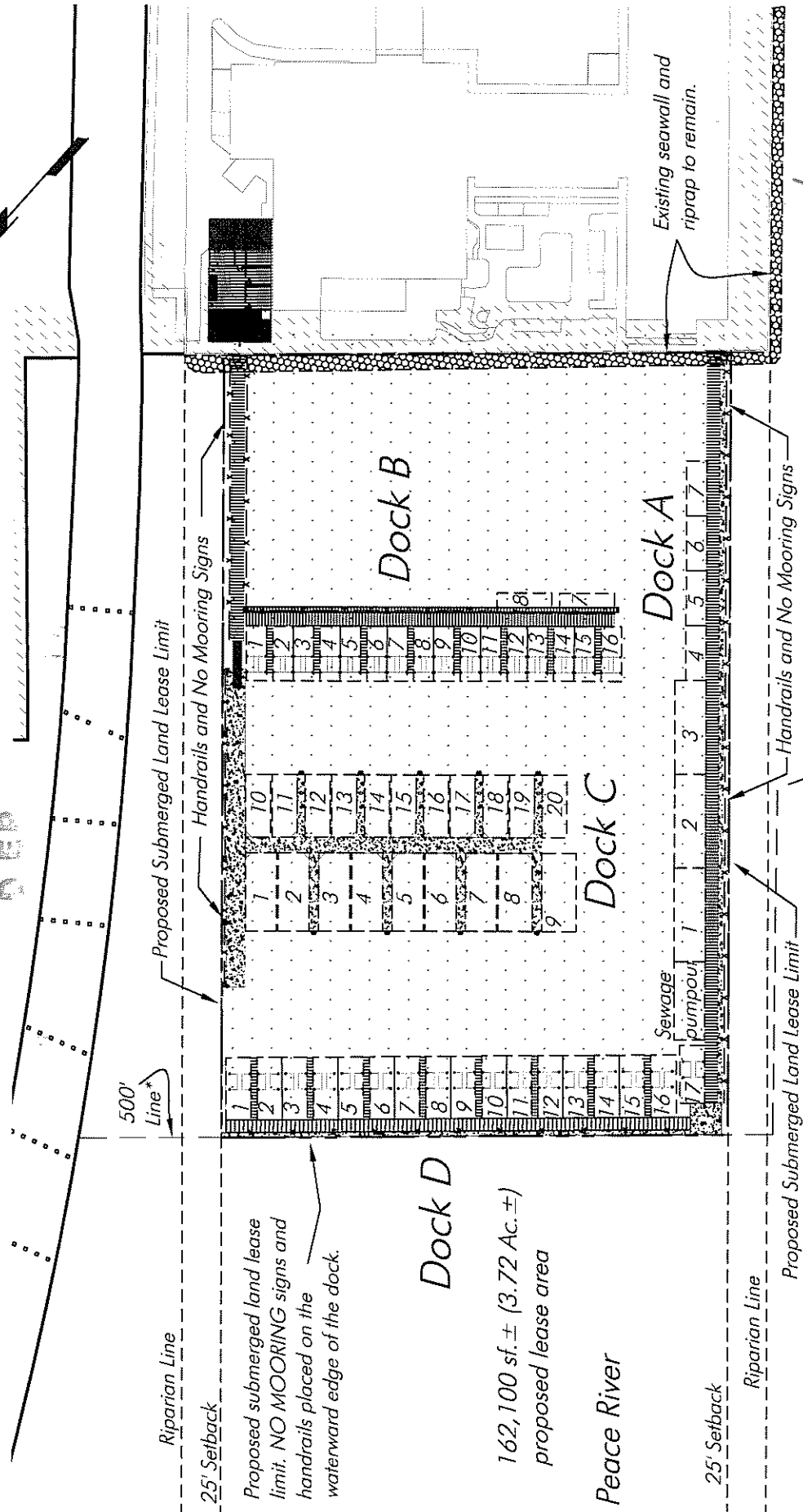
Punta Gorda Hotel, LLC

SHEET

6/13

SECTION: 06 LATITUDE: 26°56'8" LONGITUDE: 82°3'16" RANGE: 23 E.

0' 50' 100'
SCALE FEET



Dock D

162,100 sf. ± (3.72 Ac. ±)
proposed lease area

Peace River

Dock B

Dock A

Dock C

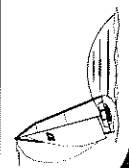
*Chapter 18-20.004(5)(a)1.FAC

Note: Bathymetric survey completed by HWA on April 21, 2006. Depths reference MLW.

Proposed Submerged Lease Area

SCALE: 1" = 100'

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39650
DATE: April 08, 2009 4:55:04 p.m.
Drawing: ASMARMASTER.DWG



HANS WILSON & ASSOC., INC.
1938 Hill Ave. Ft. Myers, Florida 33901
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MARINE and ENVIRONMENTAL CONSULTANTS

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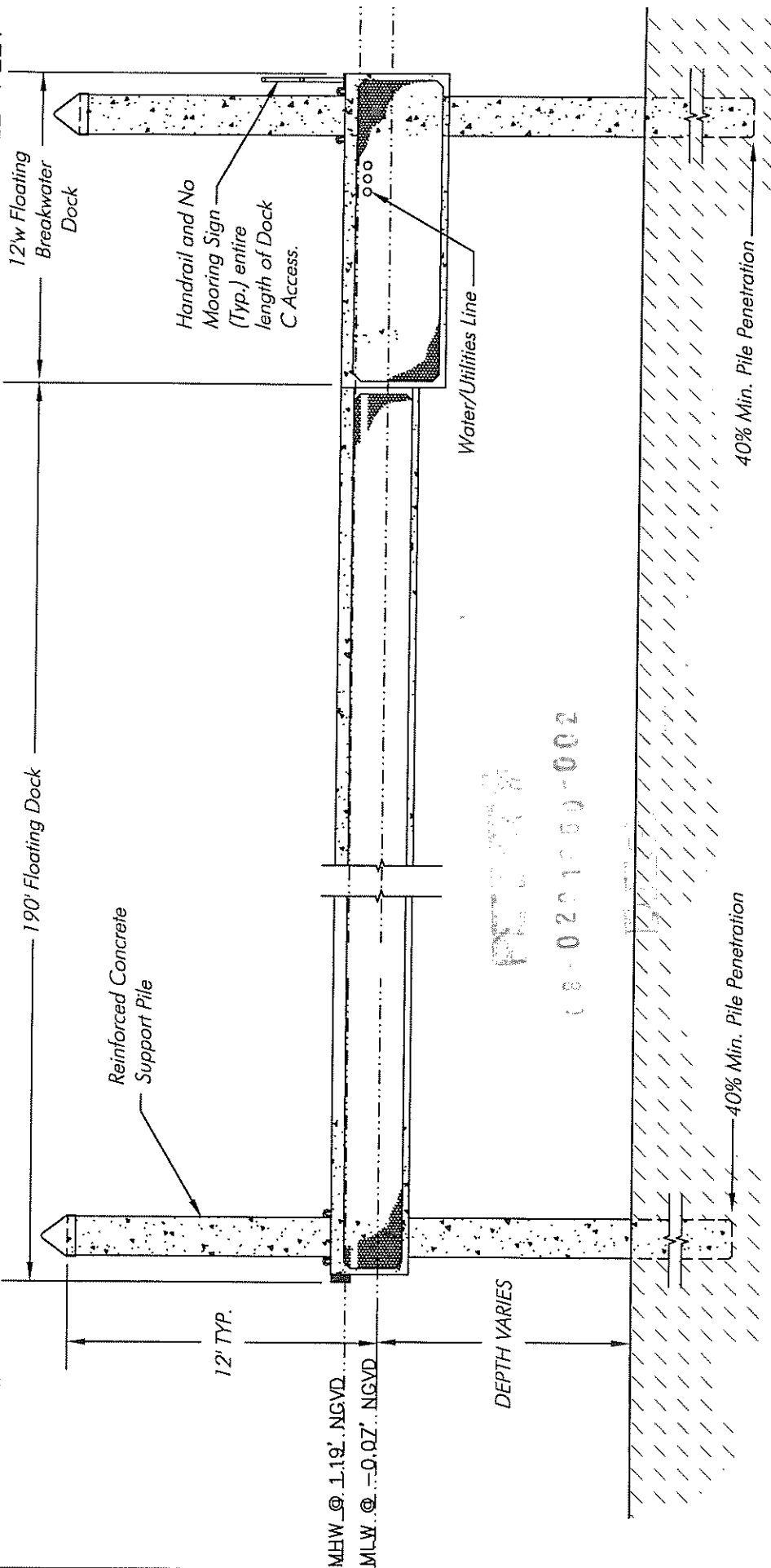
Best Western

Punta Gorda Hotel, LLC

SHEET

7/13

SECTION: 06 LATITUDE: 26°56'8"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.



Cross Section A-A

SCALE: 1" = 6'
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FEB 11 2009
SOUTH DISTRICT

Notes: Depths reference MLW. Tide data per DEP Tide Station 872-5744, Punta Gorda: MHW = 1.19' NGVD, MLW = -0.07' NGVD.

