A0 This instument prepared by: Vivien N. Haslings Eisquire 801 Laurel Oak Drive, 4500


THIS INDENTURE, made as of this 25 day of Jurie, 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 PELCICAN 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 ("Grantce").

## 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 Grantec, its successors and assigns, for the bencfit 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 casement 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 casement is granted or to any properties abutting the properties encumbered by this easement.

This casement 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.

IN WITNESS WHEREOF, Granter 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:


Print Name: प(uEN Nestrales


WEI COMMUNITIES LIMITED PARTNERSHIP, a Delaware limited partnership
By: $\frac{1 / f l}{\text { Sigil. Schmoyer }}$ Senior Vice President

## STATE OF FLORIDA

## COUNTY OF COLLIER

The foregoing Temporary Grant of Easement was acknowledged before me this 95 day of June, 1996 by Jerry H. Schmoyer, Senior Vice President of WCI Cominunities Limited Partnership, a Delaware limited partnership, on behalf of the partnership, He is personally known to me.

ornithol lead ROBIN HUFFMAN Notary Prone, Stab of Florio My comm. explores Sep 10, 1000 Comm. Na coatrial

## LEGAL DESCRIPTION <br> COLONY ESTATES - LOT 1 - ACCESS EASEMENY

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 al the southeast corner of Section 8, Township 47 South, Range 25 East, Lee County, Florida; thence run $N 89^{\circ} 25^{\prime} 51^{\prime \prime} \mathrm{W}$ along the south line of sald Section 8 for 471.23 feet to the POINT OF BEGINNING;
thence run $\mathrm{S} 54^{\circ} 45^{\prime} 09^{\circ} \mathrm{W}$ for 46.66 feat; thence run $\mathrm{N} 30^{\circ} 22^{\prime} 42^{\circ} \mathrm{W}$ for 124.58 feet; thence run $\mathrm{N} 65^{\circ} 45^{\prime} 09^{\circ} \mathrm{E}$ 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 feel (chord bearing $S 40^{\circ} 33^{\prime} 45^{\prime \prime} \mathrm{E}$ ) (chord length 64.39 feet) (delta $11^{\circ} 22^{\prime} 12^{\prime \prime}$ ) for a distance of 64.50 feel to a point of langency; thence run $\mathrm{S} 46^{\circ} 14^{\prime} 51^{\prime \prime} \mathrm{E}$ for 52.54 feet; thence run $\mathrm{S} 54^{\circ} 45^{\prime} 09^{\circ} \mathrm{W}$ for 23.35 feet to the POINT OF BEGINNING.

Conlaining 0.15 acres, more or less.

Subject to easements, peservations of pestrictions of record.
Bearings hereinabove mentioned are based on the south line of Section 8, Township 47 South, Range 25 East as bearing $N 89^{\circ} 25^{\prime} 51^{\circ} \mathrm{W}$.


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 iting in Sections 8,16 \& 17, Township 47 South, Range 25 Eass, Lee Counly, Florida which trace or pareel is deseribed as follows:

From the southeas cormer of sald Section 8, run $\mathrm{N} 89^{\circ} 255^{\prime} 51^{\circ} \mathrm{W}$
along the south line of sald Section a for 364.67 fect to the Point
of Beginning. From said Point of Begining run $S 46^{\circ} 14^{\prime} 51^{\circ} \mathrm{E}$ for 16.51 feet to a point of curvature; thence run along the are of a curve to the right of radius 322.50 feet (chord besting $\$ 30^{\prime} 37$ $26^{\circ}$ E) (chord 173.21) (delta $31^{\circ} 14^{\prime} 51^{\circ}$ ) for 175.88 (est to a point of langency; thence nun S $15^{\prime} 00^{\prime} 00^{\circ} \mathrm{E}$ for 84.53 leet to a point of eurvature; thence sun along the ase of a curve to the left of radius 277.50 (ect (chord beating S $26^{\circ} 07^{\prime} 26^{\circ}$ E) (chord 107.08) (delta $22^{\prime}$ 14' $51^{\prime}$ ) for 107.75 fect to a point of lengeney; thence nun S $37^{\circ} 14^{\prime} 51^{\circ} \mathrm{E}$ for 95.23 fect to a point of curvature; thence nun along the alc of a curve to the lefl of radius 90.00 feet (chord bearing $S 62^{\circ} 46^{\prime} 42^{\circ}$ E) (chord 77.58 ) (della $51^{\circ} 0.11^{\prime} 40^{\circ}$ ) for 80.21 feet to a point of reverse curvature; thence run along the westerly line of Pellcan Colony Boulevard as shown on the plat of Pellcan Landing Unil Nineteen as recorded In Plal Book Sti al Page 36, Lee County Records slong the are of a curve to the right of radius 89.00 feet (chord bearing $S 41^{\prime} 42^{1} 46^{\circ} \mathrm{W}$ (chord 136.31 (ect) (delia $260^{\circ} 02^{\prime} 377^{\prime}$ ) for 403.94 (feel to a point of reverse curvalure; thence run along the are of a curve to the left of radius 250.00 feel (chord bearing $N 30^{\circ} 32^{\prime} 35^{\circ} \mathrm{W}$ ) (chord 189.55 fect) (delia $44^{\circ} 33^{\prime} 19^{\prime \prime}$ ) for 194.11 feel to a point of reverse curvature; thence run along the ase of a curve to the right of radlus 150.00 lcet (chord bearing N $33^{\circ} 54^{\circ} 37^{\circ} \mathrm{W}$ (chord 97.23 ) (delat $37^{\circ} 45^{\circ} 15^{\circ}$ ) for 99.01 feet to a point of tangency; thences run $\mathrm{N} 15^{\circ} 00^{\circ} 00^{\circ} \mathrm{W}$ for 181.57 feet to a point of survature; thence run along the arc of a curve to the feff of radius 277.50 feet (chord beating $\mathrm{N} 30^{\circ} 37^{\prime}$ $26^{\circ} \mathrm{W}$ ) (ehord 149.47 fect ) (detia $31^{\prime} 14^{\prime} 51^{\circ}$ ) for 151.34 fect to a point of langency; thence run $N 46^{\circ} 14^{\prime} 51^{\circ} \mathrm{W}$ for 79.14 feet to a point of curvalure; thence run along the arce of a eurve to the right of radus 325.00 feet (chord bearing N $25^{\circ} 31^{\prime} 41^{\circ} \mathrm{W}$ (chord 229.97) (delia 41' $26^{\prime} 21^{\prime \prime}$ ) for 235.05 fect to a point of tangency; thence run NO4" $48^{\prime} 30^{\circ} \mathrm{W}$ for 154.71 fect to a polnt of curvature; thence run along the ase of a curve to the left of radius 450.00 feet (chord bearing $N$ 57' $53^{\prime} 49^{\circ} \mathrm{W}$ ( chord 719.61 fect ) (della $106^{\circ}$ $10^{\prime} 38^{\circ}$ ) for 833.91 feet to a point of tangency; thence run $\$ 69^{\circ}$ $000^{\circ} 52^{\circ}$ W for 127.58 feet to a point of curvature; thence sun along the are of a curve to the righ of radius 500.00 feet (chord bearing S $87^{\prime} 21^{\prime} 16^{\circ} \mathrm{W}$ ) (chord 314.66 (ect) (delfa $36^{\circ} 40^{\circ} 49^{\prime \prime}$ ) for $320.10^{\circ}$ feet to a poind of reverse curvature; thence run along the arc of a curve to the lefl of radius 472.00 feet (chord bearing N $81^{\circ} 49^{\circ} 40^{\circ}$ W) (chord 123.58 fcc ) (delta $15^{\circ} 02^{\prime} 42^{\prime \prime}$ ) for 123.94 feel to a point of langency; thence nun $N 89^{\prime} 21^{\prime} 02^{\circ}$ W for 58.99 fecl to an Intersection with the east the of Spring Cicek Road; thence run N $00^{+} 0717 \mathrm{E}^{\mathrm{n}}$ along said cast line for 80.00 feet; thence nun $\$ 89^{\circ}$ $21^{\prime} 02^{9} \mathrm{E}$ for 466.68 feel to a point of curvature; thence nun along the are of a curve to the teft of radus 500.00 feet (chord bearing $\mathrm{N} 81^{\circ} 29^{\circ} 34^{\circ}$ E) (cliond 159.13 (ect) (della $18^{\circ} 18^{\circ} 48^{\circ}$ ) for 159.81 feel to a point of reverse curvature; thence nun along the arg of a curve to the right of radius 500.00 fet (chord benalng S $83^{\circ} 42^{\prime}$ $31^{\prime \prime} \mathrm{E}$ ) (chord 40.02 fcel ) (delia $47^{\prime} 54^{\prime} 37$ ) Sor 418.10 fect to a point of tangency; thence run $559^{\prime} 45^{\prime} 12^{\prime \prime}$ \& for 132.49 fect to a point of curvalure; thence nun along the arc of a curve to the right of radius 220.00 feet (ehord harathg $S 34^{\circ} 25^{\circ} 54^{\circ} \mathrm{E}$ ) (chord 188.19 fcet) (delta $50^{\circ} 38^{1} 37^{\circ}$ ) tor 194.46 (cet to a polnt of tangency; thence run $S 00^{\circ} 06^{\prime} 35^{5}$ E for 132.49 fect to a point of curvature; thence run along the ars of a curve to the right of radius 500.00 fcel (chord beating S $06^{\circ} 57^{1} 33^{\circ} \mathrm{E}$ ) (chord 37.53 fet) (della $04^{\circ}$ $18^{\circ} 05^{\circ}$ ) for 37.54 fect to a point of tangency; thence run $\mathrm{S} 04^{\circ} 48^{\circ}$ $30^{\circ} \mathrm{E}$ for 154.71 feel to a point of curvature; thence run along the ate of a curve to the left of radius 275.00 Iecl (chotd beating $\$ 25^{\circ}$ $31^{1} 41^{\circ}$ E) (chord 194.59 feel) (della $41^{\circ} 26^{\circ} 21^{\circ}$ ) for 198.89 fect 10.a point of tangeney; thence run $S 46^{\circ} 14^{\prime} 51^{\circ} \mathrm{E}$ for 125.78 feet to the Point of Deginning.
Containing 4.51 acres, more or lass.
Dearings shown ate bascd on the south line of Section 8 to bear $N 89^{\prime} 25^{\prime} 51^{\circ}$ w.


