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GRANT OF UTILITY EASEMENT

Doc. No. 170
\$ Intangible Tax Pd.
\$ CHERRY CREEK, FLAS. CO. COUNTY
By M. Robinson Deputy Clerk

RECORDED VERIFIED - CLERK OFFICE, CLERK
BY: PAUL J. ROBINSON, D.C.

OR2336 PG3616

It is hereby agreed that Pelican Landing Community Association, Inc. and Westinghouse Bayside Communities, Inc., hereinafter referred to as the "Grantor" whose address is 9200 Bonita Beach Road, Suite 101, Bonita Springs, FL 33923, in consideration for Ten (\$10.00) Dollars and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant, unto the BAYSIDE IMPROVEMENT COMMUNITY DEVELOPMENT DISTRICT, a chapter 190 F.S. district, hereinafter referred to as the "Grantee" whose address is 10300 11th Manor NW, Coral Springs, FL 33071, and to its successors and assigns, a non-exclusive easement and right-of-way upon; over, across or below the surface of the following described lands of the Grantor, situated in Lee County, Florida; more particularly described as follows:

All of TRACT "A", "I" and "J" of the Pelican Landing UNIT THREE, being the ROAD RIGHT-OF-WAYS as shown on the plats thereof PB 46, pgs. 61-65 and PB 47, pgs. 25-26 which includes the following streets: Lakemont Drive, Pennyroyal Drive, Catbrier Court, Wax Myrtle Court, Baybean Court and Lyonla Lane, and

All of Pelican Landing Parkway as described on Exhibit "A" attached hereto, for the purposes of construction, operation, maintenance, improving or replacing of irrigation/reuse mains, laterals, valves and all normal appurtenances thereto, together with the right and privilege to inspect, alter, remove or relocate such lines, facilities and appurtenances thereto within the easement herein granted, with all rights and privileges necessary or convenient for the full use or enjoyment thereof for the above-stated purposes.

The Grantor, however, reserves the right and privilege to use the above-described lands for any and all other purposes except as would interfere with the Grantee's use, occupation or enjoyment thereof.

Grantee, by acceptance of this easement agrees for itself, its successors and assigns, not to interfere at any time 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.

OR2336 P53617

If in performing the purposes for which this easement is granted, Grantee disturbs the surface condition of the land, Grantee, to the extent reasonably possible, is required to restore the surface of land to the condition as it existed at the time of the grant of this easement.

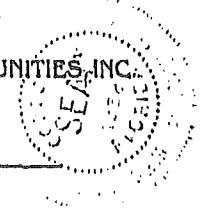
Executed this 6th day of September, 1992.

Signed, sealed and delivered in the presence of:

David Caldwell
Joann Finn

WESTINGHOUSE BAYSIDE COMMUNITIES, INC.

BY: JH
Jerry H. Schmoyer
Executive Vice President

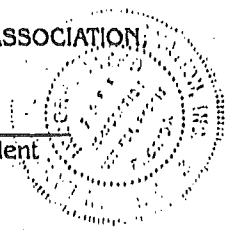


Signed, sealed and delivered in the presence of:

David Caldwell
Joann Finn

PELICAN LANDING COMMUNITY ASSOCIATION, INC.

BY: JH
Jerry H. Schmoyer, President



STATE OF FLORIDA)
) SS.
COUNTY OF LEE)

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared Jerry H. Schmoyer, personally know by me to be Executive Vice President of Westinghouse Bayside Communities, Inc. and President of the Pelican Landing Community Association, Inc. described herein and who executed the foregoing instrument and acknowledged before me that he executed the same.

6th WITNESS my hand and official seal in the County and State last aforesaid this day of October, 1992.

My Commission Expires:

Joann Finn
Notary Public



This instrument prepared by:
Vivien Hastings, Esq.
Westinghouse Bayside Communities, Inc.
9200 Bonita Beach Road, Suite 101
Bonita Springs, FL 33923

JOHNSON ENGINEERING, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

2158 JOHNSON STREET
TELEPHONE (813) 334-0048
TELECOPIER (813) 334-3881
POST OFFICE BOX 1580
FORT MYERS, FLORIDA
33902-1580

September 10, 1992

DESCRIPTION
CENTERLINE ROAD
SECTION 16, T. 47 S., R. 25 E.
LEE COUNTY, FLORIDA

CARLE JOHNSON
1911-1068

OR2336 PG3618

A road right-of-way (100 feet wide) lying in the south half (S-1/2) of Section 16, Township 47 South, Range 25 East, Lee County, Florida lying 50 feet each side of the following described centerline:

From the south quarter corner of said Section 16 run N 89° 16' 54" E along the south line of said Section for 1289.40 feet to an intersection with the westerly right-of-way line of U.S. 41 (State Road No. 45); thence run N 00° 06' 43" W along said westerly line for 1496.52 feet to a point of curvature; thence continue along said westerly line along the arc of a curve to the left of radius 5619.58 feet (chord bearing N 00° 22' 05" W) (chord 0.21 feet) (delta 00° 00' 08") for 0.21 feet to the Point of Beginning.

From said Point of Beginning run S 89° 06' 43" W along said centerline for 995.26 feet to a point of curvature; thence run along a curve to the right of radius 1410.00 feet (chord bearing N 71° 57' 12" W) (chord 915.06 feet) (delta 37° 52' 09") for 931.93 feet to a point of tangency; thence run N 53° 01' 08" W for 202.99 feet to the end of the herein described centerline.

Bearings hereinabove mentioned are based on the east line of Pelican's Nest Unit One as recorded in Plat Book 41 at pages 58 through 60, Public Records of Lee County, Florida.

