

**Lee County Board of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20020737

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Grant \$255,000.00 in road impact fee credits for a portion of Treeline Boulevard south of Colonial Boulevard.; accept deeds from Worthington Holdings LLC and Bay Colony-Gateway for portions of Treeline Blvd. as realigned in accordance with the Treeline Boulevard Realignment Agreement.

**WHY ACTION IS NECESSARY:** Board approval is necessary to grant impact fee credits and accept title to property.

**WHAT ACTION ACCOMPLISHES:** Completes the right-of-way acquisition requirements set forth in Treeline Boulevard Realignment Agreement dated November 13, 2001.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT #

*C12A*

**3. MEETING DATE:**

*07-02-2002*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
  - B. DEPARTMENT County Attorney
  - C. DIVISION
- BY: Dawn E. Perry-Lehnert *[Signature]*

**7. BACKGROUND:**

On November 13, 2001 the Board entered into the Treeline Boulevard Realignment Agreement. Under this Agreement, the Board agreed to the issuance of impact fee credits for a 25 foot strip of Treeline Boulevard as realigned. County Lands has determined that the value of the 25 foot strip is \$255,000.00. All requirements imposed by the Lee County Land Development Code and the Realignment Agreement have been satisfied with respect to the issuance of the roads impact fee credits. In accordance with the Treeline Boulevard Realignment Agreement, Worthington and Bay Colony-Gateway were required to transfer ownership of the fee title to the realigned roadway. The County Attorney's office has reviewed the documentation submitted to effect this transfer and found the deeds legally sufficient. All conditions precedent to acceptance and recording of these documents based upon the Realignment Agreement have been satisfied. The only remaining requirement under the Treeline

CONTINUED ON PAGE 2

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
				<i>[Signature]</i>	OA <i>[Signature]</i> 6/19/02	OM <i>[Signature]</i> 6/20/02	RISK <i>[Signature]</i> 6/20/02	GC <i>[Signature]</i> 6/20/02	<i>[Signature]</i> 6-20-02

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

RECEIVED BY  
COUNTY ADMIN. *CA*  
*6/19 130*  
*6/20/02 230 DS*

CO. ATTY.  
FORWARDED TO:  
*CO ADMIN*  
*6-19-02 1:10*

**Blue Sheet #:** 20020737

**Page No.:** 2

**Subject:** Treeline Boulevard Bay Colony-Gateway and Worthington Holdings LLC

Boulevard Realignment Agreement is the provision of stormwater management/drainage easements from Bay colony-Gateway and Worthington Holdings LLC. The Agreement contemplates that these easements will be provided to the County once the respective surface water management systems are in place and functioning.

Staff recommends approval of the impact fee credit grant and acceptance of the deeds.

**Attachments:** Warranty Deed from Bay Colony-Gateway  
Appraisal Review  
Title Commitment  
Warranty Deed from Worthington Holdings LLC

PROJECT: Treeline Boulevard ROW Dedication

PARCEL:

This instrument prepared by:  
Kenneth Gordon, Esquire  
24301 Walden Center Drive  
Bonita Springs, FL 34134

Strap No: \_\_\_\_\_

**WARRANTY DEED**

THIS INDENTURE, made this 12<sup>th</sup> day of March, 2002, between BAY COLONY-GATEWAY, INC., a Delaware corporation, whose post office address is 24301 Walden Center Drive, Bonita Springs, Florida 34134 (hereinafter called the "Grantor") and LEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, its successors and assigns, whose post office address is P.O. Box 398, Fort Myers, Florida 33901 (hereinafter called the "Grantee").

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns, the following described land:

**See attached Exhibit "A" which is incorporated herein by reference ("Property")**

Grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of two separate witnesses:

*Cathleen Smith*  
Cathleen Smith  
Printed Name

*Lynn Wells*  
Lynn Wells  
Printed Name

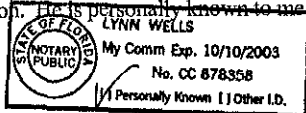
BAY COLONY-GATEWAY, INC., a Delaware corporation

By: *[Signature]*  
Timothy Oak  
Its: Vice President

(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 12 day of March, 2002, by Timothy Oak, as Vice President of Bay Colony - Gateway, Inc., a Delaware corporation, on behalf of the corporation. He is personally known to me.



