3747231

<u>GRANTS OF UTILITY EASEMENTS</u>

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, (hereinafter called "GRANTOR"), in favor of FLORIDA POWER & LIGHT COMPANY, whose address is 4105 15th Avenue S.W., Naples, Florida 33999, UNITED TELEPHONE OF FLORIDA, A SPRINT COMPANY, whose address is: P.O. Box 2477, Naples, Florida 33939-2477 and COLONY CABLEVISION OF FLORIDA, whose address is: 301 Tower Road, Naples, Florida 33941-3018 (hereinafter collectively called "GRANTEES"):

Deputy Clerk

COUNTY

ntangible

© RECORD YERIFIED - CHARLIE GREEN CLERK BY: KAY TANNER, B.C. ©

Documentary Tax Pd.

<u>WITNESSETH</u>

That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, there is created, declared and established and the GRANTOR does hereby grant, bargain and sell to the GRANTEES, a non-exclusive easement over, across and under the property situated in Pelican Landing, Lee County, Florida as more particularly described in Exhibits "A-1", "A-2", "A-3" and "A-4" (legal descriptions and sketches), attached hereto and made a part hereof, for the purpose of construction, operation, maintenance, repair and replacement of underground wires, conduit, manholes, handholes or other fixtures and facilities ("FACILITIES") as may be required from time to time for the exclusive purpose of the transmission and distribution of electricity, telephone and cable television and for no other purpose. GRANTEES may clear and keep cleared obstructions from the surface and subsurface that might endanger the proper construction, operation and maintenance of said wires, conduit and other fixtures, provided such clearing does not interfere with GRANTOR's access to, or use of the subject property.

TO HAVE AND TO HOLD the easement hereby granted unto said GRANTEES, their successors and assigns.

Each GRANTEE by acceptance of this easement agrees for itself, its respective successors and assigns, to maintain and repair the FACILITIES installed by such GRANTEE within said easement in perpetuity and in no way interfere, at any time with the right of ingress or egress of GRANTOR, or any other party requiring access to any of the property over which said easement is granted; to not place poles or overhead wires on the said property; and to repair and/or replace any pavement, landscaping or other improvements which such GRANTEE may disturb, damage or destroy in the construction, operation or maintenance of it FACILITIES on, in and under said property.

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In the event GRANTEES shall cease to use this easement for the purposes intended, then GRANTEES shall vacate said easement or relevant part thereof.

This easement shall be a covenant running with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

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

Signed, sealed and delivered in the presence of:

PELICAN LANDING COMMUNITIES, INC.

WITNESSES:

Saura Sageant

Print: LAURA A. SARGEANT Dann Finn

By: I. Schmoyer cutive Vice President

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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.

CAR stary Public - State of Florida

Print: Joann Finn

My Commission expires: 7-31-95

Commission number: <u>CC117869</u>

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

JOANN FINN Notary Public-State of Florida Domitikelon Explose JUL 31,1993

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

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WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants 4571 Colonial Boulevard, Suite 200, Fort Myers, Florida 33912 • (613) 939-1020 Fax (813) 939-7479

DESCRIPTION 10' UTILITY EASEMENT #1 Pelican Landing Unit Fourteen Section 21, Township 47 Souty, 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;

BEGINNING at the intersection of the north line of Lot 34 and the west line of Tract "A" 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;

thence along said north line of Lot 34, N.74°00'00"W. 10.06 feet to a point on a curve which lies 10.00 feet westerly of, as measured at right angles to, and parallel with the west line of the aforesaid Tract "A";

thence along said parallel line, northeasterly 60.55 feet along the arc of a non-tangential circular curve concave to the southeast, having a radius of 1027.50 feet, through a central angle of $03^{\circ}22'35"$ and being subtended by a chord which bears N.23°39'40"B. 60.54 feet to a point on the south line of Lot 33 of said Pelican Landing Unit Seventeen;

thence along the said south line, S.74°00'00"B. 10.14 feet to a point on a curve and the aforesaid west line of Tract "A";

thence along the said west line of Tract "A", southwesterly 60.56 feet along the arc of a non-tangential circular curve concave to the southeast, having a radius of 1017.50 feet, through a central angle of $03^{\circ}24^{\circ}37^{\circ}$ and being subtended by a chord which bears S.23°44'13"W. 60.55 feet to the Point of Beginning of the parcel herein described;

Parcel contains 606 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 Lot 34 of said Pelican Landing Unit Seventeen being N.74°00'00"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