Hans Wilson
HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: JANUARY 28, 2008 1:02:27 p.m.
Drawing: ASMARMASTER.DWG

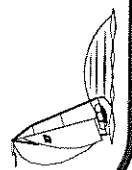
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MARINE and ENVIRONMENTAL CONSULTANTS

SHEET
8/13

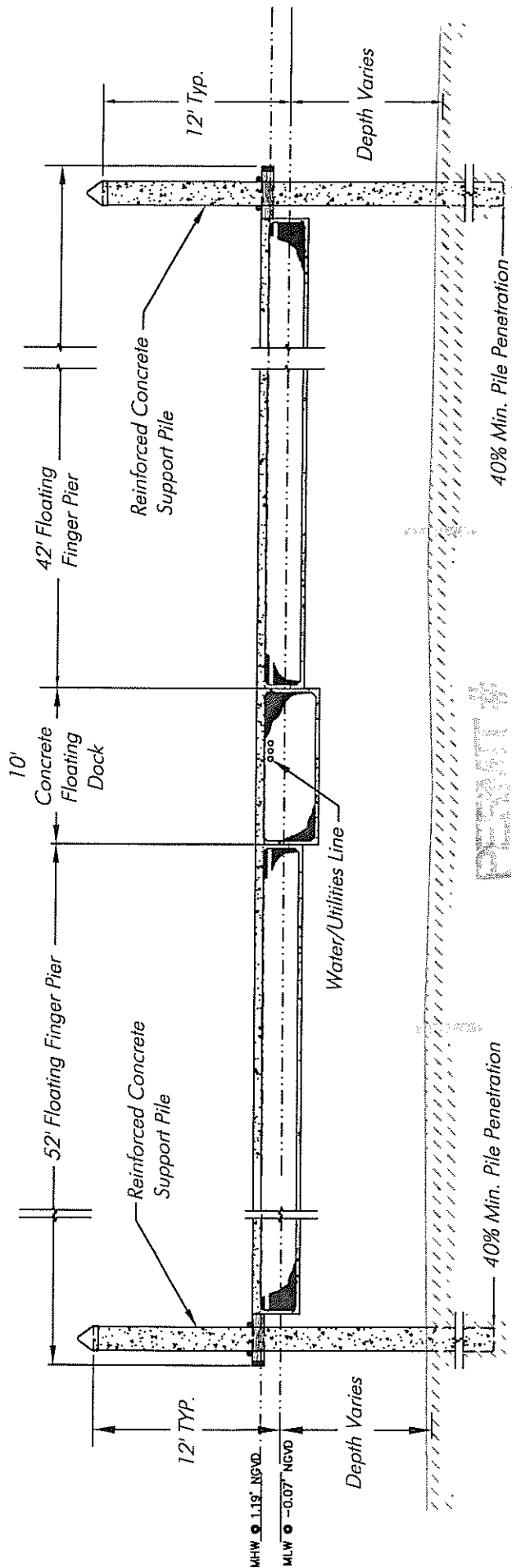
Best Western
Punta Gorda Hotel, LLC

1.28.09
EH



SECTION: 06 LATITUDE: 26°56'18"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

0' 5' 10'
SCALE FEET



DEP.

Cross Section B-B

SCALE: 1" = 10'

Notes: Depths reference MLW. Tide data per DEP Tide
Station 872-5744, Punta Gorda: MHW = 1.19' NGVD,
MLW = -0.07' NGVD.

Hans J.M. Wilson

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: January 28, 2009 1:02:27 p.m.
Drawing: ASMARMASTER.DWG

RECEIVED - D.E.P.

FEB 11 2009

1.28.09

SOUTH DISTRICT

EH

SHEET

9/13

Best Western
Punta Gorda Hotel, LLC

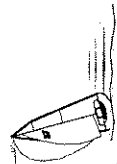
PERMIT USE ONLY, NOT FOR CONSTRUCTION

HANS WILSON & ASSOC., INC.

1938 Hill Ave. Ft. Myers, Florida 33901

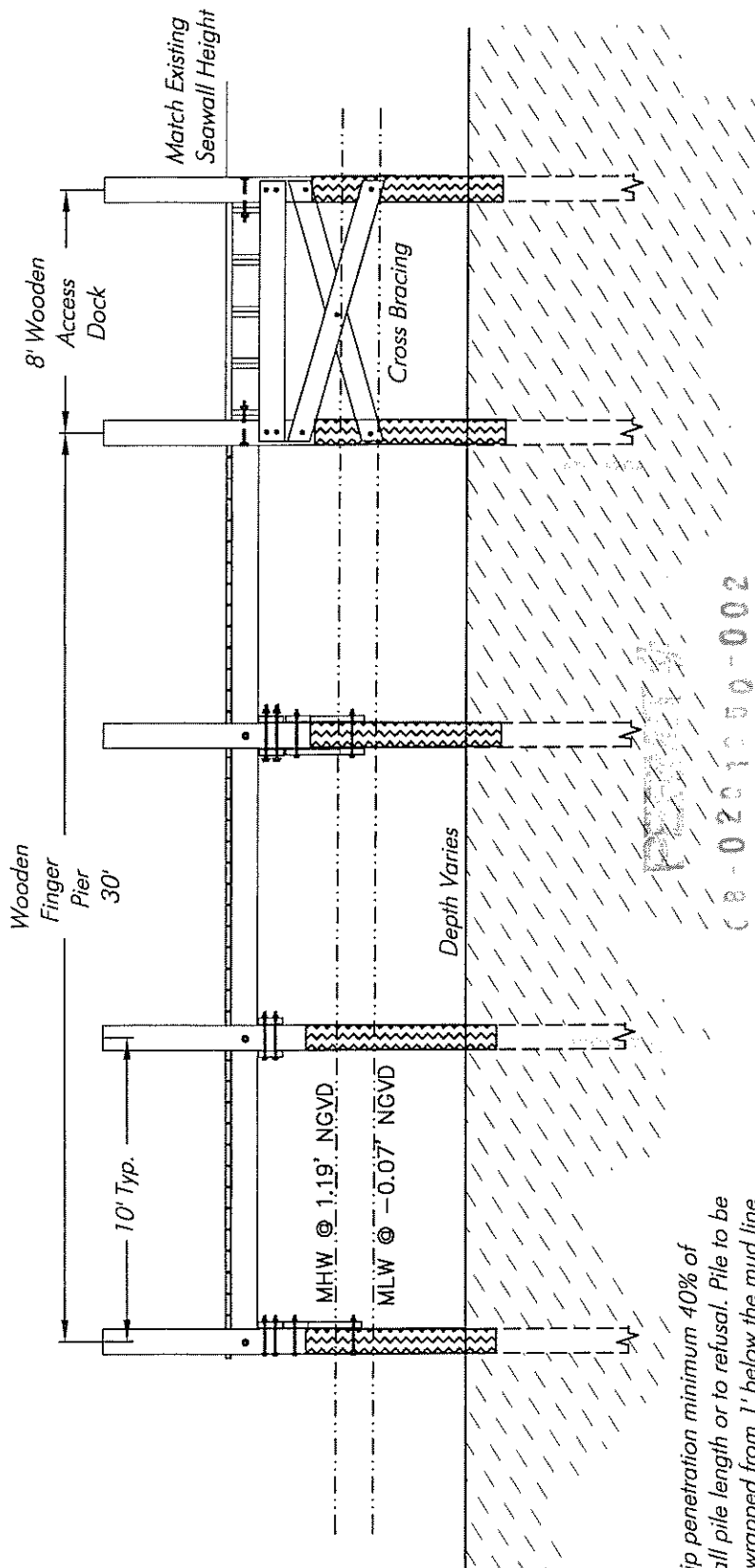
Tel: 239-334-6870 Fax: 239-334-7810

MARINE and ENVIRONMENTAL CONSULTANTS



SECTION: 06 LATITUDE: 26°56'8"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

0' 3' 6'
SCALE FEET



Pile tip penetration minimum 40% of overall pile length or to refusal. Pile to be PVC wrapped from 1' below the mud line to 1' above MHW.

Notes: Depths reference MLW. Tide data per DEP Tide Station 872-5744, Punta Gorda: MHW = 1.19' NGVD, MLW = -0.07' NGVD.