*Lynn Wells*  
Notary Public  
Lynn Wells  
Printed Name

My Commission Expires: 10/10/03

# JOHNSON ENGINEERING, INC.

BONITA SPRINGS  
FORT MYERS  
NAPLES  
PORT CHARLOTTE

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS

June 29, 1999

## DESCRIPTION

PROPOSED TREELINE BOULEVARD  
IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST  
AND SECTION 2, TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 35, Township 45 South, Range 25 East and Section 2, Township 45 South, Range 25 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 2 run S 89° 03' 49" W along the south line of said Section for 3096.27 feet to the Point of Beginning.  
From said Point of Beginning continue S 89° 03' 49" W along said south line for 25.01 feet to a point on a non-tangent curve; thence run northerly along an arc of said curve to the left of radius 2600.00 feet (chord bearing N 01° 38' 43" W) (chord 200.12 feet) (delta 04° 24' 40") for 200.17 feet to a point of tangency; thence run N 03° 51' 03" W for 959.31 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2700.06 feet (chord bearing N 01° 21' 05" E) (chord 489.62 feet) (delta 10° 24' 15") for 490.30 feet to a point of tangency; thence run N 06° 33' 12" E for 1166.54 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 1100.00 feet (chord bearing N 14° 58' 12" W) (chord 807.14 feet) (delta 43° 02' 48") for 826.44 feet to a point of tangency; thence run N 36° 29' 36" W for 266.36 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1900.00 feet (chord bearing N 17° 39' 36" W) (chord 1226.70 feet) (delta 37° 40' 00") for 1249.07 feet to a point of tangency; thence run N 01° 10' 24" E for 248.58 feet; thence run S 89° 25' 36" W for 100.05 feet; thence run N 01° 10' 24" E for 1075.82 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1062.50 feet (chord bearing N 20° 02' 18" E) (chord 687.10 feet) (delta 37° 43' 48") for 699.67 feet to a point of tangency; thence run N 38° 54' 12" E for 297.98 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 950.00 feet (chord bearing N 15° 41' 13" E) (chord 748.99 feet) (delta 46° 25' 59") for 769.89 feet to a point of tangency; thence run N 07° 31' 47" W for 470.58 feet

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

PARTNERS  
GARY R. BULL  
DAN W. DICKNEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
CHRIS D. HAGAN  
KENTON R. KEILING  
W. BRITT POMEROY  
ANDREW D. TILTON  
MARK G. WENTZEL  
KEVIN M. WINTER