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

W.O.: 3964 REF.: A-0250-136 DATE: March 18, 1995

Date

EXHIBIT A - J

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2/23/95-1g10030.asw Naples (813) 649-4040 Fax (813) 643-5716 Page 1 of 1 Fort Myers (813) 939-1020 Fax (813) 939-7479

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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 EASEMENT #2 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 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;

BEGINNING at the intersection of the westerlymost corner of Lot 8 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 east line of Tract "A" of said Pelican Landing Unit Seventeen;

thence along the south line of said Lot 8, S.60°24'41"E. 10.03 feet to a point on a curve which lies 10.00 feet easterly of, as measured at right angles to, and parallel with the east line of aforesaid Tract "A",

thence along said parallel line southwesterly 230.41 feet along the arc of a non-tangential circular curve concave to the southeast, having a radius of 972.50 feet, through a central angle of 13°34'29" and being subtended by a chord which bears S.18°23'31"W. 229.87 feet to a point on the north line of Lot 7 of said Pelican Landing Unit Seventeen;

thence along said north line of Lot 7, N.73°14'37"W. 10.04 feet to a point on a curve and the east line of said Tract "A",

thence along said east line of Tract "A", northeasterly 232.65 feet along the arc of a nontangential circular curve concave to the southeast, having a radius of 982.50 feet, through a central angle of 13°34'02" and being subtended by a chord which bears N.18°26'27"E. 232.11 feet to the Point of Beginning of the parcel herein described;

Parcel contains 2315 square feet, more or less.

Subject to easements, restrictions, reservations and rights of way of record. Bearings shown hereon are based on the south line of Lot 8 of said Pelican Landing Unit Seventeen being N.60°24'41"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

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

W.O.: 3964 REF.: A-0250-136 DATE: March 18, 1995



Date

2/23/95-1g10031.64w *Naples* (813) 649-4040 Fax (813) 643-5716 Page 1 of 1 Fort Myers (813) 939-1020 Fax (813) 939-7479

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



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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 EASEMENT #3 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 "G" 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 northeasterlymost corner of said Tract "G";

thence along the north line of said Tract "G" in the following three (3) described courses;

- 1) S.89°53'10"W. 421.26 feet;
- 2) N.00°06'50"W. 10.00 feet;

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(813) 649-4040

Fax (813) 643-5716

3) S.89°53'10"W. 129.04 feet to a point of cusp and the west line of that certain access easement described in Official Records Book 2558, pages 2642 through 2648, Public Records of Lee County, Florida;

thence along said west line in the following two (2) described courses;

 southeasterly 37.26 feet along the arc of a circular curve concave to the southwest, having a radius of 25.00 feet, through a central angle of 85°23'39" and being subtended by a chord which bears S.47°25'01"E. 33.91 feet to a point of reverse curvature;

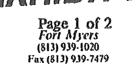
2) southeasterly 168.88 feet along the arc of a circular curve concave to the northeast, having a radius of 323.00 feet, through a central angle of 29°57'24" and being subtended by a chord which bears S.19°41'53"B. 166.96 feet to the POINT OF BEGINNING of the parcel herein described;

thence continue along the westerly line of said access easement in the following three (3) described courses:

- southeasterly 175.88 feet along the arc of a circular curve concave to the northeast, having a radius of 323.00 feet, through a central angle of 31°11'58" and being subtended by a chord which bears S.50°16'34"B. 173.72 feet to a point of compound curvature;
- 2) southeasterly and southerly 381.63 feet along the arc of a circular curve concave to the southwest, having a radius of 332.50 feet, through a central angle of 65°45'43" and being subtended by a chord which bears S.32°59'42"E. 361.03 feet;
- 3) S.00°06'50"B. 605.67 feet;

thence S.41°11'28"W. 15.15 feet to a line which lies 10.00 feet westerly of, as measured at right angles to, and parallel with the west line of the aforesaid access easement;

thence along said parallel line in the following three (3) described courses; 1) N.00°06'50"W. 617.05 feet to a point of curvature;



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- 2) northerly and northwesterly 370.15 feet along the arc of a circular curve concave to the southwest, having a radius of 322.50 feet, through a central angle of 65°45'43" and being subtended by a chord which bears N.32°59'42"W. 350.17 feet to a point of reverse curvature;
- 3) northwesterly 166.50 feet along the arc of a circular curve concave to the northeast, having a radius of 333.00 feet, through a central angle of 28°38'55" and being subtended by a chord which bears N.51°33'06"W. 164.77 feet to the east line of Baycrest Villas at Pelican Landing according to the plat thereof as recorded in Plat Book 54, pages 38 through 42, Public Records of Lee County, Florida;

thence along said east line N.01°33'08"W. 17.70 feet to the Point of Beginning of the parcel herein described;

Parcel contains 11584 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 Tract "G" of Pelican Landing Unit Fourteen according to the plat thereof as recorded in Plat Book 35, pages 35 through 46, Public Records of Lee County, Florida being S.89°53'10"W.

