

3747229

GRANTS OF EASEMENTS

Sidewalk and Landscape

THIS INDENTURE made and executed this 21st day of March, 1995, by and between PELICAN LANDING COMMUNITIES, INC. a Florida corporation, whose address is: 24820 Burnt Pine Drive, Bonita Springs, Florida 33923, ("GRANTOR"), and the BAY CREEK COMMUNITY DEVELOPMENT DISTRICT, a community development district organized under the laws of the State of Florida, whose address is: 10300 N.W. 11 Manor, Coral Springs, Florida 33071, ("GRANTEE");

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, GRANTOR hereby grants to GRANTEE, its successors and assigns, easements for pedestrian and bicycle paths, sidewalks, ("WALKS") and landscaping, including the maintenance, repair and replacement of paths, sidewalks and lanscape improvements on, over and through the property as more particularly described in Exhibits "A-1" and "A-2" (legal descriptions and sketches), attached hereto and made a part hereof, including reasonable access to said property for purposes of ingress and egress over GRANTOR's, its successors and assigns, property;

TO HAVE AND TO HOLD the easement hereby granted unto said GRANTEE, its successors and assigns;

GRANTEE, by acceptance of these easements agrees to maintain said easements and in no way interfere at any time with the right of ingress and egress of GRANTOR, its successors or assigns, or any other party requiring access to access to any of the property over which said easement is granted. GRANTEE further agrees that it will at all times use extreme care to repair and/or replace any pavement, landscaping or other improvements which it may disturb or destroy in the construction, use or maintenance of WALKS on, over, or through said property;

In the event GRANTEE, its successors or assigns, shall fail to use this easement for the purposes intended, then GRANTEE, its successors or assigns, shall vacate said easement or relevant part thereof. GRANTEE shall have the right to remove any structures or improvements which may be on the property.

OR2585 PG0725

Documentary Tax Pd. \$
Intangible Tax Pd.
Clerk, DEPT. OF REVENUE, CLERK, LEE COUNTY
Deputy Clerk

RECORD VERIFIED - CHARLIE GREEN CLERK
BY: KAY TANNER, D.C.

IN WITNESS WHEREOF, GRANTOR has caused these presents to be executed in its name, the day and year first above written.

Signed, sealed and delivered in the presence of:

PELICAN LANDING COMMUNITIES, INC.

WITNESSES:

By:

Laura Sargeant

Jerry H. Schmoyer
Executive Vice President

Print: LAURA A. SARGEANT

Joann Finn

Print: Joann Finn

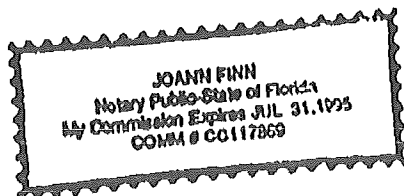
OR2585 P60726

STATE OF FLORIDA
COUNTY OF LEE

Before me personally appeared Jerry H. Schmoyer, as Executive Vice President of Pelican Landing Communities, Inc., a Florida corporation, to me well known to be the person who executed the foregoing instrument, and acknowledged to and before me that he executed said instrument in the capacity and for the purposes therein expressed. He is personally known to me.

Witness my hand and official seal this 21st day of March, 1995.

Joann Finn
Notary Public - State of Florida
Print: Joann Finn

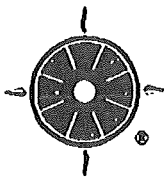


My Commission expires: 7-31-95

Commission number: CC117869

This instrument prepared by:
Vivien N. Hastings
801 Laurel Oak Drive, Suite 500
Naples, FL 33963

PLEASE RETURN TO:
Laura A. Sargeant ✓
Pelican Landing Communities, Inc.
24820 Burnt Pine Drive
Bonita Springs, FL 33923



WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

QR2585 PG0728

DESCRIPTION 25' SIDEWALK AND LANDSCAPE BASEMENT Pelican Landing Unit Fourteen Section 21, Township 47 South, Range 25 East, Lee County, Florida