ASSOCIATES  
LONNIE V. HOWARD  
MICHAEL L. LOHR  
PATRICIA H. NEWTON  
BARRY E. SYREN

# EXHIBIT A

to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing N 18° 16' 14" E) (chord 979.28 feet) (delta 51° 36' 02") for 1013.17 feet to a point of tangency; thence run N 44° 04' 15" E for 191.71 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 987.50 feet (chord bearing N 22° 12' 54" E) (chord 735.24 feet) (delta 43° 42' 42") for 753.38 feet to a point of tangency; thence run N 00° 21' 33" E for 310.79 feet to an intersection with the south line of Colonial Boulevard (S.R. 884) (250. feet wide); thence run S 89° 38' 27" E along said south line for 125.00 feet; thence run S 00° 21' 33" W for 310.79 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1112.50 feet (chord bearing S 22° 12' 54" W) (chord 828.31 feet) (delta 43° 42' 42") for 848.74 feet to a point of tangency; thence run S 44° 04' 15" W for 191.71 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1000.00 feet (chord bearing S 18° 16' 14" W) (chord 870.47 feet) (delta 51° 36' 02") for 900.60 feet to a point of tangency; thence run S 07° 31' 47" E for 470.58 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1075.00 feet (chord bearing S 15° 41' 13" W) (chord 847.55 feet) (delta 46° 25' 59") for 871.19 feet to a point of