Cross Section C-C

SCALE: 1" = 6'

Hans J.M. Wilson
HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: January 28, 2009 1:02:27 p.m.
Drawing: ASMASTMASTER.DWG

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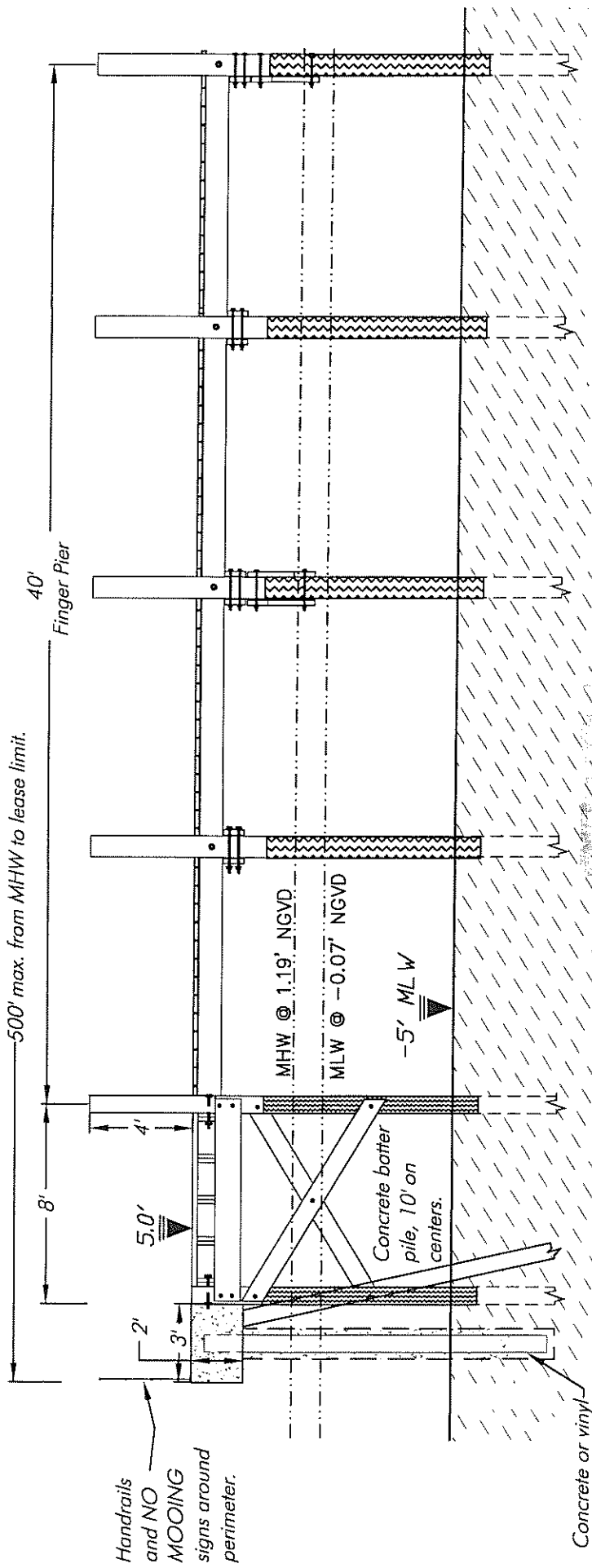
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1938 Hill Ave. Ft. Myers, Florida 33901
Tel: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

Best Western
Punta Gorda Hotel, LLC

SHEET
10/13

SECTION: 06 LATITUDE: 26°56'8"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

0' 3' 6'
SCALE FEET



Pile tip penetration minimum 40% of overall pile length or to refusal. Pile to be PVC wrapped from 1' below the mud line to 1' above MHW.

Cross Section D-D

SCALE: 1" = 6'

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FEB 11 2009

SOUTH DISTRICT

EH

Notes: Depths reference MLW. Tide data per DEP Tide Station 872-5744, Punta Gorda:
MHW = 1.19' NGVD, MLW = -0.07' NGVD.

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MARINE and ENVIRONMENTAL CONSULTANTS



Best Western

Punta Gorda Hotel, LLC

Hans Wilson

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: January 28, 2009 1:02:27 P.M.
Drawing: ASMARMASTER.DWG

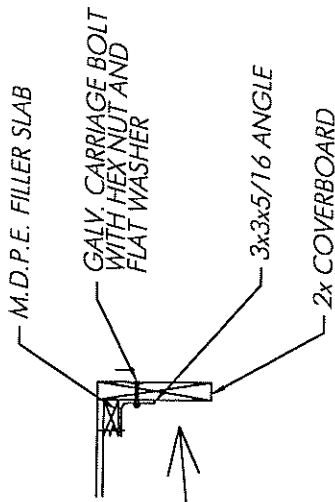
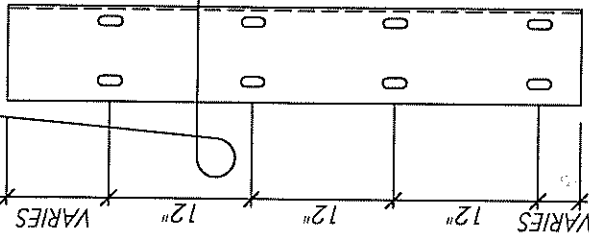
SHEET

11/13

SECTION: 06
TOWNSHIP: 41 S.
RANGE: 23 E.

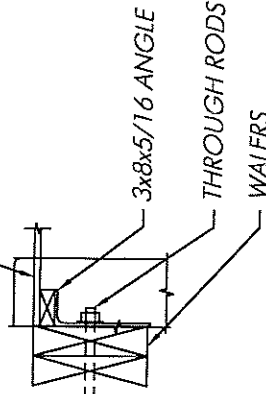
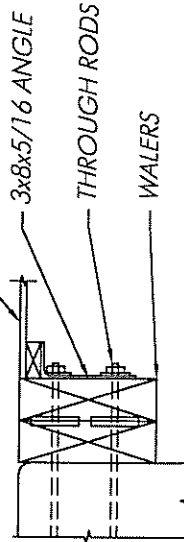
0' 3' 6'
SCALE FEET

3x3x5/16 ANGLE
ANGLE TYPICAL



M.D.P.E. FILLER SLAB

M.D.P.E. FILLER SLAB



Typical Floating Dock Connection Detail

Note: Corner brace detail courtesy of Shoremaster.

SCALE: 1/4" = 1'

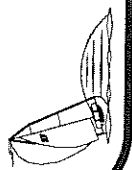
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SOUTH DISTRICT

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1938 Hill Ave. Ft. Myers, Florida 33901
Tel: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS



Best Western

Punta Gorda Hotel, LLC

SHEET

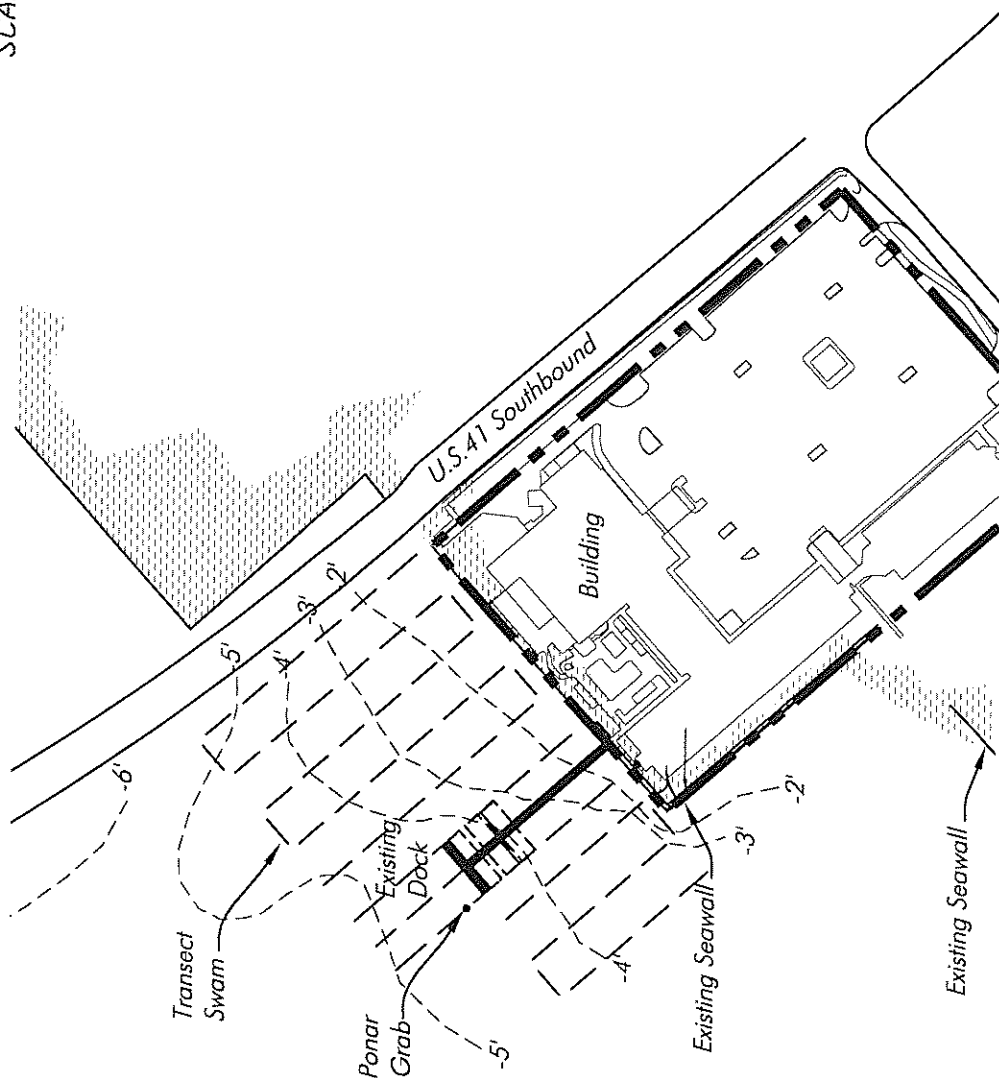
12/13

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39580
DATE: January 28, 2009 1:02:27 p.m.
Drawing: ASMA1MASTER.DWG

SECTION: 06 LATITUDE: 26°56'8"
TOWNSHIP: 41 S. LONGITUDE: 82°3'16"
RANGE: 23 E.