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

Élizabeth F. Gaines, P.L.S. #4576

W.O.: 3964 REF.: A-0250-138 DATE: March 18, 1995

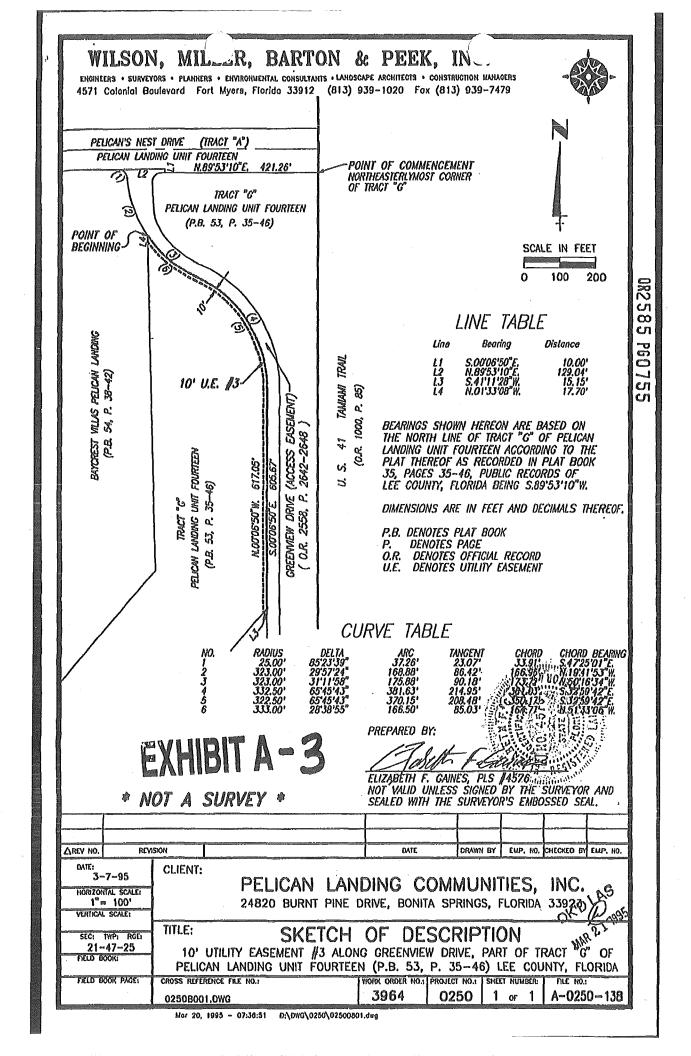
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Page 2 of 2



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DESCRIPTION

10' UTILITY AND SIDEWALK EASEMENT 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;

- 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"B. 134.64 feet;
- 7) S.63°40'03"B. 58.62 feet to a point of curvature;



Naples (813) 649-4040 Fax (813) 643-5716 1/20/95-12/0021.asv Fort Myers (813) 939-1020 Fax (813) 939-7479 Page 1 of 3 Sarasota (813) 371-3690 Fax (813) 377-9852

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- 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°23'19" and being subtended by a chord which bears S.41°28'23"E. 113.32 feet;
- 9) S.19°16'44"B. 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°45'33" and being subtended by a chord which bears S.03°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 $03^{\circ}08^{\circ}26^{\circ}$ and being subtended by a chord which bears $5.79^{\circ}37^{\circ}36^{\circ}W$. 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;

- 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°28'33" and being subtended by a chord which bears N.30°57'32"E. 23.06 feet;
- 2) N.19°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°23'19" and being subtended by a chord which bears N.41°28'23"W. 105.77 feet;
- 4) N.63°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°54'32" and being subtended by a chord which bears N.28°42'47"W. 146.10 feet;
- 6) N.06°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°45'33" and being subtended by a chord which bears N.12°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°23'53" and being subtended by a chord which bears N.05°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°57'29" and being subtended by a chord which bears N.15°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°50'39" and being subtended by a chord which bears N.11°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 -4

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Page 2 of 3

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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.

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

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Date

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