tangency; thence run S 38° 54' 12" W for 297.98 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 937.50 feet (chord bearing S 20° 02' 18" W) (chord 606.26 feet) (delta 37° 43' 48") for 617.36 feet to a point of tangency; thence run S 01° 10' 24" W for 1321.35 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1875.00 feet (chord bearing S 17° 39' 36" E) (chord 1210.56 feet) (delta 37° 40' 00") for 1232.64 feet to a point of tangency; thence run S 36° 29' 36" E for 266.36 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing S 14° 58' 12" E) (chord 825.48 feet) (delta 43° 02' 48") for 845.22 feet to a point of tangency; thence run S 06° 33' 12" W for 1166.54 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 2675.06 feet (chord bearing S 01° 21' 05" W) (chord 485.09 feet) (delta 10° 24' 15") for 485.76 feet; to a point of tangency; thence run S 03° 51' 03" E for 959.31 feet to a point of curvature; thence run southerly along an arc of said curve to

**EXHIBIT A**

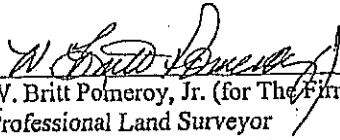
JOHNSON ENGINEERING, INC.

Description  
June 29, 1999  
Page 3

the right of radius 2625.00 feet (chord bearing S 01° 39' 09" E)  
(chord 201.39 feet) (delta 04° 23' 49") for 201.44 feet to the  
Point of Beginning.

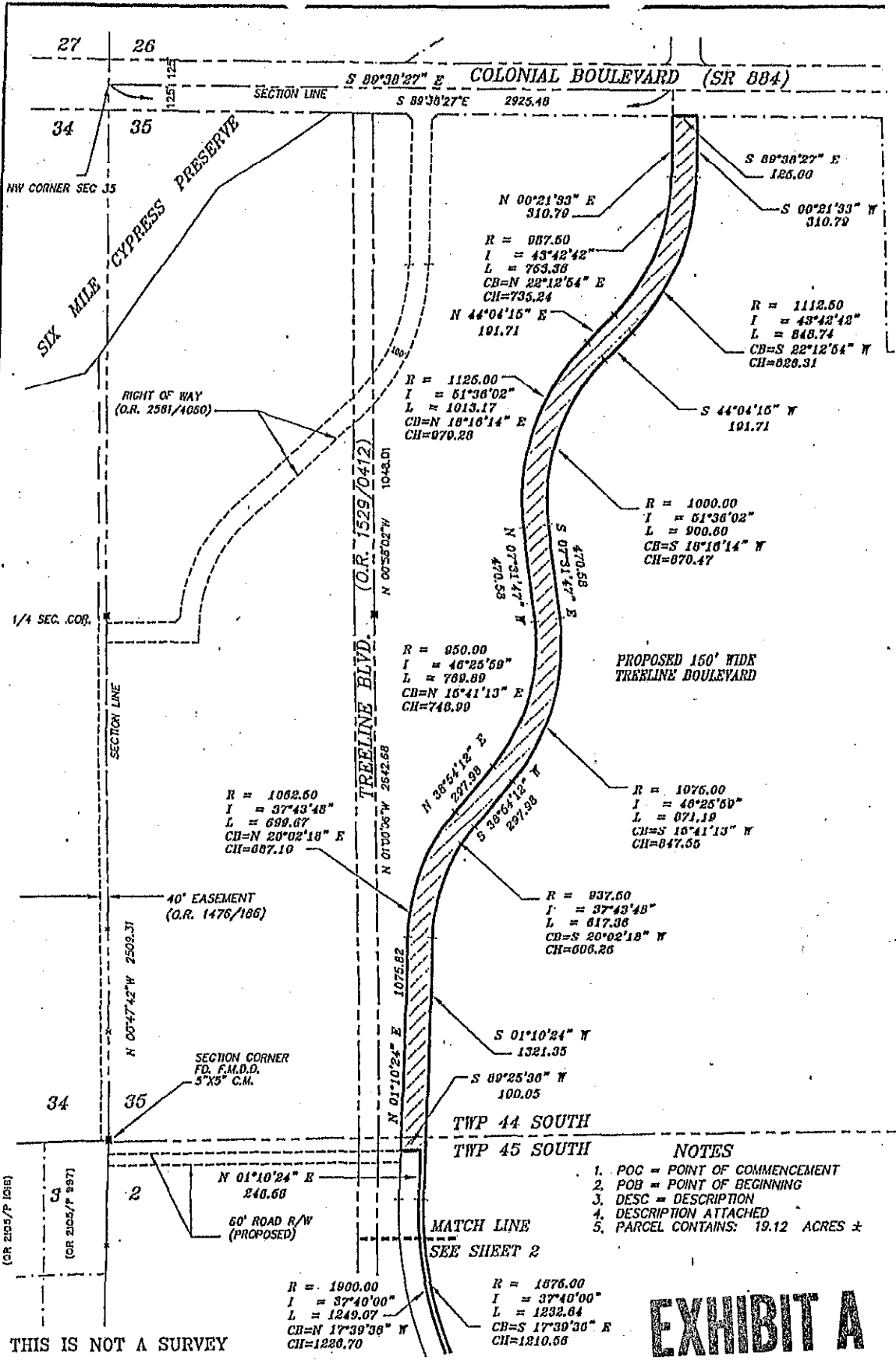
Parcel contains 19.12 acres.

