## AMENDEENX TO GRANT OF EASEMENX

This Amendment to Grant of Easement made and executed this 12h day of vecember, 1991, by and metween KEITY A. MILLER, TRUSTRE, with sull power and authority to protect, consent, seld. lease, encumber or otherwise manage and dispose of said property, pussuant to Flosida statute 689.071, hereinafter Caljed GRANTOR, and WESTINGHOUSE BAYSIDE COMMUNITEES, INC., a gloxida coxporation, hareinaEter caljed GRANTEE.

WHEREAS, GRANTOR has granted to GRANTEE certain oasements as set forth in the Grant of Easement dated February 23, 1991, as recorded in orticial Records book 2199 at page 1628 in the fublic Records of Lee County, florida, a copy of which granc of Easement 15 attached hereto as Exhibit $\AA$ and made a part hereor ("Easement ${ }^{0 \prime}$ ): and

WHEREAS, GRANTOR and GRANTEE wish to amend the Easement pursuant to the terms set forth below.

NOW, THEREFORE, in Consideration of the sum of Ten Dollars ( $\$ 10.00$ ) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR and GRANTEE Kereby amend the Easement as follows:
2. Section 3 is hereby amended in its entirety to read as Eollows:
03. An easement for access, drainage, conseruceion, maintenance, repair and replacement of a drainage swale, culverts and related appurtenances over, under, on and through the property described in Exhibit No. 2 attached hereto and made a part hereof. The right of access and drainage under this section 3 shall be for the benesit of Grantee and all ocher upland owners including, without linitation, Christian F. Powell, Trustee', Bonita Industrial Park Management Association, Bonita Industrial Park Addition II Management Association, Gospel Baptist Church and Gulf Coast Camping Resort, who shall, by governmental authority, be permitted to use such easement.
2. Other than as modixied hereby or inconsistent herewith, the Easement shall remain in Eull force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Grant of Easement on the day and year Risst written above.


Address


Keith A. Miller, as ruustee, with Eull power and authority to protect. conserve, sell, lease, encumber or otherwise manage and dispose of sald property, pursuant to Florida Statute 689.072.


WESTINEROUSE BAYSIDE COMMUNITIES, INC.


Ertec. Vice-President
9200 Bondea Beach Rd. SE
Sulte 101
Bonita Springs, FL 33923

STATE OF FLORTDA COUNTY OF LEE

I HEREBY CERTISY that on this day, before me, an ofsicer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared Keith A. Millex, in his capacity as Trustee, well-known to me to be Trustere and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him.

WITNESS my hand and official seal in the County and seate last aforesaid this / 12 day of eopermert 1991. $\therefore!!$

(SEAL)
My Commission Expires: $2 / 3 / 93$

## STATE OF FLORIDA

COUNTY OR LEE
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and County aforesald to take acknowledgments, personaliy appeared samuel L . Crouch, well-known to me to be the Executive vice-President of WESTINGYOUSE BAXSIDE COMMUNITIES, INC., and that he aclmouledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation.

WITNESS my hand and otidial seal in the county and state last aroresaid this yo day of fitetenber, 1991.

(SEAŬ)
My Comission Expires: $10 / 30 / 93$


This document prepared by:
Vivien N. Hastings, Esq. 801 Laurel Oak Drive Suite 500
Naples. EL 33963

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2`ごリアi& "员"
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Page One

## GRANT OR RASEMENT

This indencure made and execueed ends
 1991，by and betwegn serTM A．MrLLer，TRUSTEE，with gulv power fid arthority，to protect，conserve，sell，lease，encumber or otharwise manage and dispase of sald property，puremant co Florida starute 689.071 ．hereinareer called GRAnTOR and hestingrouse saysioe COMUNITYES．IMC．hereinarcer called Grantee．

## WTNESSExH：

rhat for and In conslderation of the sum of Ten Dollars （ $\$ 10.00$ ）and other good and valuable consideration，recelpt or which is hereby acknowledged，the GraNTOR hereby grancs to GRANTRE． Lts successorg and assigns，the following easements：

1．An easemomt for the purposes of（i）installing and malntaining landscaping．（id）constructing，maintaining，repalring， replacing and operating utility ilnes，including vater，sewer， electric and cable television，over，under，on and through the property described on Exhibit Ao． 1 attached hereto and made a part hercol：and

2．An assement fox the purpose of arecting，maintaining repairing and replacing signage，over and on that cereain properey deslgnated parcel 3 on Exhibit No． 1 arcachad hereto and made a part nereas：and

