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## **GRANT OF EASEMENT**

THIS QRANT OF EASEMENT is made and executed this  $27^{\frac{44}{2}}$  day of <u>DECEMBER</u>, 1991, by and between WESTINGHOUSE BAYSIDE COMMUNITIES, INC., whose post office address is: 9200 Bonita Beach Road, Suite 101, Bonita Springs, FL 33923; hereinafter called QRANTOR; and PELICAN LANDING COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation whose address is: 9200 Bonita Beach Road, Suite 101, Bonita Springs, FL 33923 (hereafter called "QRANTEE")

### WITNESSETH

That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the QRANTOR hereby grants to QRANTEE and its successors and assigns, a non-exclusive easement for road right-of-way, ingress and egress over and across the property described in Exhibit "A" attached hereto and made a part hereto.

TO HAVE AND TO HOLD the easement hereby granted unto said QRANTEE, its successors and assigns.

GRANTEE by acceptance of this easement, agrees for itself, its successors and assigns, not to interfere with the right of ingress or egress of GRANTOR, its successors and assigns, or any other party requiring access to any of the property over which said easement is granted or to any properties abutting the properties encumbered by this easement. GRANTEE agrees for itself and its successors and assigns that it will be responsible for the cost of any and all repairs, replacement and maintenance within said easement. GRANTEE agrees that it will, to the extent reasonable and possible under the circumstances, use care in performing work within the properties encumbered by this easement.

PROVIDED THAT QRANTOR may dedicate said easement to QRANTEE over the same right-of-way as set forth in EXHIBIT "A" attached hereto in a subsequent plat to be recorded in the Public Records of Lee County, Florida.

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IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officer thereunto duly authorized the day and year first above written.

Signed, sealed and delivered in the presence of:

Samuel L. Crouch, Executive Vice-President

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WESTINGHOUSE BAYSIDE COMMUNITI

STATE OF FLORIDA ) COUNTY OF LEE )

I HEREBY CERTIFY that on this day before me, an officer authorized to take acknowledgements personally appeared Samuel L. Crouch, to me well known, and acknowledged that he, as Executive Vice-President of Westinghouse Bayside Communities, Inc., executed the forgoing, thereunto duly authorized.

IN WITNESS WHEREOF I have hereunto set my hand and affixed by official seal at <u>BONITA SPRINGS</u> in the County and State aforesaid, this the <u>27</u> day of DECEMBER, A.D. 1991.

Notary Public

My commission expires:

This instrument prepared by:

Vivien N. Hastings, Esquire 801 Laurel Oak Drive, Suite 500 Naples, FL 33963 Notary Public State of Florida at Large My Commission Expires: October 8, 1995

CHARLIE GREEN LEL CIY FL 91 DEC 27 PH 4: 03

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#### December 19, 1991

#### DESCRIPTION PELICAN LANDINQ PARCEL "A" PROPOSED 100' ACCESS EASEMENT SECTION 16, T 47 S, R 25 E LEE COUNTY, FLORIDA

An access easement lying in the north one-half (N½) of Section 16, Township 47 South, Range 25 East, Lee County, Florida more particularly described as follows:

COMMENCING at the Southeast corner of said Section 16;

THENCE S89° 16'54"W for a distance of 1660.78 feet;

THENCE N00° 06'43"W for a distance of 1445.82 feet to a point on the southerly boundary of a 100 foot access easement as described and recorded in Official Record Book 1967 at page 3000, public records, Lee County, Florida;

THENCE S89° 06'43"W for a distance of 444.64 feet to the southwest corner of said 100 foot access easement, same point being the <u>POINT OF BEGINNING</u> of the herein described parcel;

THENCE continue S89° 06'43"W for a distance of 249.99 feet to the beginning of a tangential circular curve concave to the northeast;

THENCE along said curve having for its elements: a radius of 1460.00 feet (said point bearing N00° 53'17"W), a delta of 37° 52'09", a chord length of 947.51 feet, a chord bearing of N71° 57'12"W, for a distance of 964.98 feet to a point of tangency;

THENCE N53° 01'08"W for a distance of 78.49 feet to the Northeasterly-most point on the northern plat boundary of Pelican Landing Unit Four as recorded in Plat Book 49, pages 1 through 4, public records, Lee County, Florida;

THENCE continue along said northern plat boundary N53° 01'08"W for a distance of 124.50 feet;

THENCE N36° 58'52"E for a distance of 100.00 feet;

THENCE S53° 01'08"W for a distance of 202.99 feet to the beginning of a tangential circular curve concave to the northeast;

THENCE along said curve having for its elements: a radius of 1360.00 feet (said point bearing N36° 58'52"E), a delta of 37° 52'09", a chord length of 882.61 feet, a chord bearing of S71° 57'12"E, for a distance of 898.88 feet to a point of langency;

THENCE N89° 06'43"E for a distance of 251.34 feet to the northwest corner of said 100 foot access easement;

THENCE S00° 06'43"E along the westerly boundary of said 100 foot access easement for a distance of 100.01 feet to the <u>POINT OF BEGINNING</u>.

Containing 3.18 acres, more or less.

Prepared by Laura A. Sargeant Westinghouse Bayside Communities, Inc.