Bearings hereinabove mentioned are based on the South line of Section 2,  
Township 45 South, Range 25 East to bear S 89° 03' 49" W.

  
W. Britt Pomeroy, Jr. (for The Firm LB-642)  
Professional Land Surveyor  
Florida Certificate No. 4448

19991513\Des-062999

**EXHIBIT A**



- NOTES**
1. POC = POINT OF COMMENCEMENT
  2. POB = POINT OF BEGINNING
  3. DESC = DESCRIPTION
  4. DESCRIPTION ATTACHED
  5. PARCEL CONTAINS: 19.12 ACRES ±

**EXHIBIT A**

THIS IS NOT A SURVEY

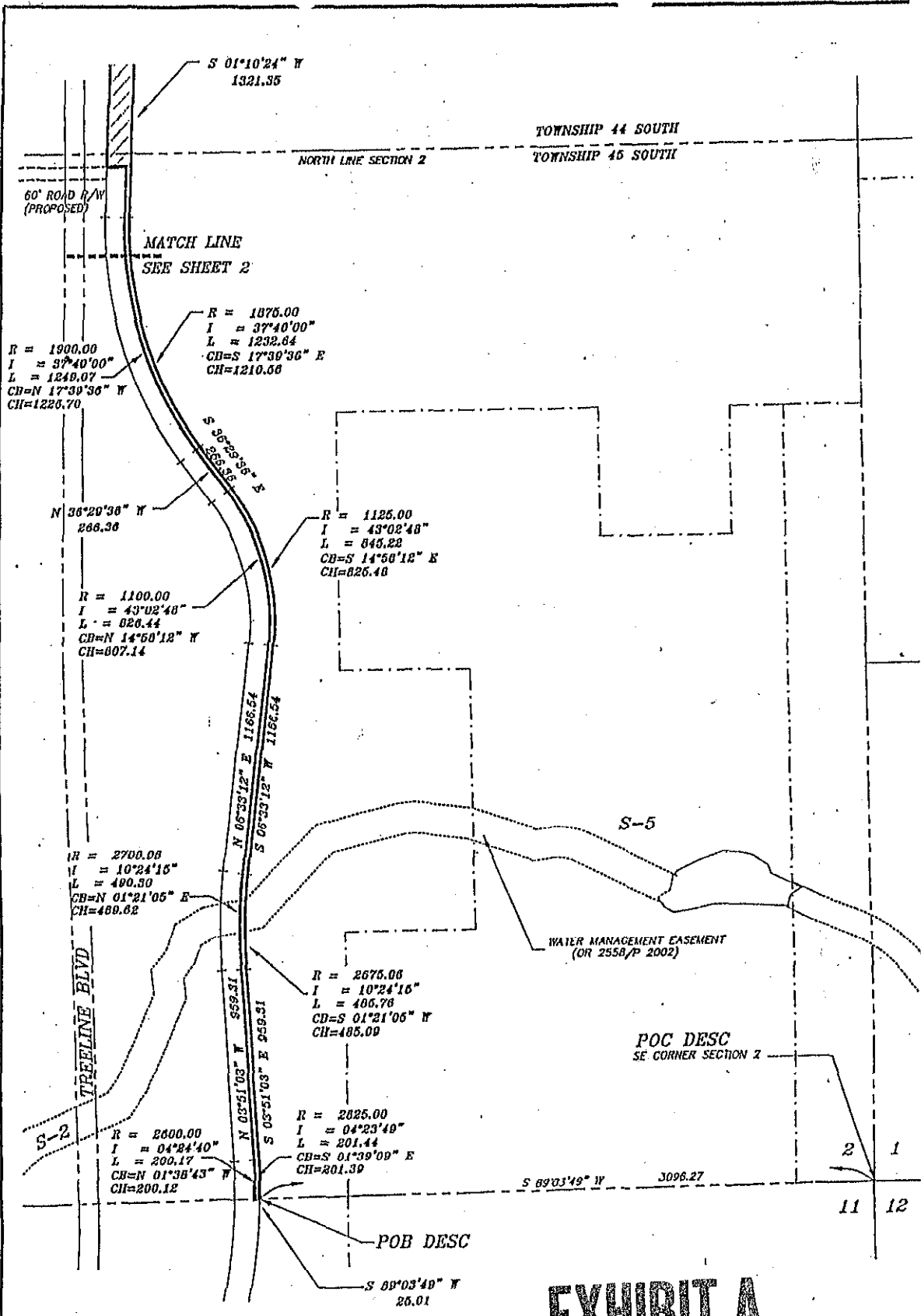
*W. Britt Pomeroy*  
 W. BRITT POMEROY (FOR THE FIRM - LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 6-29-99

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 SECTION 2, TWP. 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2128 JOHNSON STREET, POST OFFICE BOX 1950, FORT MYERS, FLORIDA 33907-1950, PHONE (813) 371-0941



# EXHIBIT A

THIS IS NOT A SURVEY

SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 SECTION 2, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