3．An easement for the purpose of constructing，maintaining． repairing and replacing arainage swale culvert and related appurtenances over，under，on and through the proparty desexibed on randbit So． 2 attoched hereto and made parc hereos．

TO HAVE ANO TO HOLD tho easements hereby granted to GRANTEE． 1te successors and assigns．

GRANTEE，by acceptance of these easements，agrees for itsed its successors and assigns，to not unreasonably dnterfere with the right of ingress or egress of GRAMTOR，its successors and ussigns， or any other party requiring access to the properties over which these asements are granted or to any propertias abutting the properties encumbered by this easement．

GRANTEE agrees that $1 t$ will．to the extent reasomable and possible．under the circumstances，use care in performing work within the propercies encumbered by this easament．

GRANTOR and GRANTEE agree that the costs for the design． parmitting，construction，instaldation，repaiz，replacement， madntenance and restoration of such mprovements shall be pald in accordance with certain Development Agreement，of oven date horewleh，batwean GRANTOR and GRANTEE．

GRANGOR and GRANTER agree thas GRANTOR shall mave the gight of access over and acrose the mandscape and veillity Easement described on Exhiblt No． 1 at any points reasonably neceasary Eor the development of GRANTOR＇S parcel lying morth of＂Road No．i＂as deflnad in the Developant Agreement dated the date herear betwan GRARTGOR and GRANTEEA．

This is paivato oasement botween GRAMror and GRANTEE and nelther che general public nor any purchaser of properey unancumbered by chis assament shail acquire any slghe title or intarest in or to this amement．Furener，ehls asement may be modished or vacated wlthout usitten notica to the general public or any purchaser of property unencuniored by the easement．

TH WTTHESS WHEREOF, the GRAHTOR has caused these presents to be arecuted in its name and lits corporate saal to be hereunto afifsed, by its proper offlcer thereunto duly authorized the day and year sixst above written.

WITHESSES:

Name
$\qquad$
Address

reith A. RIDler, as Trusceo. wich rull power and authordty, to protect. conserva, senl, losse, encumber or otherulse manage and dispose of sald proparcy. pursuant eo flordde statute 689.071.

This document prepared by:
Samuel v. Johnson
P.O. Box 061319

Fore Myers. FL 33906
813/489-3308

##  ENGINEEAS PLANNERS SUFVEYOAS

LANDSCAPE ARCHITECTS ENVIADNMENTAL CONSULTANTS

＊．0． 1630
MES．D－163C－3
DATE SEPS．12 1990
REVISED NOV．29，1990

DESCRTETIOA CR LANDSCMPE AND UXTLITY CASEMENT IN SECTEON 10．TOWMSHTR 17 SOUTH，RANGE 25 EAST LRECOUNTY．FLORIDA

## PARCEL 1

A11 chat pact of section 10．Townsbip 47 Sourh，Range 25


 1445.82 \＆eet along dine enat ines 300 geet westerdy sf las ueasursu at righs angles tol and phsediel with che westesly
 along che south line of chat access easemenc as described in Oficicial Recerds sook 1967，pages 2998 thaough 3000 pqbi ic
 Ehe wescerly cight of way line of said u．S．1．chence along sade gighe oE way line N．0．06og＂w． 19.81 Eeet：Rnence coneinue alorg said right of way line Northeriy 50． 21 ceet along ene arc of cireular curve concave eo ehe west． having a radius of 5619．58 gere theough cestrad angle os $0^{\circ} 30^{\circ} 3^{\prime \prime}$ and being subeended by achord which bears N． $0^{\circ} 22^{\circ} 05^{\circ} \% .50 .21$ ceet：eherce along the nocth isne of sas．
 BeGINAEAG of Ehe parcel herein descsibed：chence coneinue


 the parcel herein dessitibed：

Coneaining 13460.9 square Eeet morif os less；subject go cascmenss and restricitons of record：

A OAG HTY

## PABCGL 2

All Enat gage of Section 16，Toinshig 97 Sourh，Range 25 East Eee coursy slorida being more pasejculariy described as Eollows；CORAENCIMG or the Snuth $1 / 4$ cerneg ot said