Peace River

0' 100' 200'
SCALE FEET



Seagrass Transect Survey

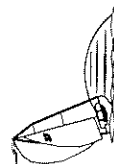
SCALE: 1" = 200'

FEB 11 2009

Note: Upland site plan information per boundary survey by Johnson Engineering, Inc. dated 5/12/04. Bathymetric survey completed by HWA on April 21, 2006. Depths reference MLW.

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MARINE and ENVIRONMENTAL CONSULTANTS



Hans Wilson
HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: January 28, 2009 1:02:27 p.m.
Drawing: ASMARMASTER.DWG

1.28.09 SOUTH DISTRICT

Punta Gorda Hotel, LLC

SHEET

13/13

ENVIRONMENTAL RESOURCE PERMIT Construction Commencement Notice

Project:

Phase:

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit Number _____ has commenced / is expected to commence on _____ and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for surface Water Management System Construction.

PLEASE NOTE: If the actual construction commencement date is not known, Department staff should be so notified in writing in order to satisfy permit conditions.

Permittee or Authorized Agent

Title and Company

Date

Phone

Address

Environmental Resource Permit Annual Status Report

Florida Department of Environmental Protection

PERMIT NUMBER:

COUNTY:

PROJECT NAME:

PHASE:

The following activity has occurred at the above referenced project during the past year, between June 1, and May 30,

<u>Permit Condition/Activity</u>	<u>% of Completion</u>	<u>Date of Anticipated Completion</u>	<u>Date of Completion</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use Additional Sheets As Necessary)

Benchmark Description (one per major control structure):

Print Name

Phone

Permittee's or Authorized Agent's Signature

Title and Company

Date

This form shall be submitted to the above referenced Department Office during June of each year for activities whose duration of construction exceeds one year.

ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

Permit Number:

Project Name:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

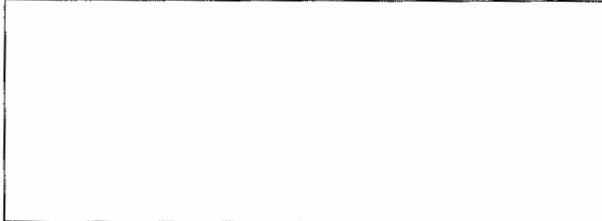
Within 30 days of completion of the system, submit two copies of the form to:



Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase

(To be completed and submitted by the operating entity)

Florida Department of Environmental Protection



It is requested that Department Permit Number _____ authorizing the construction and operation of a surface water management system for the below mention project be transferred from the construction phase permittee to the operation phase operating entity.

Project:

From: Name:
Address:
City: State: Zip:

To: Name:
Address:
City: State: Zip:

The surface water management facilities are hereby accepted for operation and maintenance in accordance with the engineers certification and as outlined in the restrictive covenants and articles of incorporation for the operating entity. Enclosed is a copy of the document transferring title of the operating entity for the common areas on which the surface water management system is located. Note that if the operating entity has not been previously approved, the applicant should contact the Department staff prior to filing for a permit transfer.

The undersigned hereby agrees that all terms and conditions of the permit and subsequent modifications, if any, have been reviewed, are understood and are hereby accepted. Any proposed modifications shall be applied for and obtained prior to such modification.

Operating Entity:

Name Title:

Telephone:

Enclosure

- ☐ copy of recorded transfer of title surface water management system
☐ Coy of plat(s)
☐ Copy of recorded restrictive covenants, articles of incorporation, and certificate of incorporation.

ENVIRONMENTAL RESOURCE PERMIT INSPECTION CERTIFICATION

Permit Number:

Project Number:

Inspection Date(s):

Inspection results: (check one)

☐ I hereby certify that I or my designee under my direct supervision have inspected the system at the above referenced project and that the system appears to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable).

☐ The following necessary maintenance was conducted:

☐ I hereby certify that I or my designee under my direct supervision has inspected the system at the above referenced project and that the system does not appear to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable). I have informed the operation and maintenance entity of the following: (a) that the system does not appear to be functioning properly, (b) that maintenance is required to bring the system into compliance, and (c) if maintenance measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to Department approval.

Name

Signature of Professional Engineer

Company Name

Florida Registration Number

Company Address

Date

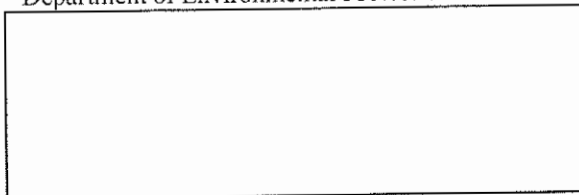
City, State, Zip Code

Telephone Number

(affix seal)

Within 30 days of completion of the inspection, submit two copies of the form to the following
Department Office:

Department of Environmental Protection



Marina Management Plan

BEST WESTERN PUNTA GORDA HOTEL, LLC

November 10, 2006

(Revised July 31, 2007)

(Revised October 31, 2007)

FDEP Permit # 08-0201050-001

Introduction - The project consists of a commercial docking facility located on the Peace River. The docking facility will be owned and operated by Best Western, Punta Gorda Hotel, LLC (Owner). The marina will be managed by a Harbormaster.

The Marina Management Plan (MMP) is a program for implementing best management practices within the marina. The MMP contains regulations for the marina that will manage the potential discharge of pollutants into State waters.

The regulation of boating related activities in the marina are paramount to maintaining water quality standards. It is the Owner's intent to maintain clean water within the facility, which is necessary for the promotion of healthy aquatic plant and animal life as well as public health.

It will be the responsibility of the Owner to implement all provisions of the MMP to provide the Department of Environmental Protection (DEP) reasonable assurance that state water quality standards will be met. The MMP mimics the goals and objectives of the Florida Clean Marina Program and reinforces compliance with the DEP permit issued for the marina construction.

Enforcement - It will be the responsibility of the Owner, or successor in title, to protect and maintain water quality standards within the marina. It will be the responsibility of the Owner to identify potential pollution sources within the marina that may result in water quality violations, and to take appropriate actions to prevent such occurrences.

It will be the Owner's responsibility to monitor all boaters using the marina on a daily basis. Upon observation of any non-compliance with the provisions of the MMP, the Owner shall serve a written/verbal "Caution" statement to the boater, informing them of the infraction. A second infraction will result in a written "Warning" notice, informing the boater of a second infraction. A third infraction will result in the immediate termination of the use of the slip, and the boater will be given one day to remove the vessel from the marina. Infractions do not have to be identical, and separate notices of violations are cumulative. All Caution, Warning and Termination Notices will be documented in the Marina Daily Log, including the reason for the infraction.

DEP

08 0201050 002

DEP

Documentation - Copies of Warning Notices resulting from violations of this agreement will be forwarded to the DEP, Fort Myers office. The Daily Log will be held in the Harbormasters Office along with the Marina Management Plan and the Panic Preventer Notebook. The Panic Preventer Notebook contains guidelines and reporting forms for events such as Medical Emergency, Structural Fire, Boat Fire, Dock Fire, Boating Accident, Diving Injury, Drowning, Poisoning, Missing Person, Overdue Boater, Power Outage, Fuel Spill, Holdup/Robbery, Aircraft Down, Bomb Threat, Hurricane/Storm, Teen Gangs, Weather Related Phenomena, Injured Wildlife, and Sewage Spill/Overflow.

The Marina Management Plan will include the various permits associated with the local, state, and federal permits issued for the marina. In addition, the submerged land lease will be attached.

Violations - The Owner reserves the right to identify any offender causing a violation within the marina, and to name said offender in any enforcement action taken by the DEP. The Owner acknowledges that it has the duty to monitor its patrons to ensure their compliance with the MMP. Should the Owner fail to enforce or improperly monitor the MMP with respect to activities of its patrons, then, the Owner acknowledges its responsibility and liability for violations of DEP rules, statutes, and water quality standards. Nothing herein shall be construed to waive any defenses provided to the Owner in Chapters 403 and 376, Florida Statutes, in any enforcement action brought by the DEP.

Commercial Activities - All slips are open to the public on a first come first serve basis. Fueling facilities and the sale of petroleum products are prohibited. Commercial activities and vessels are authorized to use the marina such as water taxis, delivery vessels, charter fishing boats, boat rentals, and those individuals performing minor repairs. Major engine repairs or refitting of vessels, including any activity that could result in a deposition of any petroleum products into the Peace River, Charlotte Harbor, or within the marina are strictly prohibited.

Sewage Pump out Facilities - One sewage pump out facility will be available free of charge, maintained in good operation, and available at all times. The pump out location will be identified by a sign posted in the marina, above the pumpout, visible to all incoming boaters. Pump out procedures will be posted on signs immediately adjacent to the pump out unit, with a welcome to use the pumpout free of charge. All marina employees will be trained in the use and maintenance of the sewage pumpout, and will be familiar with the location of the connection from the over water system into the main sewer. Maintenance of the sewage pumpout system will take place on a schedule recommended by the manufacturer. All pumpout events will be recorded in the Daily Log. No discharge of sewage or other pollutants within the facility are allowed. Any discharge into the marina will be a violation of the MMP and shall constitute a violation and require enforcement action as defined in the MMP.