W. BRITT POMEROY (FOR THE FIRM - LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: \_\_\_\_\_

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

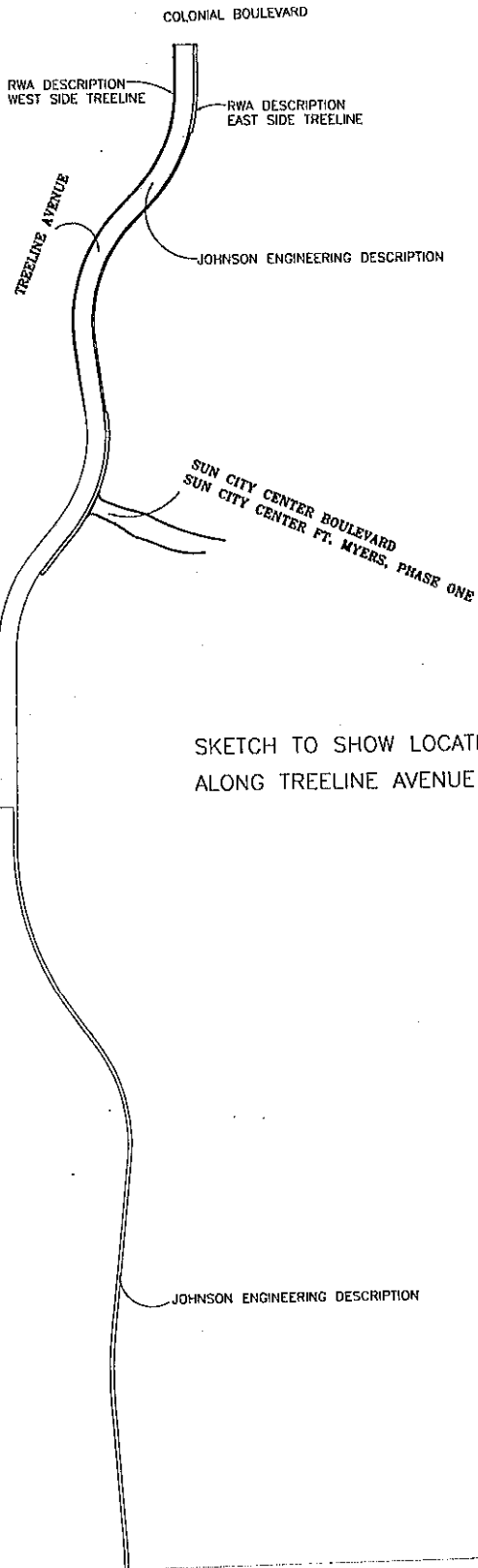
JOHNSON ENGINEERING, INC.  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2168 JOHNSON STREET, POST OFFICE BOX 1850, FORT MYERS, FLORIDA 33902-1850, PHONE (817) 331-0041

JUNE 29, 1999	19991557	35-44-25	1"-600'	2 OF 2
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0 500 1000  
 GRAPHIC SCALE  
 1" = 1000'



SKETCH TO SHOW LOCATION OF DESCRIPTIONS  
 ALONG TREELINE AVENUE

**EXHIBIT**  
 A

\*\*\*THIS IS NOT A SURVEY\*\*\*

**RWA** INC.  
 SURVEYING  
 1342 Colonial Boulevard, Suite H-60  
 Fort Myers, Florida 33907  
 (941) 278-5224 FAX: (941) 278-5419  
 E-Mail: www.consult-rwa.com  
 Florida Certificate of Authorization #6952

DATE: 2-18-02	CLIENT: WCI COMMUNITIES, INC.
SCALE: 1" = 1000'	TITLE: SKETCH TO SHOW DESCRIPTIONS FOR TREELINE AVENUE AT SUN CITY CENTER FT. MYERS
DRAWN BY: RN	PROJECT NUMBER: 99-0165
CHECKED BY: RN	SHEET NUMBER: 1 of 1
DATE: 05 44 25	FILE NUMBER: 2S-ES-EX

LEGAL DESCRIPTION  
LYING IN  
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,  
LEE COUNTY FLORIDA.

(WEST SIDE OF TREELINE AVENUE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,  
LYING IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG  
THE NORTH LINE OF SAID SECTION 35 N.89°38'27"W., FOR 2,341.82 FEET; THENCE  
S.00°21'33"W., FOR 125.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COLONIAL  
BOULEVARD (250' WIDE), BEING THE POINT OF BEGINNING;