W. Britt Pomeroy, Jr. 9-10-92
W. BRITT POMEROY, JR.
Professional Land Surveyor
Florida Certificate No. 4448

WBP/lcc

CHAIRMAN
ARCHIE T. GRANT, JR.

PRESIDENT
FORREST H. BANKS

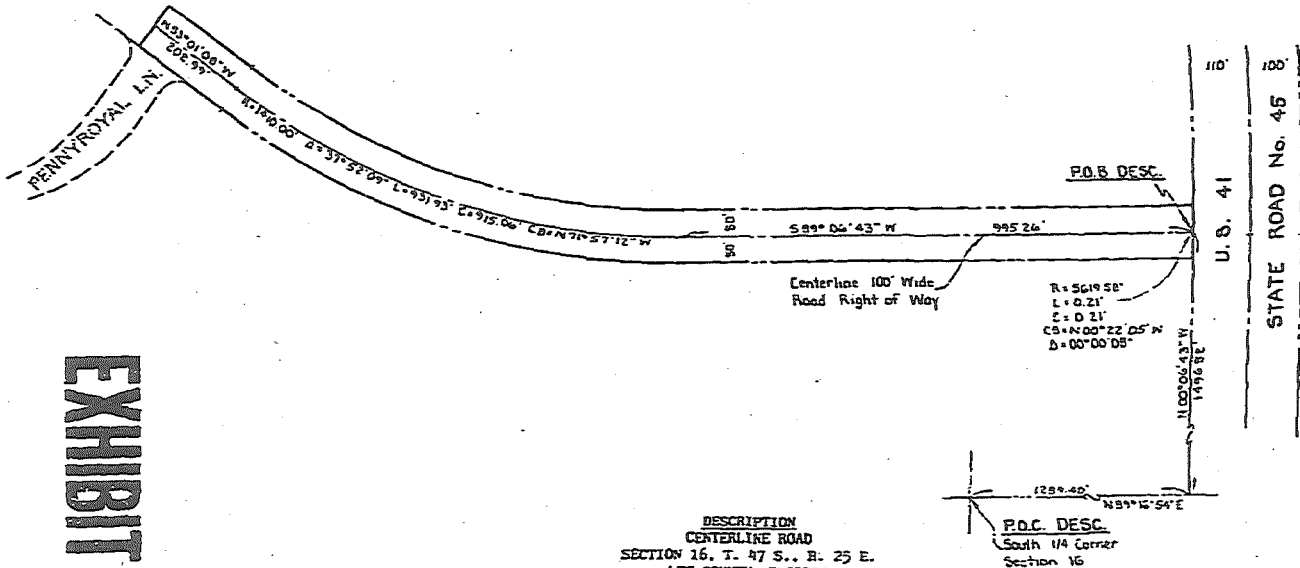
JOSEPH W. EBNER
STEVEN K. MORRISON
ANDREW D. TILTON
JEFFREY C. COONER

DAN W. DICKEY
KENTON R. KEILING
GEORGE J. KALAL
MICHAEL L. HARMON
THOMAS L. FENDLEY
W. DAVID KEY, JR.
W. BRITT POMEROY
CARL A. BARRACO
MARY R. BULL
DEVIN M. WINTER
STEPHEN W. ADAMS

CONSULTANT
LESTER L. BULSON

EXHIBIT A

EXHIBIT A



DESCRIPTION
 CENTERLINE ROAD
 SECTION 16, T. 47 S., R. 25 E.
 LEE COUNTY, FLORIDA

P.O.C. DESC.
 South 1/4 Corner
 Section 16

A road right-of-way (100 feet wide) lying in the south half (S-1/2) of Section 16, Township 47 South, Range 25 East, Lee County, Florida lying 50 feet each side of the following described centerline:

From the south quarter corner of said Section 16 run N 89° 16' 54" E along the south line of said Section for 1289.40 feet to an intersection with the westerly right-of-way line of U.S. 41 (State Road No. 45); thence run N 00° 06' 43" W along said westerly line for 1496.52 feet to a point of curvature; thence continue along said westerly line along the arc of a curve to the left of radius 5619.58 feet (chord bearing N 00° 22' 05" W) (chord 0.21 feet) (delta 00° 00' 08") for 0.21 feet to the Point of Beginning.
 From said Point of Beginning run S 89° 06' 43" W along said centerline for 995.26 feet to a point of curvature; thence run along a curve to the right of radius 1410.00 feet (chord bearing N 71° 57' 12" W) (chord 915.06 feet) (delta 37° 52' 09") for 931.93 feet to a point of tangency; thence run N 53° 01' 08" W for 202.99 feet to the end of the herein described centerline.

Bearings hereinabove mentioned are based on the east line of Pelican's Nest Unit One as recorded in Plat Book 41 at pages 58 through 60, Public Records of Lee County, Florida.

SKETCH TO ACCOMPANY DESCRIPTION
 100' WIDE ROAD RIGHT OF WAY
 LOCATED IN
 SECTION 16, TWP. 47 S, RGE. 25 E.
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.			
CIVIL ENGINEERS - LAND SURVEYORS			
DATE	PROJECT NO.	FILE NO.	TITLE
Sept 9, 1992	19343	1E-47-26	100' ROAD

THIS IS NOT A SURVEY

[Signature]
 R. BRITT FORLORI, JR.
 Professional Land Surveyor
 Florida Certificate No. 4448

Date: 9-10-92
 Not valid unless signed, dated and stamped with embossed seal.

CHARLIE GREENLEE CITY PL
 9201
 PM 4:08

0R2336 PG3619