All that part of Section 21, Township 47 South, Range 25 East, Lee County, Florida and also being a part of Tract "B" of Pelican Landing Unit Fourteen according to the plat thereof as recorded in Plat Book 53, Pages 35 through 46, Public Records of Lee County, Florida being more particularly described as follows;

BEGINNING at the intersection of the east line of Lot 1 of Pelican Landing Unit Seventeen according to the plat thereof as recorded in Plat Book 53, pages 50 through 53, Public Records of Lee County, Florida and the north line of Tract "A" (Pelican's Nest Drive) of Pelican Landing Unit Fourteen according to the plat thereof as recorded in Plat Book 53, pages 35 through 46, Public Records of Lee County;

thence along the east line of said Lot 1 N.25°00'00"W. 25.03 feet to a point on a curve which lies 25.00 feet northerly of, as measured at right angles to, and parallel with the north line of aforesaid Tract "A";

thence along said parallel line in the following three (3) described courses;

- 1) northeasterly 194.93 feet along the arc of a non-tangential circular curve concave to the southeast, having a radius of 642.50 feet, through a central angle of 17°22'59" and being subtended by a chord which bears N.76°18'31"E. 194.18 feet;
- 2) N.85°00'00"E. 844.11 feet to a point of curvature;
- 3) northeasterly 38.73 feet along the arc of a circular curve concave to the northwest, having a radius of 357.50 feet, through a central angle of 06°12'26" and being subtended by a chord which bears N.81°53'47"E. 38.71 feet to a point on a curve;

thence southerly and southwesterly 23.88 feet along the arc of a non-tangential circular curve concave to the northwest, having a radius of 15.00 feet, through a central angle of 91°12'08" and being subtended by a chord which bears S.35°35'45"W. 21.43 feet to a point of cusp;

thence easterly 20.42 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 372.50 feet, through a central angle of 03°08'26" and being subtended by a chord which bears N.79°37'36"E. 20.42 feet to a point on a curve;

thence southwesterly 23.87 feet along the arc of a non-tangential circular curve concave to the northwest, having a radius of 25.00 feet, through a central angle of 54°42'59" and being subtended by a chord which bears S.53°50'19"W. 22.98 feet to a point of compound curvature and a point on the aforesaid north line of Tract "A";

thence along the said north line in the following three (3) described courses;

- 1) southwesterly 25.39 feet along the arc of a circular curve concave to the northwest, having a radius of 382.50 feet, through a central angle of 03°48'11" and being subtended by a chord which bears S.83°05'54"W. 25.38 feet;
- 2) S.85°00'00"W. 844.11 feet to a point of curvature;

2/23/95-1g10035.naw
Naples
(813) 649-4040
Fax (813) 643-5716

EXHIBIT A - 1

Sarasota
(813) 371-3690
Fax (813) 377-9852

OK'D IAS
MAR 21 1995


- 3) southwesterly 186.20 feet along the arc of a circular curve concave to the southeast, having a radius of 617.50 feet, through a central angle of $17^{\circ}16'37''$ and being subtended by a chord which bears $S.76^{\circ}21'41''W$. 185.50 feet to the Point of Beginning of the parcel herein described.

Parcel contains 26,803 square feet, more or less.


Subject to easements, restrictions, reservations and rights of way of record. Bearings shown hereon are based on the north line of said Tract "A" of Pelican Landing Unit Fourteen being $S.85^{\circ}00'00''W$.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.


 Elizabeth F. Gaines, P.L.S. #4576

3-20-95
 Date



W.O.: 3964
 REF.: A-0250-137
 DATE: March 18, 1995

DR2585 PG0729

EXHIBIT A-1

OK'D L.A.S.