THENCE CONTINUE S.00°21'33"W. ALONG SAID LINE, FOR 310.79 FEET TO A POINT OF  
CURVATURE;  
THENCE SOUTHERLY 753.38 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE RIGHT HAVING A RADIUS OF 987.50 FEET THROUGH A CENTRAL ANGLE OF 43°42'42" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS S.22°12'54"W. FOR 735.24 FEET;  
THENCE S.44°04'15"W., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHERLY 1,013.17 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE LEFT HAVING A RADIUS OF 1,125.00 FEET THROUGH A CENTRAL ANGLE OF 51°36'02" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS S.18°16'14"W. FOR 979.28 FEET;  
THENCE S.07°31'47"E., FOR 470.28 FEET;  
THENCE N.09°46'52"W., FOR 280.02 FEET;  
THENCE N.07°31'47"W., FOR 190.48 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 1,023.08 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE RIGHT HAVING A RADIUS OF 1,136.00 FEET THROUGH A CENTRAL ANGLE OF 51°36'02" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS N.18°16'14"E. FOR 988.85 FEET;  
THENCE N.44°04'15"E., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 744.98 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE LEFT HAVING A RADIUS OF 976.50 FEET THROUGH A CENTRAL ANGLE OF 43°42'42" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS N.22°12'54"E. FOR 727.05 FEET;  
THENCE N.00°21'33"E., FOR 310.79 FEET TO SAID SOUTH RIGHT OF WAY LINE;  
THENCE S.89°38'27"E. ALONG SAID SOUTH RIGHT OF WAY LINE FOR 11.00 FEET TO THE POINT  
OF BEGINNING.

CONTAINING 28,604 SQUARE FEET OR 0.66 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

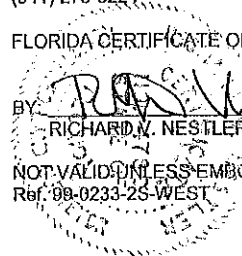
BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 35, TOWNSHIP 44 SOUTH,  
RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING N.89°38'27" W.

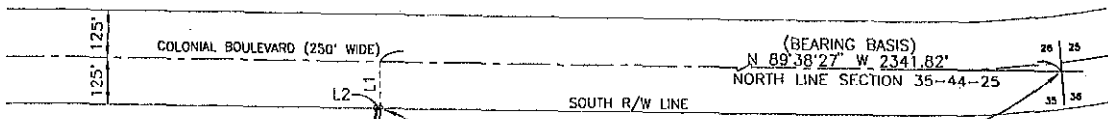
RWA SURVEYING, INC.  
LAND SURVEYORS AND MAPPERS  
1342 COLONIAL BOULEVARD  
SUITE H-60  
FORT MYERS, FLORIDA 33907  
(941) 278-5224

FLORIDA CERTIFICATE OF AUTHORIZATION #6952

BY:  DATE: 7/19/01  
RICHARD W. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.  
Ref: 99-0233-25 WEST

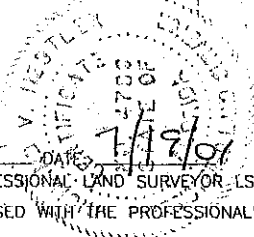




LINE TABLE		
LINE	LENGTH	BEARING
L1	125.00	S00°21'33"W
L2	11.00	S89°38'27"E

LEGEND  
 P.O.C. = POINT OF COMMENCEMENT  
 P.O.B. = POINT OF BEGINNING  
 R/W = RIGHT-OF-WAY

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	753.38	987.50	43°42'42"	S22°12'54"W	735.24
C2	1013.17	1125.00	51°36'02"	S18°16'14"W	979.28
C3	1023.08	1136.00	51°36'02"	N18°16'14"E	988.85
C4	744.98	976.50	43°42'42"	N22°12'54"E	727.05



BY: *[Signature]*  
 RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR, LS# 4786  
 NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.  
 FLORIDA CERTIFICATE OF AUTHORIZATION #6952

\*\*\* THIS IS NOT A SURVEY \*\*\*

**RWA** INC.  
 SURVEYING  
 1342 Colonial Boulevard, Suite H-60  
 Fort Myers, Florida 33807  
 (941) 278-6224 FAX: (941) 278-5419  
 E-Mail: www.consult-rwa.com  
 Florida Certificate of Authorization #6952

DATE: 7-18-01	CLIENT: WATERMARK COMMUNITIES INC.
SCALE: 1" = 400'	TITLE: SKETCH TO ACCOMPANY DESCRIPTION OF PARCEL WEST OF TREELINE AVE.
DRAWN BY: RN	PROJECT NUMBER: 99-0233
GENERATED BY: RN	SHEET NUMBER: 2 OF 2
SHEET NUMBER: 54 44 25	FILE NUMBER: 2S-WEST

LEGAL DESCRIPTION  
LYING IN  
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,  
LEE COUNTY FLORIDA.

