STATEMENT OF POSITION OF EAST NAPLES LAND COMPANY AND FLORIDA ROCK INDUSTRIES, INC. ON WILSON BOULEVARD EXTENSION CORRIDOR STUDY REPORT

James A. Brown, Jr., Trustee d/b/a East Naples Land Company ("Brown") recently sold a portion of its holdings (approximately 1400 acres comprised of approximately 1,000 acres of Receiving Lands for Mining and 400 acres of Sending NRPA Lands for Mitigation) in the North Belle Meade Overlay (NBMO) area of Collier County, to Florida Rock Industries, Inc. ("Florida Rock"). Brown financed the Wilson Boulevard Extension Corridor Study conducted with and under the oversight of the Collier County Transportation Planning Department. Florida Rock will be applying for earthmining permits on Receiving Lands within the NBMO to mine FDOT grade rock suitable for use in governmental road construction projects. Brown and Florida Rock, through their attorney, R. Bruce Anderson of Roetzel & Andress, LPA, issue the following Statement of Position in order to appraise all interested parties of their position regarding corridor alignments and road construction considered in the Wilson Boulevard Extension Corridor Study Report.

I. Corridor Alignments:

1. Neither Florida Rock nor Brown advocate an extension of 16th Avenue either west or east or use of White Boulevard, or the bridging of Wilson Boulevard south as a primary truck haul route. It is true that 16th Avenue west to Green Boulevard and Wilson Boulevard South appear to be reasonable longer term improvements needed to accommodate traffic from growth vs. a truck haul route.

2. Florida Rock and Brown do advocate the securing of adequate right-of-way and road improvement along Kean Avenue for two (2) miles from the SW corner of Section 21 west to the north end of existing Garland Road to be used as a primary truck haul route.

3. Florida Rock and Brown do advocate the securing of adequate right-of-way and improvements along either Garland Road, Smith Road, Inez Road or equivalent to access Washburn Avenue and Landfill Road as a primary truck haul route.

4. An extension of 16th Avenue east as a major east-west corridor along the north side of Section 21 is prohibitive due to the crossing of existing mining permits and the limited width of land available.
II. **Right-of-Way Procurement:**

Florida Rock and Brown are willing to reserve easements not exceeding one hundred twenty feet (120') in width across any lands they own until June 28, 2010 for any of the routes they have advocated in Section I above, said easements to be conveyed to Collier County under terms and conditions to be negotiated.

III. **Road Construction:**

1. Florida Rock is considering among others the following alternatives for construction of a primary haul route:

   1) Kean Avenue extension west to either Garland or Inez/Smith Roads to connect to Landfill Road.

   2) From Sections 27/28 south to connect to either Landfill Road or Interstate 75.

2. Florida Rock is willing to continue to work with the County to make Florida Rock’s haul route a potential future route for a public road, if the County is not prepared to act at this time on a public road route. Florida Rock requests County Commission authorization to connect a private haul road to Landfill Road, at a location to the west of (and including the western section line of) Section 34, Township 49 South, Range 27 East. Additionally, Florida Rock requests County Commission cooperation and authorization in the form of a Resolution communicated to the Florida Department of Transportation and the U.S. Department of Transportation advocating an entrance onto I-75, with an acceleration lane for loaded road material trucks traveling west only, by issuing a temporary special use access permit so as to minimize the truck impact on internal rural roads and urban streets and to minimize the cost of constructing future improved roads within Collier County by reducing the haul distance for aggregate products. The access road to this I-75 entrance would be from Section 28 and south along the western section line of Section 34, Township 49 South, Range 27 East and could become in future years a potential permanent extension of Wilson Boulevard.