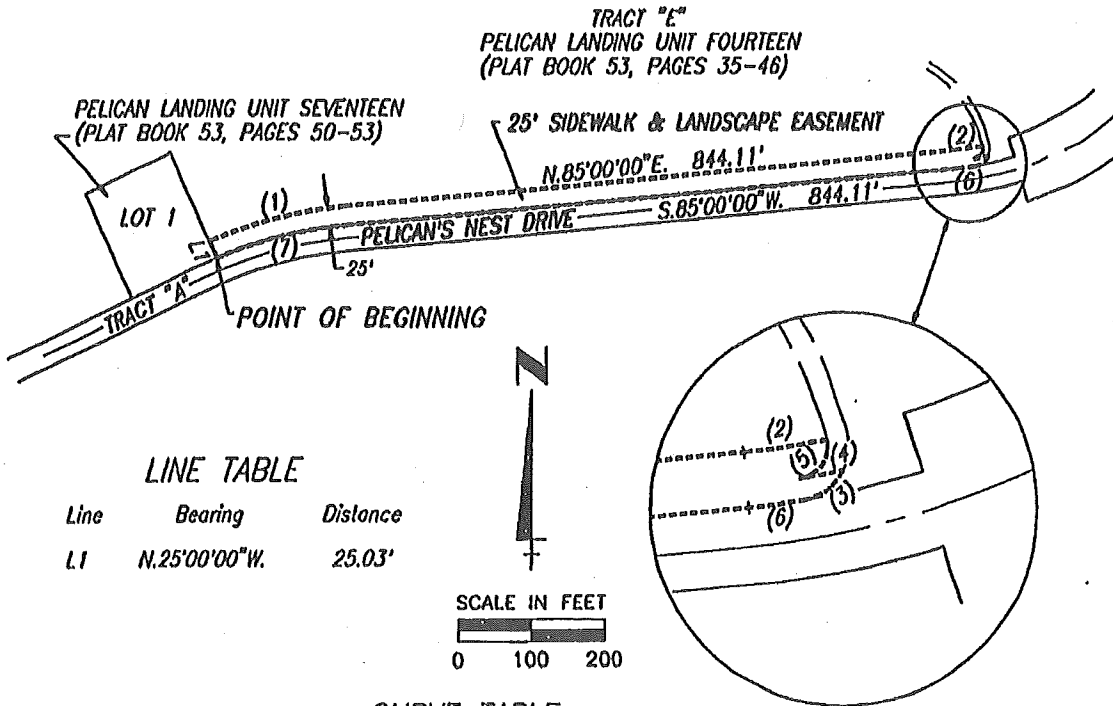
 MAR 21 1995

WILSON, MILLER, BARTON & PEEK, INC.

ENGINEERS • SURVEYORS • PLANNERS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS • CONSTRUCTION MANAGERS
 4571 Colonial Boulevard Fort Myers, Florida 33912 (813) 939-1020 Fax (813) 939-7479



DR2585 P60730



CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	642.50'	17°22'59"	194.93'	98.22'	194.18'	N.76°18'31"E.
2	357.50'	06°12'26"	38.73'	19.38'	38.71'	S.81°53'47"W.
3	25.00'	54°42'59"	23.87'	12.94'	22.98'	S.53°50'19"W.
4	372.50'	03°08'26"	20.42'	10.21'	20.42'	S.79°37'36"W.
5	15.00'	91°12'08"	23.88'	15.32'	21.43'	S.35°35'45"W.
6	382.50'	03°48'11"	25.39'	12.70'	25.38'	S.83°05'54"W.
7	617.50'	17°16'37"	186.20'	93.81'	185.50'	N.76°21'41"E.

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF TRACT "A" OF PELICAN LANDING UNIT FOURTEEN ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 53, PAGES 35 THROUGH 46, PUBLIC RECORDS OF LEE COUNTY, FLORIDA BEING S.85°00'00"W. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

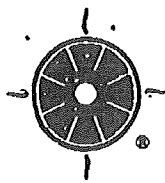
PREPARED BY:

Elizabeth F. Gaines
 ELIZABETH F. GAINES, PLS 11676
 NOT VALID UNLESS SIGNED BY THE SURVEYOR AND SEALED WITH THE SURVEYOR'S EMBOSSED SEAL.