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Discharge of Waste or Other Materials - State and Federal law prohibits discharge of any fluids, wastes or other materials, regardless of nature, except for clean bilge water or properly treated wastewater. Illegal discharges into the Peace River or within the marina would adversely impact public health. If the Owner observes any such discharge in the marina, he/she will immediately notify the DEP or call the State Warning Point number (1-800-320-0519). In the event of an accidental discharge in the marina, the vessel captain or operator is to notify the Owner immediately to ensure action will commence to contain the spilled/discharged material. Absorbent products used to clean up bilges will be available from the Harbormaster. Absorbent pads and diapers will be placed in a container specified for this purpose and transported to a used oil collection location. Any occurrence of a bilge clean up will be recorded in the Daily Log, including receipt of the discharge from a used oil hauler.

Fuel/Oil Spill Prevention – A fuel/oil spill response plan will be prepared and available in the Panic Preventer Notebook. It will contain procedures for managing a spill according to the volume and type. Signs will be posted at base of each access dock to include the name and phone number of a local firm capable of immediate response, under prior arrangement, to clean any pollution spills. The Owner will make this information available to all marina employees and boaters within the marina. The storage or placement of fuel/oil containers on the docks will be strictly prohibited. One hundred (100) square feet of absorbent material and one hundred fifty feet (150') or more of containment boom will be located at the base of the east dock, and will be available to anyone in the marina. The Owner will immediately notify the DEP and U.S.Coast Guard of any pollution spills that exceed a quart in volume. In addition, the Owner will document any pollution spills in the Daily Log, immediately following the incident. Marina employees will be trained in containing a spill until the contractor arrives to clean up the spill.

Severe Storm or Hurricane Plan- Boaters are warned to exercise prudent and appropriate judgment in the event that a severe storm or hurricane event threatens the area. Boaters should follow the instructions on the Charlotte County Emergency Management Website in the event a severe storm or hurricane threatens the area.

<http://charlottecountvfl.com/Emergency/2006AllHazardsGuide/InsideC.htm>

Solid Waste Receptacles - Solid waste receptacles will be provided and maintained by the Owner to prevent the discharge of any solid waste products. Wind and animal proof, 33 gallon trash receptacles will be placed at the land side end of each access dock, the base of Dock C and Dock B, and at the fishing pier. The trash cans will be regularly serviced based on frequency use and season. In no case will the containers be allowed to overflow. Additionally, the Owner will make available a two (2) cubic yard dumpster for boaters, which will be serviced by a contracted hauler on a regular basis.

PL. UNIT 00

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The Harbormaster will daily inspect the marina area for flotsam and have available a dip net to remove these materials to the upland dumpster. Other clean up materials like brooms, dustbins, vacuums, and recycling containers (if a recycling program is available) will be located near the Harbormaster's office.

Hazardous Waste - The marina management will provide information and direct boaters to local locations suitable to dispose of solvent paint waste, bilge pump switches containing mercury, old flares, used oil, old gasoline, anti-freeze and other potentially hazardous or toxic materials. There will be no disposal of any of these items allowed at the marina.

Boat Cleaning - Marina management will discourage the use of deleterious cleaning products containing high concentrations of chlorines, phosphates, and ammonia. Marina management will encourage the use of environmentally friendly cleaning method and products and will provide fresh water to clean boats after every use, minimizing the use of cleansers.

Hull Cleaning - Cleaning of boat hulls throughout the marina basins will be limited to use of sponges or plastic brillo pads (Starbrite, Hol-tite, or similar) . The use of metal scrapers, stiff brushes, or similar implements will be prohibited. Under no circumstances is turbidity associated with hull maintenance in individual slips to exceed ambient water clarity. All zincs, or zinc particles, must be removed from the water during replacement.

Fish Cleaning - No fish cleaning will be allowed on the dock or within any portion of the marina. Any waste is to be disposed of via the wastewater treatment system.

Battery Management - Signs will be posted to alert the public to the disposal ban on lead acid and rechargeable batteries. They will include the 1-800-8-BATTERY phone number for nickel-cadmium battery recycling information. Boaters will be directed to call 352-376-6693 or check the Rechargeable Battery Recycling Corporation web site at www.rbcc.com for information. The DEP information line phone number is 1-800-741-4DEP and the DEP web site is www.dep.state.fl.us for help in recycling batteries or other materials. The marina will not be responsible for battery recycling or storage on site, and will coordinate with resident boaters directing them to vendors (Battery's Plus, Interstate Batteries, etc.) that exchange old batteries for new ones.

Public Education - It will be the responsibility of the Owner, or the successor in title, to make efforts to educate the general public using the marina and fishing pier regarding efforts to comply with the MMP through appropriate signage. This will include providing graphics regarding manatee protection, seagrass protection, monofilament recycling (including a station at the fishing pier), and related information directed towards resource protection and appreciation.

PERMIT #

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4

In order to implement long-term policies to maintain ambient water quality and favorable environmental conditions within the marina, a site specific education program will be developed. This education program will involve resident boaters, interested guests, and marina employees, focusing on their individual roles in the long-term health of the marina and surrounding area. This program will be implemented on an annual basis.

The topics discussed will include, but are not limited to, the following:

- Overviews of the DEP permit conditions and regulations governing water quality and habitat protection in the marina and surrounding area.
- An explanation of water quality standards for copper in solution and the consequences of bottom cleaning in the basin relative to releasing copper into the water.
- Available battery-recycling programs, and vendors providing battery exchange. Discuss proper techniques for handling batteries over the water surface and on docks.
- Minimizing the use of hard abrasives or chemical treatments and their water quality impacts.
- Methods to reduce or eliminate oil content in bilge water, including use of disposable diapers and bilge booms.
- Information regarding proper handling and disposal of used oil products.
- Proper operation and maintenance of the sewage pumpout.
- Environmentally friendly cleaning methods and products.
- Proper disposal methods for hazardous wastes such as paint, old gasoline, left over chemicals, out of date flares, etc.
- Compliance issues regarding the implementation of the MMP, non-compliance trends, and refresher discussions to avoid any non-compliance.
- Modifications that would make implementation of the Management Plan more effective.

Employee Education -- In addition to the public education seminars, Best Western, Punta Gorda Hotel will conduct annual workshops for marina employees regarding implementation, compliance, and monitoring of MMP. The education program will be tailored to include methods and procedures necessary for marina staff to implement the MMP in a user friendly manner. The MMP will

PERMIT #

08 0201050 002

also be included with new marina employee instruction packets, and will include an educational component provided by individuals appropriate for orienting new employees. During these annual workshops, the Harbormaster will also overview the general marina operations, and update staff on any changes to the Panic Preventer Notebook.

Emergency Situations – The Panic Preventer Notebook will be updated on an annual basis, typically during annual workshops with marina employees. Contact numbers and emergency procedures will be reviewed and modified as appropriate. The Harbormaster will collaborate with local emergency response personnel on an annual basis to keep all emergency equipment up to date and to review emergency procedures with marina staff. This will include, as a minimum, an annual drill coordinated with the local fire department regarding emergency situations in the marina that would require a response from emergency personnel.

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THIS IS A FIELD SURVEY

GENERAL NOTES:

DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS A COMPARISON IS MADE, MEASURED BEARINGS AND DISTANCES ARE IDENTICAL WITH PLAT VALUES.

NO OTHER PERSON OR ENTITY MAY RELY UPON THIS SURVEY.

THIS BOUNDARY SURVEY IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT OF TITLE NOT REVIEWED.

SURFACE, SUBSURFACE AND AERIAL IMPROVEMENTS, UNLESS DEPICTED HEREON, WERE NOT LOCATED.

THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

THIS SURVEY REPRESENTS EXISTING CONDITIONS AS OBSERVED ON THE DATE OF LAST FIELD WORK: DECEMBER 05, 2007.

EASEMENTS SHOWN IF ANY WERE INTERPRETED FROM RECORD PLAT DEDICATIONS OR TITLE INFORMATION SUPPLIED TO OR ACQUIRED BY THE SURVEYOR AT TIME OF SURVEY. SURVEYED PROPERTY MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

PROPERTY LIES WITHIN FLOOD ZONES "12AE", "12VE" & "13VE", WITH BASE FLOOD ELEVATIONS OF 12' & 13', AS PER FLOOD INSURANCE RATE MAPS, COMMUNITY NUMBER 120062, MAP AND PANEL NUMBER 12015C 0241 F DATED MAY 5, 2003

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL GOVERNMENT. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

BEARING ARE BASED ON THE CENTERLINE OF U.S. HIGHWAY 41 AS IT IS SHOWN TO BEAR S.41°26'14"E. PER FDOT RIGHT OF WAY MAP 01010-2519.

X.XX x DENOTES SPOT ELEVATIONS.

ELEVATIONS BASED ON NATIONAL GEODECTIC VERTICAL DATUM (NGVD) 1929.

