This instrument prepared by: Vivien N. Hastings Esquire 801 Laurel Oak Drive, #500 Naples, Florida 33963

3988264

TEMPORARY ACCESS EASEMENT

THIS INDENTURE, made as of this 25 day of June, 1996, by and between WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership, whose address is 801 Laurel Oak Drive, Suite 500, Naples, Florida 33963 (the "Grantor"), and PELICAN LANDING COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, its successors and assigns, whose mailing address is 24820 Burnt Pine Drive, Bonita Springs, Florida 33923 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Ten and No/100 U.S. Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantor hereby grants to Grantee, its successors and assigns, for the benefit of Grantee's present and future members, and their tenants, invitees, business invitees, licensees, mortgagees and employees, a temporary, non-exclusive easement for access over, under, on and through the property described on Exhibit "A" attached hereto and made a part hereof, for the purpose of ingress and egress to the lands described in Exhibit "B" attached hereto and made a part hereof, situated in Pelican Landing, Lee County, Florida.

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

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 or 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.

This easement shall automatically expire if the lands described in Exhibit "A" are included on a plat recorded in the Public Records of Lee County, Florida, and all or a portion thereof is dedicated as a public and/or private right-of-way.

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.

0R2720 P60649

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

Signed, Sealed and Delivered in the presence of:

WCI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership

erry H. Schmoyer Senior Vice President

Print Name: 1/11/50 HAS DA

Print Name: R. Scott PRI

STATE OF FLORIDA COUNTY OF COLLIER

The foregoing Temporary Grant of Easement was acknowledged before me this <u>35</u> day of June, 1996 by Jerry H. Schmoyer, Senior Vice President of WCI Communities Limited Partnership, a Delaware limited partnership, on behalf of the partnership, He is personally known to me.

Notary Public

Print Name:_

My Commission Expires:

Official Beal
ROBIN HUFFMAN
Notary Public, State of Florida
My comm. expires Sept. 18, 1998
Comm. No. CC 477721

LEGAL DESCRIPTION COLONY ESTATES - LOT 1 - ACCESS EASEMENT

A tract or parcel of land located in the southeast one-quarter of Section 8 and the northeast one-quarter of Section 17, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the southeast corner of Section 8, Township 47 South, Range 25 East, Lee County, Florida; thence run N 89°25'51" W along the south line of said Section 8 for 471.23 feet to the POINT OF BEGINNING;

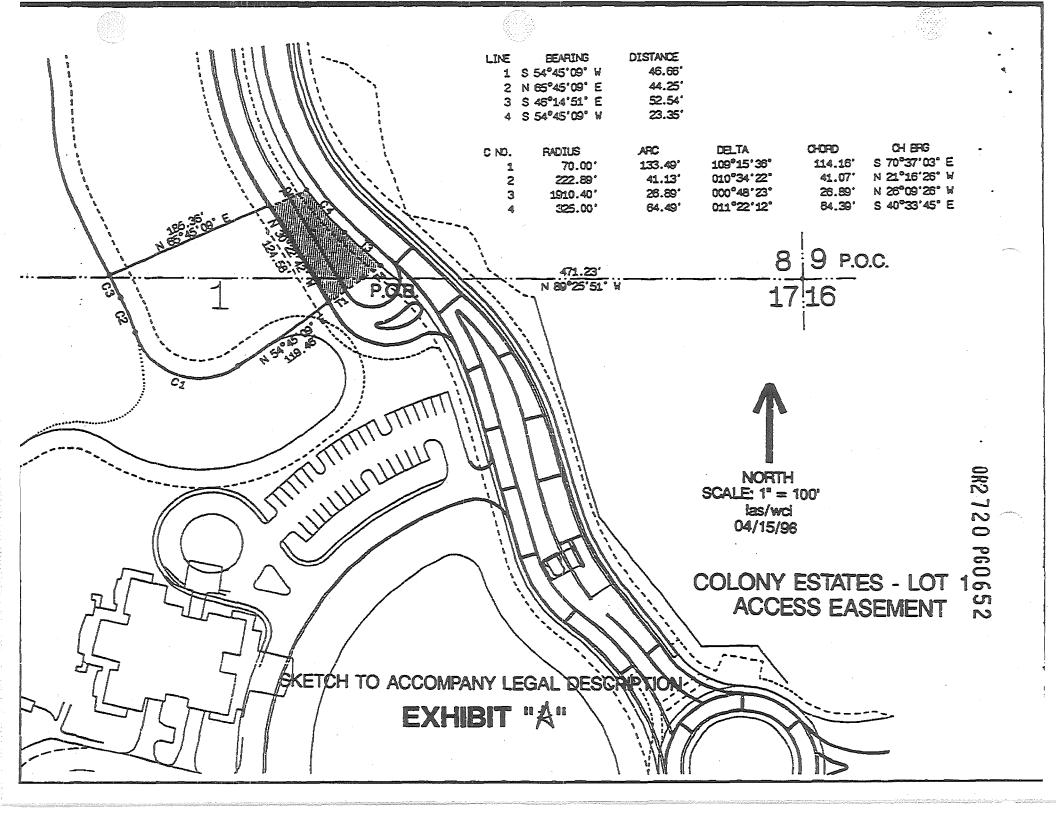
thence run S 54°45'09" W for 46.66 feet; thence run N 30°22'42" W for 124.58 feet; thence run N 65°45'09" E for 44.25 feet to a point of on a curve; thence run along the arc of said curve to the left of radius 325.00 feet (chord bearing S 40°33'45" E) (chord length 64.39 feet) (delta 11°22'12") for a distance of 64.50 feet to a point of tangency; thence run S 46°14'51" E for 52.54 feet; thence run S 54°45'09" W for 23.35 feet to the POINT OF BEGINNING.