EXHIBIT A-1

✱ NOT A SURVEY ✱

Δ REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
DATE:	CLIENT: PELICAN LANDING COMMUNITIES, INC. 24820 BURNT PINE DRIVE, BONITA SPRINGS, FLORIDA 33923					
HORIZONTAL SCALE: 1" = 100'	TITLE: SKETCH OF DESCRIPTION					
VERTICAL SCALE:	25' SIDEWALK & LANDSCAPE EASEMENT ALONG PELICAN NEST DRIVE, PART OF TRACT "E" OF PELICAN LANDING UNIT FOURTEEN (P.B. 53, P. 35-46) LEE COUNTY, FLORIDA					
SEC: TWP: RGE: 21-47-25	CROSS REFERENCE FILE NO.:	WORK ORDER NO.:	PROJECT NO.:	SHEET NUMBER:	FILE NO.:	
FIELD BOOK:	0250B001.DWG	3964	0250	1 of 1	A-0250-137	
FIELD BOOK PAGE:						



WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

DESCRIPTION

10' UTILITY AND SIDEWALK BASEMENT ALONG PINEWATER DRIVE SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

All that part of Section 21, Township 47 South, Range 25 East, Lee County, Florida also being a part of Tract "E" of Pelican Landing Unit Fourteen according to the plat thereof as recorded in Plat Book 53, pages 35 through 46, Public Records of Lee County, Florida being more particularly described as follows:

COMMENCING at the northeast corner of said Tract "E";
thence along the north line of said Tract "E", S.88°38'34"W. 727.53 feet to the east line of those lands as described in Official Records Book 2474, Pages 3978 through 3980, Public Records of Lee County, Florida;
thence along said east line, S.01°21'26"E. 560.21 feet;
thence continue along said east line S.16°53'43"W. 160.54 feet;
thence continue along said east line S.35°32'25"W. 70.67 feet to the POINT OF BEGINNING of the parcel herein described and the west line of that certain access easement described in Official Records Book 2465, page 2076, Public Records of Lee County, Florida;

thence along said west line in the following ten (10) courses;

- 1) southeasterly 22.09 feet along the arc of a non-tangential circular curve concave to the southwest, having a radius of 50.00 feet, through a central angle of 25°18'56" and being subtended by a chord which bears S.15°05'50"E. 21.91 feet to a point of reverse curvature;
- 2) southeasterly 37.64 feet along the arc of a circular curve concave to the northeast, having a radius of 80.00 feet, through a central angle of 26°57'29" and being subtended by a chord which bears S.15°55'07"E. 37.29 feet to a point of reverse curvature;
- 3) southerly 41.36 feet along the arc of a circular curve concave to the west, having a radius of 50.00 feet, through a central angle of 47°23'53" and being subtended by a chord which bears S.05°41'54"E. 40.19 feet to a point of reverse curvature;
- 4) southwesterly 61.57 feet along the arc of a circular curve concave to the southeast, having a radius of 300.00 feet, through a central angle of 11°45'33" and being subtended by a chord which bears S.12°07'16"W. 61.46 feet;
- 5) S.06°14'29"W. 436.39 feet to a point of curvature;
- 6) southeasterly 143.37 feet along the arc of a circular curve concave to the northeast, having a radius of 117.50 feet, through a central angle of 69°54'32" and being subtended by a chord which bears S.28°42'47"E. 134.64 feet;
- 7) S.63°40'03"E. 58.62 feet to a point of curvature;