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## LEGAL DESCRIPTION COLONY ESTATES - LOT 1

A tract or parcel of land located in the southeast one-quarter of Section 8 and the northeast onequarier of Section 17. Townshilp 47 South, Range 25 East, Lee County, Florida, boing more particulary described ass follows:

COMRENCE at the southeast comer of Section 8, Townshlp 47 South, Range 25 East, Lee County, Florida; thence run N $89^{\circ} 25^{\prime} 51^{\prime \prime}$ W along the south line of sald Section 8 for 471.23 feel; thence run $554^{\circ} 45^{\prime} 09^{\circ}$ W for 40.66 foes to the POINT OF BRGINNING: thence continue $554^{\circ} 4509^{\circ}$ W for 119.48 feet to a point of curvature; thence run elong the arc of said curve to the right of radlus of 70.00 foet (chord baaring N $70^{\circ} 377^{\circ} 3^{\circ} \mathrm{W}$ (chord lenglh 114.16 feet) (della 109015'38") for a distance of 133.40 feat to a point of reverse curvature; thence run along the arc of said curve to the left of radius 222.89 feet (chord bearing $\mathrm{N} 21^{\circ} 16^{\prime 2} 6^{\circ} \mathrm{W}$ ) (chord length 41.07 Peat) (detta $10^{\circ} 34^{\circ} 22^{\circ}$ ) Por a distance of 41.13 feat to a point of reverse curvature; thence run along the arc of sald curve to the right of radius 1910.40 feef (chand bearing $N 26^{\circ} 09^{\prime} 28^{\circ}$ W) (chord lengith 26.69 feet) (delia $00^{\circ} 48^{\prime} 23^{\circ}$ ) por a distance of 28.89 feat; thence run $\mathrm{N} 85^{\circ} 45^{\prime} 09^{\circ} \mathrm{E}$ for 185.38 feet; thence run $530^{\circ} 22^{\prime} 42^{\circ}$ E For 124.58 feal lo the POINT Of gecinnine.

Containing 0.60 acres, more or loss.

Subject to easements, reservatlons or restrictions of record.
Bearings hereinabove mentoned are based on the south line of Sectlon 8. Township 47 South, Range 25 East as bearing $N 89^{\circ} 25^{\prime} 51^{\circ} \mathrm{W}$.

## LOINDREADT CONSENT

## KNOW ALL MENBY 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 Rents, Security Agreement and Fixture Filling recorded in Official Records Brook 2620, Page 1149, and as Agent, the owner and holder of chat certain Mortgage and Security Agreement recorded in Official Records Book 2620, Page 0813, all of me Public Records of Lee County, Florid, (collectively the "Mortgages") which Mortgages constitute a lien upon the real property described in the within nd foregoing Temporary Acres 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 Landtag Community Association, Inc. and agrees that the lien and encurnbrance of be Mortgages shall be subordinate to the Easement and that the Easernent shall survive any foreclosure of the Mortgages or deeds in lieu then oof.

Dated this JO day of June, 1996

Witnesses:


Prion Name


Signature
THE FIRST NATIONAL BANK OF BOSTON, as Collateral Agent and Agent,


## Aluholas Whiting

Print Name

## STATE OF GEORGIA

COUNTY OF FULTON
TeA.AAB
The foregoing instrument was acknowledged before me this act day of iJunc!, 1996, by
 association, who is personally known to me.
(SEAL) OFFICIAL NOTARY SEAL Cheryl Geoffrion Notary Public State of Georgia My Commission Exp. April 30, 2000


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