Containing 0.15 acres, more or less.

Subject to easements, reservations or restrictions of record.

Bearings hereinabove mentioned are based on the south line of Section 8, Township 47 South, Range 25 East as bearing N 89°25'51" W.

EXHIBIT "A"



DESCRIPTION PROPOSED ROAD RIGHT-OF WAY SECTIONS 8, 16 & 17, T. 47 S., R 25 E. LEE COUNTY, FLORIDA

A tract or parcel of land for road right-of-way purposes lying in Sections 8, 16 & 17, Township 47 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the southeast corner of said Section 8, run N 89° 25' 51° W along the south line of said Section 8 for 364.67 feet to the Point of Beginning. From said Point of Beginning run S 46' 14' 51° E for 16.61 feet to a point of curvature; thence run along the arc of a curve to the right of radius 322.50 feet (chord bearing \$ 30° 37° 26° E) (chord 173.71) (delta 31° 14' 51") for 175.88 feet to a point of langency; thence run S 15' 00' 00" E for 84.53 feet to a point of curvature; thence run along the arc of a curve to the left of radius 277.50 feet (chord bearing S 26° 07' 26° E) (chord 107.08) (delta 22' 14' 51') for 107.75 feet to a point of tangency; thence run S 37' 14' 51" B for 95.23 feet to a point of curvature; thence run along the arc of a curve to the left of radius 90.00 feet (chord bearing S 62° 46' 42°E) (chord 77.58) (delta 51° 03' 40°) for 80.21 feet to a point of reverse curvature; thence run along the westerly line of Pelican Colony Boulevard as shown on the plat of Pelican Landing Unit Nineteen as recorded in Plat Book Sti at Page 36, Lee County Records along the arc of a curve to the right of radius 89.00 feet (chord bearing S 41° 42' 46" W) (chord 136.31 feet) (delta 260' 02' 37') for 403.94 feet to a point of reverse curvature; thence run along the arc of a curve to the left of radius 250.00 feet (chord bearing N 30° 32° 35° W) (chord 189.55 feet) (delta 44° 33° 19°) for 194.41 feet to a point of reverse curvature; thence run along the arc of a curve to the right of radius 150.00 feet (chord bearing N 33° 54' 37" W) (chord 97.23) (delta 37' 49' 15") for 99.01 feet to a point of tangency; thence run N 15° 00' 00° W for 181.57 feet to a point of curvature; thence run along the arc of a curve to the feft of radius 277.50 feet (chord bearing N 30' 37' 26" W) (chord 149.47 feet) (delta 31" 14" 51") for 151.34 feet to a point of tangency; thence run N 46° 14' 51" W for 79.14 feet to a point of curvature; thence run along the arc of a curve to the right of radius 325.00 feet (chord bearing N 25' 31' 41" W) (chord 229.97) (delta 41° 26' 21") for 235.06 feet to a point of tangency; thence run N 04° 48' 30" W for 154.71 feet to a point of curvature; thence run along the arc of a curve to the left of radius 450.00 feet (chord bearing N 57' 53' 49" W (chord 719.61 feet) (delta 106' 10' 38') for 833.91 feet to a point of tangency; thence run S 69' 00' 52" W for 127.58 feet to a point of curvature; thence run along the arc of a curve to the right of radius 500.00 feet (chord bearing S 87' 21' 16" W) (chord 314.66 feet) (delta 36' 40' 49") for 320.10 feet to a point of reverse curvature; thence run along the are of a curve to the left of radius 472.00 feet (chord bearing N 81° 49' 40° W) (chord 123.58 feet) (delta 15' 02' 42") for 123.94 feet to a point of tangency; thence run N 89' 21' 02" W for 58.99 feet to an intersection with the east line of Spring Creek Road; thence run N 00' 07' 17 E" along said east line for 80.00 feet; thence run S 89' 21' 02° B for 466.68 feet to a point of curvature; thence run along the arc of a curve to the left of radius 500.00 feet (chord bearing N 81° 29' 34" E) (chord 159.13 (cei) (delta 18' 18' 48") for 159.81 feet to a point of reverse curvature; thence run along the arc of a curve to the right of radius 500.00 feet (chord bearing S 83° 42' 31" E) (chord 406.02 fcct) (delta 47' 54' 37") for 418.10 feet to a point of tangency; thence run S 59' 45' 12" E for 132.49 feet to a point of curvature; thence run along the arc of a curve to the right of radius 220.00 feet (chord bearing S 34° 25' 54" E) (chord 188.19 feet) (delta 50' 38' 37") for 194.46 feet to a point of tangency; thence run S 09° 06' 35" E for 132.49 feet to a point of curvature; thence run along the arc of a curve to the right of radius 500.00 feet (chord bearing S 06' 57' 33" B) (chord 37.53 feet) (delta 04' 18' 05") for 37.54 feet to a point of tangency; thence run S 04" 48' 30" E for 154.71 feet to a point of curvature; thence run along the arc of a curve to the left of radius 275.00 feet (chord bearing \$ 25' 31' 41" E) (chord 194.59 feet) (delta 41° 26' 21") for 198.89 feet to a point of tangency; thence run S 46' 14' 51" E for 125.78 feet to the Point of Beginning.

Containing 4.51 acres, more or less.

Bearings shown are based on the south line of Section 8 to bear N 89' 25' 51"