EXHIBIT A-2

Naples
(813) 649-4040
Fax (813) 643-5716

Fort Myers
(813) 939-1020
Fax (813) 939-7479

Sarasota
(813) 371-3690
Fax (813) 377-9852

DR2585 PG0732

- 8) southeasterly 116.21 feet along the arc of a circular curve concave to the southwest, having a radius of 150.00 feet, through a central angle of $44^{\circ}23'19''$ and being subtended by a chord which bears $S.41^{\circ}28'23''E$. 113.32 feet;
- 9) $S.19^{\circ}16'44''E$. 22.32 feet to a point of curvature;
- 10) southerly and southwesterly 19.97 feet along the arc of a circular curve concave to the west, having a radius of 25.00 feet, through a central angle of $45^{\circ}45'33''$ and being subtended by a chord which bears $S.03^{\circ}36'03''W$. 19.44 feet to a point on a curve and a point on the north line of a 10 foot wide utility easement per said Pelican Landing Unit Fourteen Plat;

thence along the said north line, westerly 20.42 feet along the arc of a non-tangential circular curve concave to the north, having a radius of 372.50 feet, through a central angle of $03^{\circ}08'26''$ and being subtended by a chord which bears $S.79^{\circ}37'36''W$. 20.42 feet to a point on said curve and to a line which lies 10.00 feet westerly of, as measured at right angles to, and parallel with the west line of aforesaid access easement;

thence along said parallel line in the following ten (10) described courses;

- 1) northeasterly and northerly 26.30 feet along the arc of a non-tangential circular curve concave to the northwest, having a radius of 15.00 feet, through a central angle of $100^{\circ}28'33''$ and being subtended by a chord which bears $N.30^{\circ}57'32''E$. 23.06 feet;
- 2) $N.19^{\circ}16'44''W$. 22.32 feet to a point of curvature;
- 3) northwesterly 108.46 feet along the arc of a circular curve concave to the southwest, having a radius of 140.00 feet, through a central angle of $44^{\circ}23'19''$ and being subtended by a chord which bears $N.41^{\circ}28'23''W$. 105.77 feet;
- 4) $N.63^{\circ}40'03''W$. 58.62 feet to a point of curvature;
- 5) northwesterly and northerly 155.58 feet along the arc of a circular curve concave to the northeast, having a radius of 127.50 feet, through a central angle of $69^{\circ}54'32''$ and being subtended by a chord which bears $N.28^{\circ}42'47''W$. 146.10 feet;
- 6) $N.06^{\circ}14'29''E$. 436.39 feet to a point of curvature;
- 7) northeasterly 63.62 feet along the arc of a circular curve concave to the east, having a radius of 310.00 feet, through a central angle of $11^{\circ}45'33''$ and being subtended by a chord which bears $N.12^{\circ}07'16''E$. 63.51 feet to a point of reverse curvature;
- 8) northwesterly 33.09 feet along the arc of a circular curve concave to the west, having a radius of 40.00 feet, through a central angle of $47^{\circ}23'53''$ and being subtended by a chord which bears $N.05^{\circ}41'54''W$. 32.16 feet to a point of reverse curvature;
- 9) northwesterly 42.35 feet along the arc of a circular curve concave to the northeast, having a radius of 90.00 feet, through a central angle of $26^{\circ}57'29''$ and being subtended by a chord which bears $N.15^{\circ}55'07''W$. 41.96 feet to a point of reverse curvature;
- 10) northwesterly 12.46 feet along the arc of a circular curve concave to the southwest, having a radius of 40.00 feet, through a central angle of $17^{\circ}50'39''$ and being subtended by a chord which bears $N.11^{\circ}21'42''W$. 12.41 feet to the east line of the aforesaid lands described in Official Records Book 2474, Pages 3978 through 3980;

EXHIBIT A-2

thence along said east line N.35°32'25"E. 11.57 feet to the Point of Beginning of the parcel herein described;

Parcel contains 9570 square feet, more or less.