PROPERTY ADDRESS IS #300 W. RETTA ESPLANADE.

REFERENCE MATERIAL

SURVEY BY JOHNSON ENGINEERING, INC. DATED 5/12/04

ABBREVIATIONS:

FCIR = FOUND CAPPED IRON ROD, AS NOTED
FIR = FOUND IRON ROD, AS NOTED
FCM = FOUND CONCRETE MONUMENT, AS SHOWN
FDH = FOUND DRILL HOLE, AS SHOWN
SDH = SET DRILL HOLE, AS SHOWN
LB = LICENSED BUSINESS NUMBER
PSM = PROFESSIONAL SURVEYOR & MAPPER
EL. = ELEVATION
BM = BENCHMARK
x X.XX = SPOT ELEVATIONS
SPC = STATE PLAIN COORDINATES

LEGEND

⊙ = BENCHMARK

PL MIT #

08 0201050 002

CERTIFIED TO:

BOARD OF TRUSTEES (TIIF)
PUNTA GORDA HOTEL, LLC.

RECEIVED - D.E.P.

SEP 17 2006

SOUTH DISTRICT

NOT VALID WITHOUT SHEETS 2, 3, 4, 5, 6 & 7

BY:

DEREK S. MILLER
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6341

DATE SIGNED

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

MILLER SURVEYING INC.

21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
LICENSED BUSINESS NO. 7413

DATE:
12/19/07

SCALE:
1" = 30'

DRAWN BY:
dsm

CHECKED BY:
DSM

DATE:
12/19/07

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
NOTES

070802

1 7

070802

THIS IS A FIELD SURVEY

LEGAL DESCRIPTION PER DEED
O.R. BOOK 266, PAGES 104 THRU 106

TRACT ONE:

PART OF THAT CERTAIN TRACT OR PARCEL OF LAND IN THE CITY OF PUNTA GORDA, FLORIDA, BOUNDED ON THE EASTERLY SIDE BY CROSS STREET, ON THE SOUTHERLY SIDE BY RETTA ESPLANADE, ON THE WESTERLY SIDE BY HARVEY STREET, AND ON THE NORTHERLY SIDE BY THE WATERS OF CHARLOTTE HARBOR, THE MAJOR PORTION OF SAID LAND BEING COMMONLY KNOWN AS "HARVEY PARK" TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO APPERTAINING, AND MORE PARTICULARLY DESCRIBED AS:

THE WEST SIDE OF THAT CERTAIN LOT ON WHICH REDINGER LODGE IS NOW SITUATE BEGINNING AT A POINT 5 FEET WEST OF THE GARAGE NOW LOCATED THEREON AND RUNNING 175 FEET, MORE OR LESS, WESTERLY ALONG RETTA ESPLANADE TO HARVEY STREET THENCE NORTHERLY 300 FEET MORE OR LESS, ALONG THE EASTERN LINE OF HARVEY STREET TO THE WATERFRONT, THENCE SOUTHERLY 300 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

TRACT TWO:

COMMENCE AT THE NORTHEASTERLY CORNER OF BLOCK 7, CITY OF PUNTA GORDA, AS RECORDED IN PLAT 1, PAGE 1 OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 42°31'30" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 7 EXTENDED, 66 FEET TO THE NORTHERLY LINE OF RETTA ESPLANADE; THENCE SOUTH 47°57'10" WEST 17 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND KNOWN AS "HARVEY PARK" FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 47°57'10" WEST 204.72 FEET; THENCE NORTH 43°22'30" WEST 265.17 FEET, MORE OR LESS, TO THE WATERS OF CHARLOTTE HARBOR; THENCE NORTHEASTERLY ALONG THE SHORES OF CHARLOTTE HARBOR, 200.78 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 42°31'30" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 42°31'30" EAST 265.95 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

TRACT THREE: A PARCEL OF SEAWALLED LAND IN CHARLOTTE HARBOR IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEASTERLY CORNER OF BLOCK 7, CITY OF PUNTA GORDA, FLORIDA, AS RECORDED IN PLAT BOOK 1, PAGE 1, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 42°31'30" WEST, ALONG THE EASTERLY LINE OF SAID BLOCK 7, EXTENDED, 66 FEET TO THE NORTHEASTERLY LINE OF RETTA ESPLANADE; THENCE SOUTH 47°57'10" WEST, 17 FEET TO THE SOUTHEASTERLY CORNER OF THAT TRACT OF LAND KNOWN AS HARVEY PARK; THENCE NORTH 42°31'30" WEST, 265.95 FEET TO THE MEAN HIGH WATER MARK OF CHARLOTTE HARBOR FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 42°31'30" WEST, 300.00 FEET; THENCE SOUTH 47°57'10" WEST, 374.40 FEET; THENCE SOUTH 42°33'50" EAST, 294.20 FEET TO THE MEAN HIGH WATER MARK OF CHARLOTTE HARBOR; THENCE NORTHEASTERLY ALONG SAID MEAN HIGH WATER MARK 373.9 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SURVEYORS DESCRIPTION: O.R. BOOK 2489, PAGE 1796

A PARCEL OF LAND IN THE CITY OF PUNTA GORDA FORMERLY KNOWN AS "HARVEY PARK" ACCORDING TO THE PLAT OF THE CITY OF PUNTA GORDA ("TRABUE") AS RECORDED IN PLAT BOOK 1, PAGE 1 OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA ALONG WITH A PARCEL OF FORMERLY SUBMERGED LANDS LYING NORTHWESTERLY OF AND ADJACENT TO SAID "HARVEY PARK" BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THE TRACT FORMERLY KNOWN AS "HARVEY PARK" BEING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE, RUN THENCE SOUTH 47°55'56" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE A DISTANCE OF 375.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID "HARVEY PARK" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HARVEY STREET; THENCE NORTH 41°21'42" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE NORTHWESTERLY EXTENSION THEREOF A DISTANCE OF 565.06 FEET; THENCE NORTH 48°00'15" EAST A DISTANCE OF 374.24 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET); THENCE SOUTH 41°26'25" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 564.58 FEET TO THE POINT OF BEGINNING. CONTAINING 4.858 ACRES MORE OR LESS.

SAID LANDS SITUATE, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA

PLAT MIT #

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SEP 17 2008

SOUTH DISTRICT

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DATE
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SCALE
1"=30'

DRAWN BY
DSM

CHECKED BY
DSM

CLIENT:

PUNTA GORDA HOTEL, LLP

TITLE:

BEST WESTERN HOTEL
LEGAL DESCRIPTION

PROJECT
NUMBER

070802

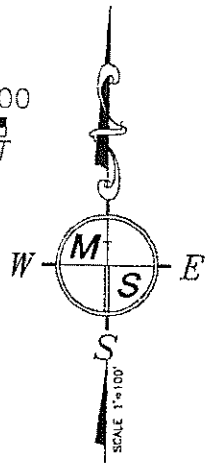
DATE
2 7

PROJECT
NUMBER 070802

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THIS IS A FIELD SURVEY

0 50 100
SCALE FEET



CHARLOTTE HARBOR

374' ± LINEAR FEET OF SHORELINE
(N47°57'10"E)
N48°00'15"E
S47°57'10"W

-0.80' 6.35'

PLANT #
08 0201050 002

BEST WESTERN HOTEL

CROSS STREET (US. 41)
PUBLIC RIGHT OF WAY VARIES
C/L

BOTTOM ELEVATION

-0.80' 6.35'

TOP OF SEAWALL ELEVATION

SEAWALL & 6' S/W
215' ± LINEAR FEET OF SHORELINE
S42°33'30"E
284.2'
N41°21'42"W

LEGEND

⊙ = BENCHMARK

SAFE UPLAND USE
BENCH
ROCK SEAWALL

ABBREVIATIONS:

- FCIR = FOUND CAPPED IRON ROD, AS NOTED
- FIR = FOUND IRON ROD, AS NOTED
- FCM = FOUND CONCRETE MONUMENT, AS SHOWN
- FDH = FOUND DRILL HOLE, AS SHOWN
- SDH = SET DRILL HOLE, AS SHOWN
- LB = LICENSED BUSINESS NUMBER
- PSM = PROFESSIONAL SURVEYOR & MAPPER
- EL. = ELEVATION
- BM = BENCHMARK
- x X.XX = SPOT ELEVATIONS
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING

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DATE: 12/19/07

SCALE: 1"=100'

DRAWN BY: DSM

CHECKED BY: DSM

DATE: 12/19/07

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
UPLAND MAP

PROJECT NO: 070802

SHEET NUMBER: 3 of 7

DATE: 070802

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LEASE AREA DESCRIPTION

A PARCEL OR TRACT OF SUBMERGED LAND IN CHARLOTTE HARBOR, LYING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEASTERLY CORNER OF THE TRACT FORMERLY KNOWN AS "HARVEY PARK" BEING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 (CROSS STREET) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE, THENCE RUN S.47°55'56"W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF RETTA ESPLANADE A DISTANCE OF 375.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID "HARVEY PARK" AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HARVEY STREET; THENCE RUN N.41°21'42"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE NORTHWESTERLY EXTENSION THEREOF A DISTANCE OF 566.13 FEET TO THE FACE OF A SEAWALL AND THE MEAN HIGH WATER LINE OF SAID CHARLOTTE HARBOR; THENCE N.47°51'39"E. ALONG THE FACE OF SAID SEAWALL AND SAID MEAN HIGH WATERLINE FOR 25.00 FEET TO POINT OF BEGINNING OF THE HEREIN DESCRIBED LEASE AREA; THENCE FROM SAID POINT OF BEGINNING RUN N.41°37'47"W. FOR 500.01 FEET; THENCE RUN N.47°57'34"E. FOR 324.21 FEET; THENCE RUN S.41°37'52"E. FOR 500.01 FEET TO THE FACE OF A SEAWALL AND SAID MEAN HIGH WATER LINE OF CHARLOTTE HARBOR; THENCE RUN S.47°57'34"E. ALONG SAID SEAWALL AND MEAN HIGH WATERLINE FOR 324.22 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 162105.72 SQUARE FEET ± OR 3.72 ACRES MORE OR LESS.