Section 16: Chence long the South 1ine of said Seceion 16.
 along aine that dies 300 seec westerly of (as measured ae right angles col anc paradal with the westerly right of way Line of U.S. Highway IS (Scate Road 15 ): Enence along the South line of that access casement os described in ossicial Records yook 1967, Yages 2998 chsough 3000. Public Records
 Westeriy right of way line or sajd u.s. A1; Ehence along
 continue along said right of way line sostheriy 50.21 feet along the arc of circular curve concave co che west. having radius of 5619.58 fect. through a central angle of $0.30^{\circ}$ A3" and being subeended by a chord which beass N.0.220 0 "m. 50.21 fees: chence along che north line os said access easement $5.89^{\circ} 06^{\circ} 43^{\circ} \%^{\circ} .299 .78$ Eeet co the goImy or BEGIMNING of the parcel berein described: thence
 chence $5.36^{\circ} 23^{\circ} 17$ "\%. 43.98 Eect to the point of zeginning of the parcel hesedr descyibed:

Containing 457.9 square seet more or less: suticc to easement and resericeions of recosdi

## AEORG VTTT

## RARCEL 3

A1 that part of seceion 26 . Township 97 Southo Range 25 east. Lee County, glosida being more particularly described as follow: COnHENCING at the South $1 / 4$ cormer of said Section 16: thence along the South line of said section 16.
 along line that lies 300 feet westerly or lan measured at right angles to and parallel with the westerly right of way line of U.S. Mighway il (State Road 15): thence along the South line of that access easement as described in Ofsicial Records sook 1967, pages 2998 through 3000 Pubidc Records of tee County. Floride N. $89^{\circ} 06^{\circ} 43^{\circ E} .300 .00$ qeet to the wescerly sight of way line of said U.S. A1: chence along sade right of way line $\mathbb{N O}^{\circ} 0^{\circ} 06^{\circ} 43^{\text {mw. }} 49.81$ Eeet: thence continue along saic right of way line Northerly 50.21 Eeet along the arc of a circular curve concave to the west. having a radius of 5619.58 reet, ehrough a contral angle os $0^{\circ} 30^{\circ} 43^{\prime \prime}$ and baing subrended by a chosd wind bears
 parcel hesein described: thence along the nosth line of gaid access easement $5.89^{\circ} 05^{\circ} 43^{\text {mw. }} 254.78$ Eeet: chence
 thence 87.22 foer along the asc of ciscular curve concave
to the Norehwest, having a sadsus of 07.50 feet, through a central angle of 57006is and being subtended by a chord which bears N. $60^{\circ} 33^{\circ} 22^{\prime \prime}$. 83.65 Eeet: thence N. $32^{\circ} 000^{\circ} 00^{\circ} \mathrm{E}$. 65.49 feet: thence 8.07 reet along the arc or a ciscular curve concave to the Southeast. having a radius of 12.50 Reer, chrough cencsal angle or $37^{\circ} 00^{\circ} 00^{\prime \prime}$ and being subrended by a chord which bears $N .50^{\circ} 30^{\circ} 00^{\prime \prime}$ E. $9.93^{\circ}$ reer: thence N. $69^{\circ} 00^{\circ} 00^{\circ} \mathrm{E}$. 58.39 feet to a poine on a curve and the westerly right of way line of U.S. Highway A1 (scace Road 55): thence along said right os way inne southesiy 155.02 feet along che arc of a cisculas curve concave to the West, having sadius of 5619.58 geet. chrough a central angle of $01^{-3} 4^{\circ 5} 0^{m}$ and being subtended by a chord which
 the parcel hereis described:

Coneadming 17785.5 square seet more or less:
subaccy ro easments and reserictions of recordi

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PARCEE
All that gart of seceson 16 , Township ay South, Range 25 Easc Lee County Riorida being more pareicularly described as KOllow: COMAENCING at the South $1 / 4$ corner of said Section 16: chence along the South line of said section 16.
 along a In that lies 300 feer westerly of (as measured at gight angles tol and parallel wich the weseerly right os way
 OEGMATNG of che parcel herein described; thence continue along said paralled line $N .0^{\circ} 06^{\circ} 43^{\prime \prime} \% .35 .00$ feer: Ehence along the south line of that access easement as described in ofelcial Records Book 1967. Rages 2998 through 3000. gublic gecords of Lee County, Florida N. $89^{\circ} 06^{\prime \prime} 43^{\prime \prime} E .300 .00$ Eeet to Ehe wescerly eight of way line of said u.S. 11; thence along said right of way dise S. $0^{\circ} 06^{\circ}$ g3"g. 35.00 Eeer; thence S. $89^{\circ} 06^{\circ} 43^{\text {WW. }} 300.00$ fees to the POINT OF geginning of the parcel hereis described:

Containing 10.500.0 square Eeet more or Less: subject to easements and rescrictions of record:


#  PLANNEFS SUAVEYOAS 

LANDSEAPE AFCFITECTS ENVIFONMENTAL CONSLLTANTS 4571 COLCMAL BLVO．ADAT MVESS，FLAPOA $3391{ }^{\circ}$


ผ．0． 1630
罡罗。 $0-1630-3$
DATE SEPM．12． 1990
REVESED：NOV．29． 1990

DESCRIPMFOA OS RELOCAFTD DRAINAGE EASEMENT IN SECMION 16. TOWISRIP 77 SOUTH．MASGE 25 EAST LEE COUNTY．FEORIDA

All that part of section 26．Township 17 South，Range 25 ease，Lee County．florida being nore pareicularly described as Eollows：Compencrsc at the south $1 / 4$ corner of gaid Section 36 ，Erence along the South line of sajd section 16．
 along a Line that lies 300 feec westerly of（as measured at righe angles col and parallel with che westerly right of way dine of U．S．mighway 42（stace Road 45 ）：thence along the South line of that access easement as described in osficial Record sook 1967．pages 2998 chrough 3000 ．sublic Records of Lee County．Florida f． $89^{\circ} 00^{\prime \prime} 3^{\prime \prime} E .300 .00$ Eeet to the westerly right of way line of said U．S．Al：chence along said sight of way line $\mathbb{N} .0^{\circ} 06^{\circ} 43^{\prime \prime}$ w． 49.81 geet：thence continue along said right os way dine Northerly 50.21 fert along the arc of a ciscular curve concave to ehe west． having radius of 5619.58 feet．chrough a cencral angle os $0^{\circ} 30^{\circ} \mathrm{g} 3^{\text {m }}$ and being subrended by chord which bears N． $0^{\circ} 22^{\circ} 05^{\prime \prime}$ \％． 50.21 zeet：thence along the north line of said access ascaent， $5.89^{\circ} 06^{\circ} 43^{\prime \prime}$ พ． 254.78 ceet to the romix or BEGINEIRG Of the pascel herein described：chence continue along said North iine S． $89^{\circ} 06^{\circ} 43^{\prime \prime}$ w． 45.00 Eeet：thence N． $36^{\circ} 23^{\circ} 17^{\circ}{ }^{\circ}$ E． 63.55 ceet；chence Northeasterly 92.02 Eeet along the arc of circular curve concave to the southeast． having radius of 100.00 geet．through a central angle of $52^{\circ} 3^{\circ} 26^{\prime \prime}$ and being subeended by chore which bears
 chence Nortreascerly 32.40 Eeet along the arc of circular curve concave to the Northwest．having radius of 32.50 feer．thsough a central angle of $57^{\circ} 06^{\circ} \mathrm{A}^{\prime \prime}$ and besng subrended by a chord which beass $1.60^{\circ} 33^{\circ} 2^{\circ}{ }^{\text {TE }}$ ． 31.07 fere： thence N． $3200000^{\prime \prime}$ ．65．49 Eeet：thence Northeasteriy 43．59 feet along bhe arc of a circular curve concave to the southeast，having radius of 67.50 seet．bhrough eantal
angle 0 37 $7^{00000}$ and being subenaded by chord wich


 sdghe os way dine Soucheriy 58.00 feet along the are of a ciscular cusve concave to the west having radiue of 5619.58 sec. through centsal angle os $00^{\circ} 35^{\circ} 29^{\circ}$ anc being mubernded by chord which beass $5.02^{\circ} 30^{\circ} 00^{\circ \prime}$. 58.00 geet: Ehence S.6900000 ${ }^{\circ}$. 58.39 Eeet: chence Southwesterly 8.07 reet along che arc os a circular curve concave co the Soutbeast having sadius of 12.50 reec. Ehrough a central angle of $37000^{\circ} 00^{\circ}$ and being subtanded by a chosd wich
 feet: chance southwestesy 07.22 seet along che asc of a cyscular curve concave bo cho Norehwest. having a saciug os 87.50 8eet. chsough cenesal angle of $57^{\circ} 06^{\circ} 43^{n}$ and being subeanded by chord which bears $5.60^{\circ} 33^{\circ} 22^{\circ}{ }^{\circ} \mathrm{m} .83 .65$ getc:
 sect co the quine of geginning of tre pacced herein deseribed:

Contasinng 18377.8 sguare feet more or less: subjecy ro rosements and restrictions of recorai:



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