Subject to easements, restrictions, reservations and rights-of-way of record; Bearings shown hereon are based on the north line of said Tract "E", also being the north line of Section 21, Township 47 South, Range 25 East, Lee County, Florida being S.88°38'34"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

OR2585 P60733

Elizabeth F. Gaines
 Elizabeth F. Gaines, P.L.S. #4576
 W.O. # 4063
 REF. # A-0250-122
 DATE: February 13, 1995
 REVISED: February 21, 1995

2-21-95
Date

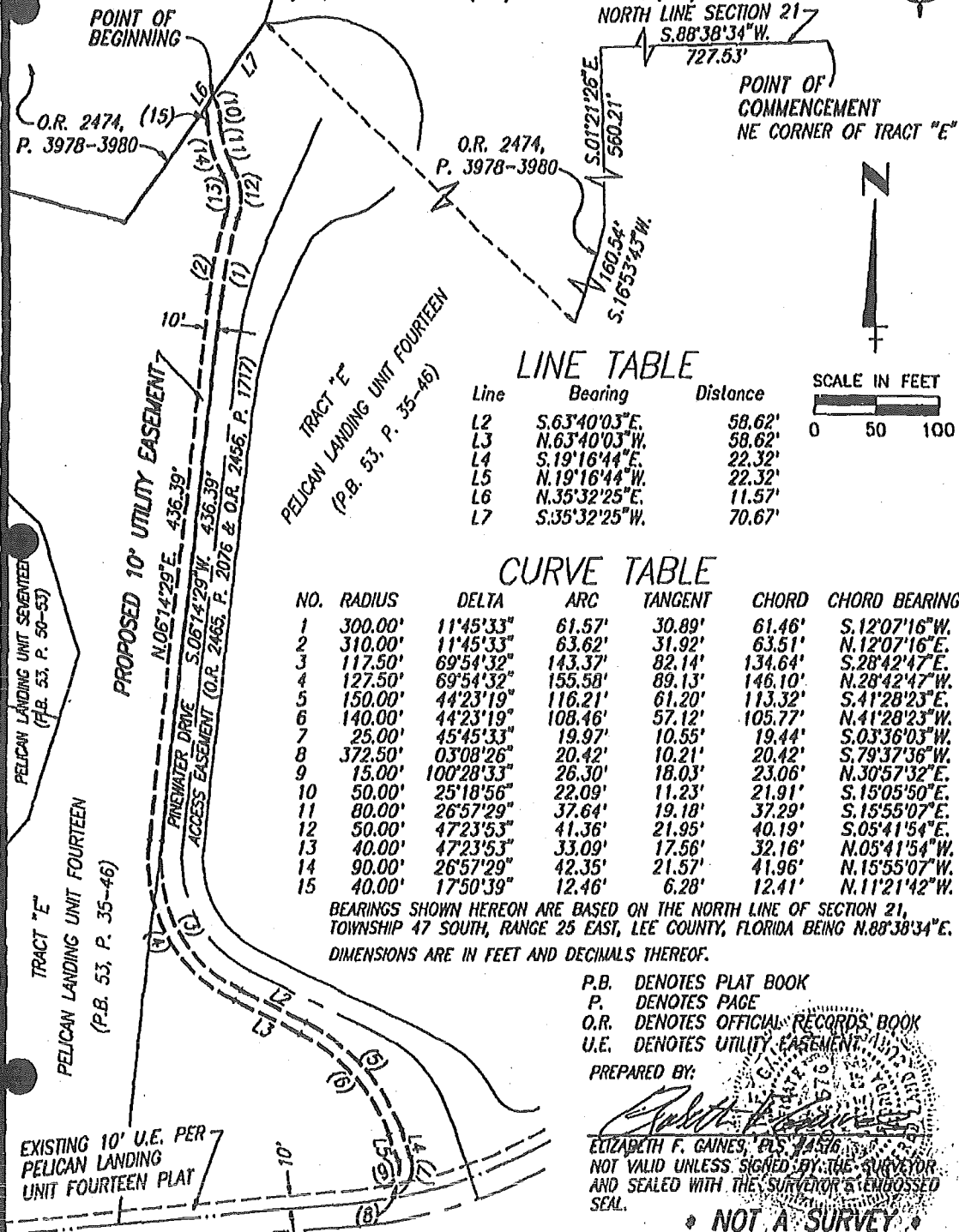
EXHIBIT A - 2

*ok @
2/23/95*

95 MAR 22 PH 12: 21

WILSON, MILLER, BARTON & PEEK, INC.