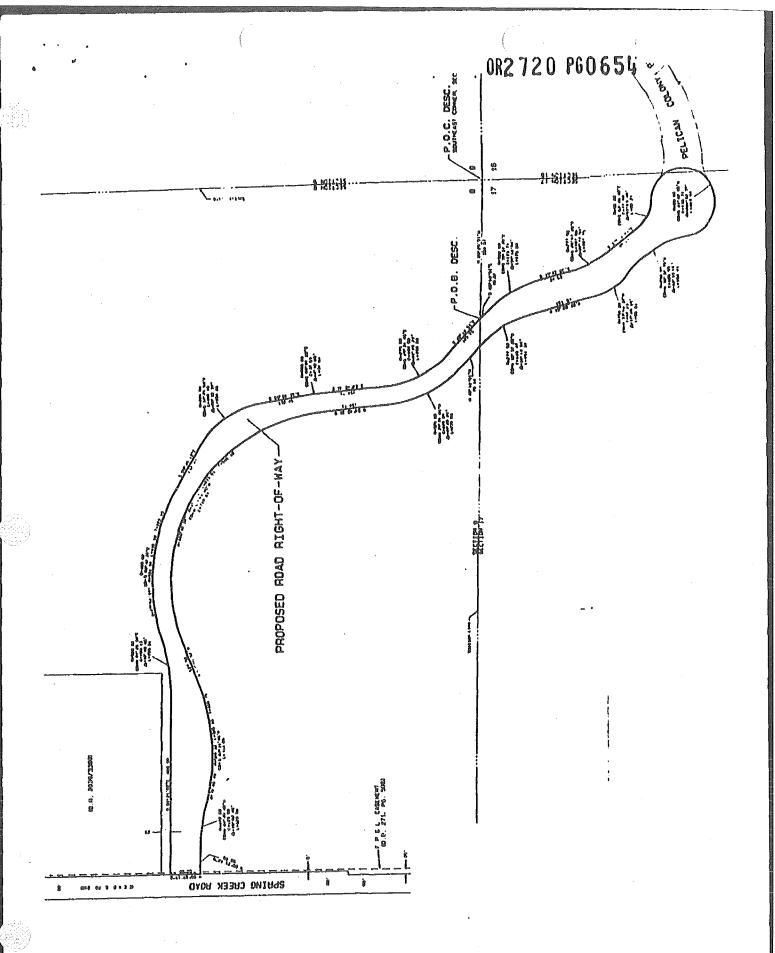


EXHIBIT A

LEGAL DESCRIPTION COLONY ESTATES - LOT 1

A tract or parcel of land located in the southeast one-quarter of Section 8 and the northeast one-quarter of Section 17, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the southeast corner of Section 8, Township 47 South, Range 25 East, Lee County, Florida; thence run N 89°25'51" W along the south line of said Section 8 for 471.23 feet; thence run S 54°45'09" W for 48.66 feet to the POINT OF BEGINNING; thence continue S 54°45'09" W for 119.48 feet to a point of curvature; thence run along the arc of said curve to the right of radius of 70.00 feet (chord bearing N 70°37'03" W) (chord length 114.16 feet) (delta 109°15'38") for a distance of 133.49 feet to a point of reverse curvature; thence run along the arc of said curve to the left of radius 222.89 feet (chord bearing N 21°16'26" W) (chord length 41.07 feet) (delta 10°34'22") for a distance of 41.13 feet to a point of reverse curvature; thence run along the arc of said curve to the right of radius 1910.40 feet (chord bearing N 26°09'26" W) (chord length 26.89 feet) (delta 00°48'23") for a distance of 26.89 feet; thence run N 65°45'09" E for 185.36 feet; thence run S 30°22'42" E for 124.68 feet to the POINT OF BEGINNING.

Containing 0.60 acres, more or less.

Subject to easements, reservations or restrictions of record.

Bearings hereinabove mentioned are based on the south line of Section 8, Township 47 South, Range 25 East as bearing N 89°25'51" W.

THE FIRST NATIONAL BANK OF BOSTON.

as Collateral Agent and Agent,

2/10

JOINDER AND CONSENT

KNOW ALL MEN BY THESE PRESENTS:

THE FIRST NATIONAL BANK OF BOSTON, a national banking association, as Collateral Agent, the owner and holder of that certain Mortgage, Assignment of Leases and Regts, Security Agreement and Fixture Filing recorded in Official Records Book 2620, Page 1149, and as Agent, the owner and holder of that certain Mortgage and Security Agreement recorded in Official Records Book 2620, Page 0813, all of the Public Records of Lee County, Florida, (collectively the "Mortgages") which Mortgages constitute a lien upon the real property described in the within and foregoing Temporary Access Easement, hereby joins in and consents to the within and foregoing Temporary Access Easement ("Easement") executed by WCI Communities Limited Partnership in favor of Pelican Landing Community Association, Inc. and agrees that the lien and encumbrance of the Mortgages shall be subordinate to the Easement and that the Easement shall survive any foreclosure of the Mortgages or deeds in lieu thereof.

respectively

Print Namo:

By:

Dated this 20 day of June, 1996

Witnesses:

Signature

STATE OF GEORGIA COUNTY OF FULTON TEKILB

The foregoing instrument was acknowledged before me this $2C^{\mu}$ day of $3CD^{\mu}$, 1996, by BIRENT IT SELIBO . a Vice President of The First National Bank of Boston, a national banking

association, who is personally known to me.

(SEAL) OFFICIAL NOTARY SEAL **Cheryl Geoffrion** Notary Public State of Georgia My Commission Exp. April 30, 2000

Notary Public /. Print Name: 1/10/11

My Commission Expires:

moi Jamakar