PLIMIT #

08 0201050 002

GENERAL NOTES:

589'± LINEAR FEET OF SHORELINE. THERE IS 374'± OF SHORELINE ALONG THE WESTERLY PROPERTY LINE AND 215'± ALONG THE SOUTHWESTERLY PROPERTY LINE TO A SAFE UPLAND LINE.

THE SHORELINE 1,000' NORTH OF THE PROJECT IS 100% SEAWALLED AND THE SHORELINE 1,000' SOUTH OF THE PROJECT IS 100% SEAWALLED.

THE MEAN HIGH WATER LINE BASED ON D.E.P. TIDE STATION 872-5444, PUNTA GORDA, AND EXISTS AT THE VERTICAL FACE OF THE EXISTING SEAWALL.

POINT OF COMMENCEMENT (P.O.C.) STATE PLANE COORDINATE (SPC) WAS SCALED FROM A 2002 DIGITALLY RECTIFIED CHARLOTTE COUNTY AERIAL FLORIDA WEST ZONE 1983 NORTH AMERICAN DATUM (NAD).

9/10/08 REVISED LEASE DESCRIPTION AND DRAWINGS PER REQUEST BY DEPT. OF ENVIRONMENTAL PROTECTION (DEP).

CERTIFIED TO:

BOARD OF TRUSTEES (TIF)
PUNTA GORDA HOTEL, LLC.

RECEIVED - D.E.P.

SEP 17 2008

DEREK S. MILLER
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6341

DATE SIGNED

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NOT VALID WITHOUT SHEETS 1-10 SOUTH DISTRICT

MILLER SURVEYING INC.

21053 Peachland Blvd.
Port Charlotte, Florida 33952
OFFICE (941) 743-8423
FAX (941) 743-8404
E-Mail: millersurveying@comcast.net
LICENSED BUSINESS NO. 7413

DATE: 12/19/07

SCALE: 1"=30'

DRAWN BY: DSM

CHECKED BY: DSM

DATE: 12/19/07

CLIENT: PUNTA GORDA HOTEL, LLP

TITLE: BEST WESTERN HOTEL
LEASE DESCRIPTION

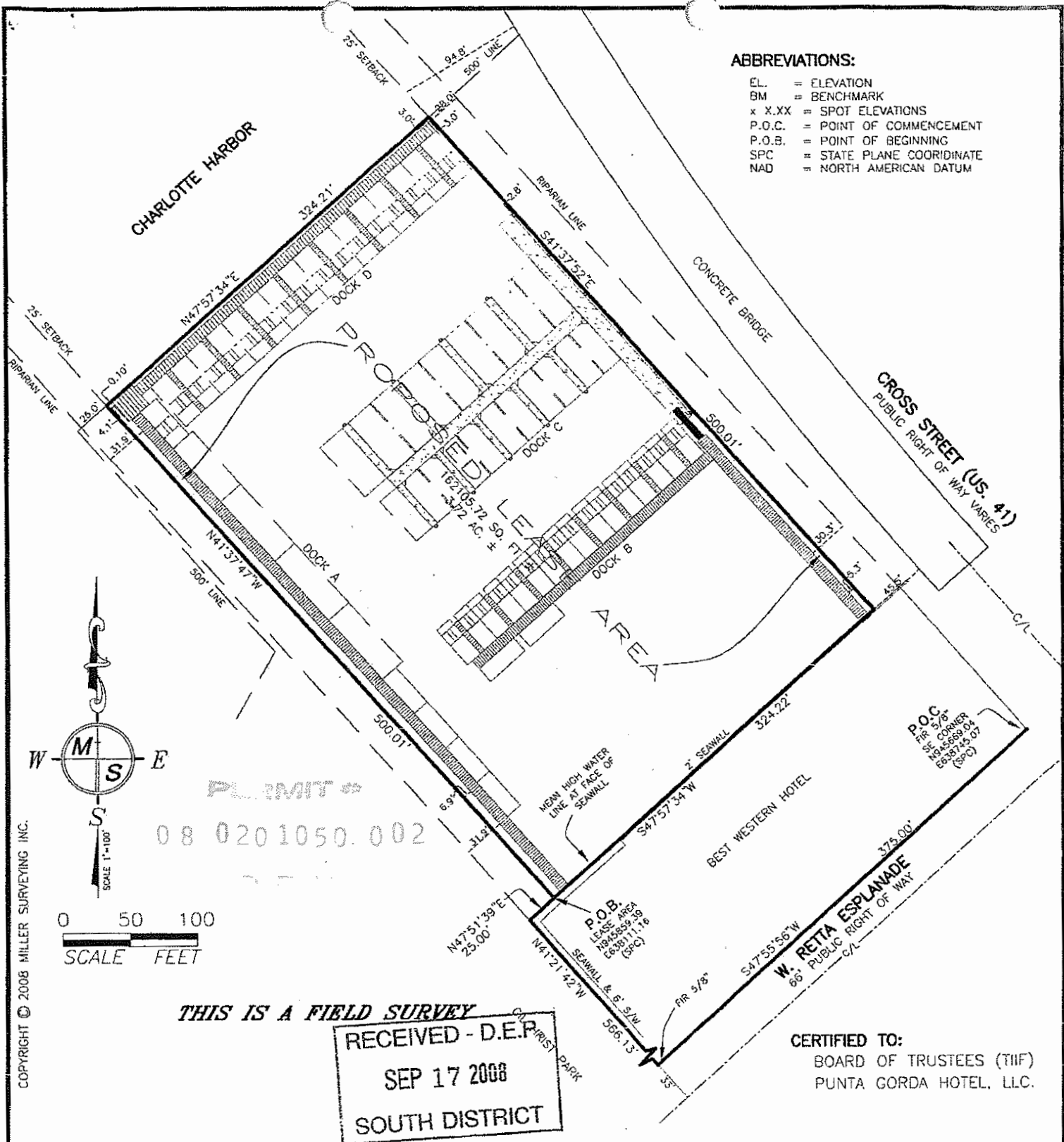
070802

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070802

ABBREVIATIONS:

EL. = ELEVATION
 BM = BENCHMARK
 x X.XX = SPOT ELEVATIONS
 P.O.C. = POINT OF COMMENCEMENT
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 SPC = STATE PLANE COORDINATE
 NAD = NORTH AMERICAN DATUM



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TITLE: BEST WESTERN HOTEL
 LEASE MAP

070802

SHEET 5 OF 7

070802

*LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"

THIS IS A FIELD SURVEY

GENERAL NOTES:

TOTAL SLIPS @ 62 WITH 1 TEMPORARY
SLIP FOR PUMP OUT STATION.