ENGINEERS • SURVEYORS • PLANNERS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS • CONSTRUCTION MANAGERS
 1571 Colonial Boulevard Fort Myers, Florida 33912 (813) 939-1020 Fax (813) 939-7479



LINE TABLE

Line	Bearing	Distance
L2	S.63°40'03"E.	58.62'
L3	N.63°40'03"W.	58.62'
L4	S.19°16'44"E.	22.32'
L5	N.19°16'44"W.	22.32'
L6	N.35°32'25"E.	11.57'
L7	S.35°32'25"W.	70.67'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	300.00'	11°45'33"	61.57'	30.89'	61.46'	S.12°07'16"W.
2	310.00'	11°45'33"	63.62'	31.92'	63.51'	N.12°07'16"E.
3	117.50'	69°54'32"	143.37'	82.14'	134.64'	S.28°42'47"E.
4	127.50'	69°54'32"	155.58'	89.13'	146.10'	N.28°42'47"W.
5	150.00'	44°23'19"	116.21'	61.20'	113.32'	S.41°28'23"E.
6	140.00'	44°23'19"	108.46'	57.12'	105.77'	N.41°28'23"W.
7	25.00'	45°45'33"	19.97'	10.55'	19.44'	S.03°36'03"W.
8	372.50'	03°08'26"	20.42'	10.21'	20.42'	S.79°37'36"W.
9	15.00'	100°28'33"	26.30'	18.03'	23.06'	N.30°57'32"E.
10	50.00'	25°18'56"	22.09'	11.23'	21.91'	S.15°05'50"E.
11	80.00'	26°57'29"	37.64'	19.18'	37.29'	S.15°55'07"E.
12	50.00'	47°23'53"	41.36'	21.95'	40.19'	S.05°41'54"E.
13	40.00'	47°23'53"	33.09'	17.56'	32.16'	N.05°41'54"W.
14	90.00'	26°57'29"	42.35'	21.57'	41.96'	N.15°55'07"W.
15	40.00'	175°03'39"	12.46'	6.28'	12.41'	N.11°21'42"W.

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 21, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING N.88°38'34"E. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

P.B. DENOTES PLAT BOOK
 P. DENOTES PAGE
 O.R. DENOTES OFFICIAL RECORDS BOOK
 U.E. DENOTES UTILITY EASEMENT

PREPARED BY:

 ELIZABETH F. GAINES, PLS. 4456
 NOT VALID UNLESS SIGNED BY THE SURVEYOR AND SEALED WITH THE SURVEYOR'S EMBOSSED SEAL.

NOT A SURVEY

A REVISED DISTANCE & TANGENT IN TABLES		2-21-95	DKS	352	EFG	170
ΔREV. NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
DATE:	CLIENT: EXHIBIT A-2 PELICAN LANDING COMMUNITIES, INC. 24820 BURNT PINE DRIVE, BONITA SPRINGS, FLORIDA 33923					
HORIZONTAL SCALE: 1" = 100'	TITLE: SKETCH OF DESCRIPTION 10' UTILITY & SIDEWALK EASEMENT ALONG PINEWATER DRIVE, PART OF TRACT "E" OF PELICAN LANDING UNIT FOURTEEN (P.B. 53, P.35-46), LEE COUNTY, FLORIDA					
VERTICAL SCALE:	FIELD BOOK PAGE: CROSS REFERENCE FILE NO.: 02506801					
SEC. TWP. R.:	WORK ORDER NO.: 3963					
21-47-25	PROJECT NO.: 0250					
FIELD BOOK:	SHEET NUMBER: 1 OF 1					
	FILE NO.: A-0250-122					

082585 P60731