*CHAPTER 18-20.004(5)(a)1.FAC

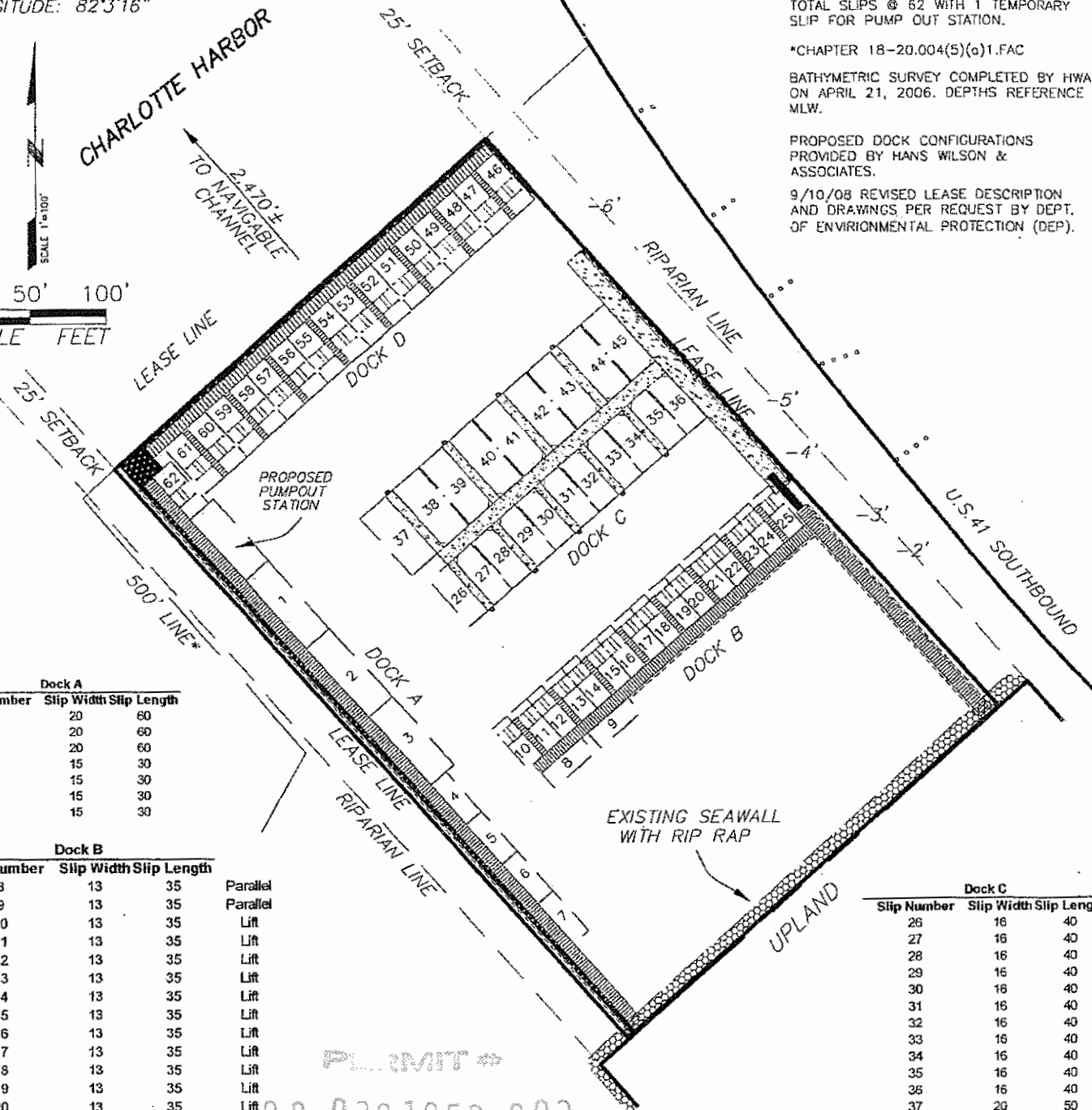
BATHYMETRIC SURVEY COMPLETED BY HWA
ON APRIL 21, 2006. DEPTHS REFERENCE
MLW.

PROPOSED DOCK CONFIGURATIONS
PROVIDED BY HANS WILSON &
ASSOCIATES.

9/10/08 REVISED LEASE DESCRIPTION
AND DRAWINGS PER REQUEST BY DEPT.
OF ENVIRONMENTAL PROTECTION (DEP).

0' 50' 100'
SCALE FEET

CHARLOTTE HARBOR
TO NAVIGABLE
2420±



Slip Number	Slip Width	Slip Length
1	20	60
2	20	60
3	20	60
4	15	30
5	15	30
6	15	30
7	15	30

Slip Number	Slip Width	Slip Length	
8	13	35	Parallel
9	13	35	Parallel
10	13	35	Lift
11	13	35	Lift
12	13	35	Lift
13	13	35	Lift
14	13	35	Lift
15	13	35	Lift
16	13	35	Lift
17	13	35	Lift
18	13	35	Lift
19	13	35	Lift
20	13	35	Lift
21	13	35	Lift
22	13	35	Lift
23	13	35	Lift
24	13	35	Lift
25	13	35	Lift

Slip Number	Slip Width	Slip Length
26	16	40
27	16	40
28	16	40
29	16	40
30	16	40
31	16	40
32	16	40
33	16	40
34	16	40
35	16	40
36	16	40
37	20	50
38	20	50
39	20	50
40	20	50
41	20	50
42	20	50
43	20	50
44	20	50
45	20	50

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CLIENT:

RECEIVED - D.E.P.
SEP 17 2008
SOUTH DISTRICT

PUNTA GORDA HOTEL, LLP

TITLE:

BEST WESTERN HOTEL
PROPOSED DOCK PLAN

PROJECT
NUMBER

070802

SHEET
NUMBER

6 OF 7

DATE
NUMBER

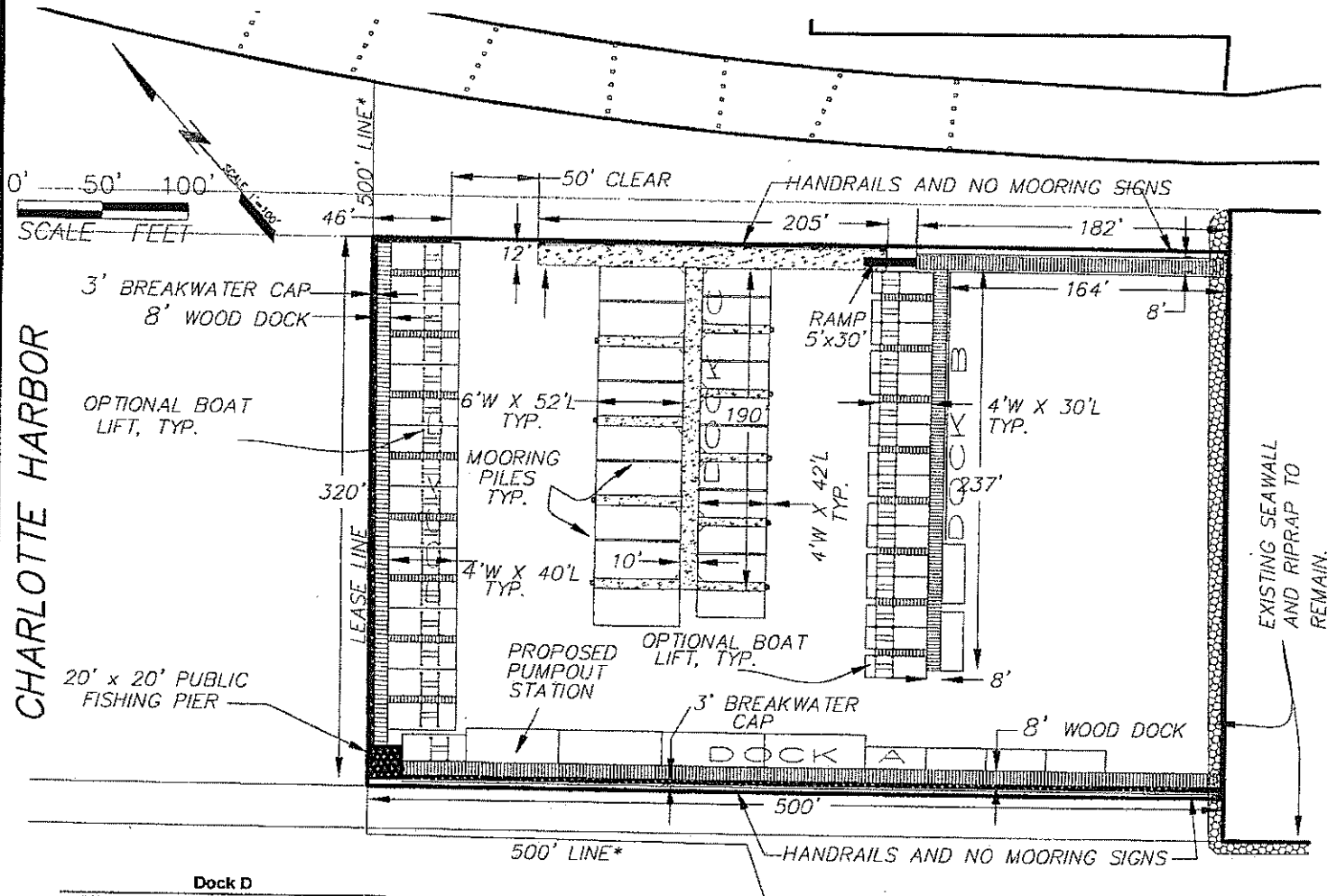
070802

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THIS IS A FIELD SURVEY

LATITUDE: 26°56'8"
LONGITUDE: 82°3'16"

ABBREVIATIONS:
TYP. - TYPICAL



Dock D			
Slip Number	Slip Width	Slip Length	
46	16	40	Lifts
47	16	40	Lifts
48	16	40	Lifts
49	16	40	Lifts
50	16	40	Lifts
51	16	40	Lifts
52	16	40	Lifts
53	16	40	Lifts
54	16	40	Lifts
55	16	40	Lifts
56	16	40	Lifts
57	16	40	Lifts
58	16	40	Lifts
59	16	40	Lifts
60	16	40	Lifts
61	16	40	Lifts
62	16	40	Lifts

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DATE: 12/19/07	CLIENT: PUNTA GORDA HOTEL, LLP
SCALE: 1"=100'	TITLE: BEST WESTERN HOTEL DOCK DETAILS
DRAWN BY: DSM	
CHECKED BY: DSM	
PROJECT NUMBER: 070802	SHEET NUMBER: 7 of 7
	FILE NUMBER: 070802

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