(EAST SIDE OF TREELINE AVENUE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,  
LYING IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG  
THE NORTH LINE OF SAID SECTION 35 N.89°38'27"W., FOR 2,192.82 FEET; THENCE  
S.00°21'33"W., FOR 125.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COLONIAL  
BOULEVARD (250' WIDE), BEING THE POINT OF BEGINNING;

THENCE CONTINUE S.00°21'33"W. ALONG SAID LINE, FOR 310.79 FEET TO A POINT OF  
CURVATURE;  
THENCE SOUTHERLY 293.52 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE RIGHT HAVING A RADIUS OF 1,136.50 FEET THROUGH A CENTRAL  
ANGLE OF 14°47'52" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.07°45'29"W. FOR 292.71 FEET;  
THENCE N.74°50'35"W., FOR 10.00 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHWESTERLY 568.48 FEET ALONG THE ARC OF A NON-TANGENTIAL  
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1,126.50 FEET THROUGH A  
CENTRAL ANGLE OF 28°54'50" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.29°36'50"W. FOR 562.47 FEET;  
THENCE S.44°04'15"W., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHERLY 887.99 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 986.00 FEET THROUGH A CENTRAL ANGLE  
OF 51°36'02" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.18°16'14"W. FOR  
858.28 FEET;  
THENCE S.07°31'47"E., FOR 470.58 FEET;  
THENCE N.82°28'13"E., FOR 11.00 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHERLY 891.43 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR  
CURVE TO THE RIGHT HAVING A RADIUS OF 1,100.00 FEET THROUGH A CENTRAL  
ANGLE OF 46°25'55" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.15°41'11"W. FOR 867.24 FEET;  
THENCE S.38°54'12"W., FOR 298.00 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHWESTERLY 66.09 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 912.50 FEET THROUGH A CENTRAL ANGLE  
OF 04°08'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.36°49'43"W. FOR  
66.07 FEET;  
THENCE N.55°14'46"W., FOR 25.00 FEET TO A POINT OF CURVATURE;  
THENCE NORTHEASTERLY 67.90 FEET ALONG THE ARC OF A NON-TANGENTIAL  
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 937.50 FEET THROUGH A  
CENTRAL ANGLE OF 04°08'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
N.36°49'43"E. FOR 67.88 FEET;  
THENCE N.38°54'12"E., FOR 297.98 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 871.20 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 1,075.00 FEET THROUGH A CENTRAL  
ANGLE OF 46°26'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.15°41'13"E.  
FOR 847.55 FEET;  
THENCE N.07°31'47"W., FOR 470.58 FEET TO A POINT OF CURVATURE;



THENCE NORTHERLY 900.60 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1,000.00 FEET THROUGH A CENTRAL ANGLE OF 51°36'02" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.18°16'14"E. FOR 870.47 FEET;  
THENCE N.44°04'15"E., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 848.74 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1,112.50 FEET THROUGH A CENTRAL ANGLE OF 43°42'43" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.22°12'54"E. FOR 828.31 FEET;  
THENCE N.00°21'33"E., FOR 310.79 FEET TO SAID SOUTH RIGHT OF WAY LINE;  
THENCE S.89°38'27"E., ALONG SAID SOUTH RIGHT OF WAY LINE FOR 24.00 FEET TO THE POINT OF BEGINNING.


CONTAINING 75,285 SQUARE FEET OR 1.73 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING N.89°38'27" W.

RWA SURVEYING, INC.  
LAND SURVEYORS AND MAPPERS  
1342 COLONIAL BOULEVARD  
SUITE H-60  
FORT MYERS, FLORIDA 33907  
(941) 278-5224

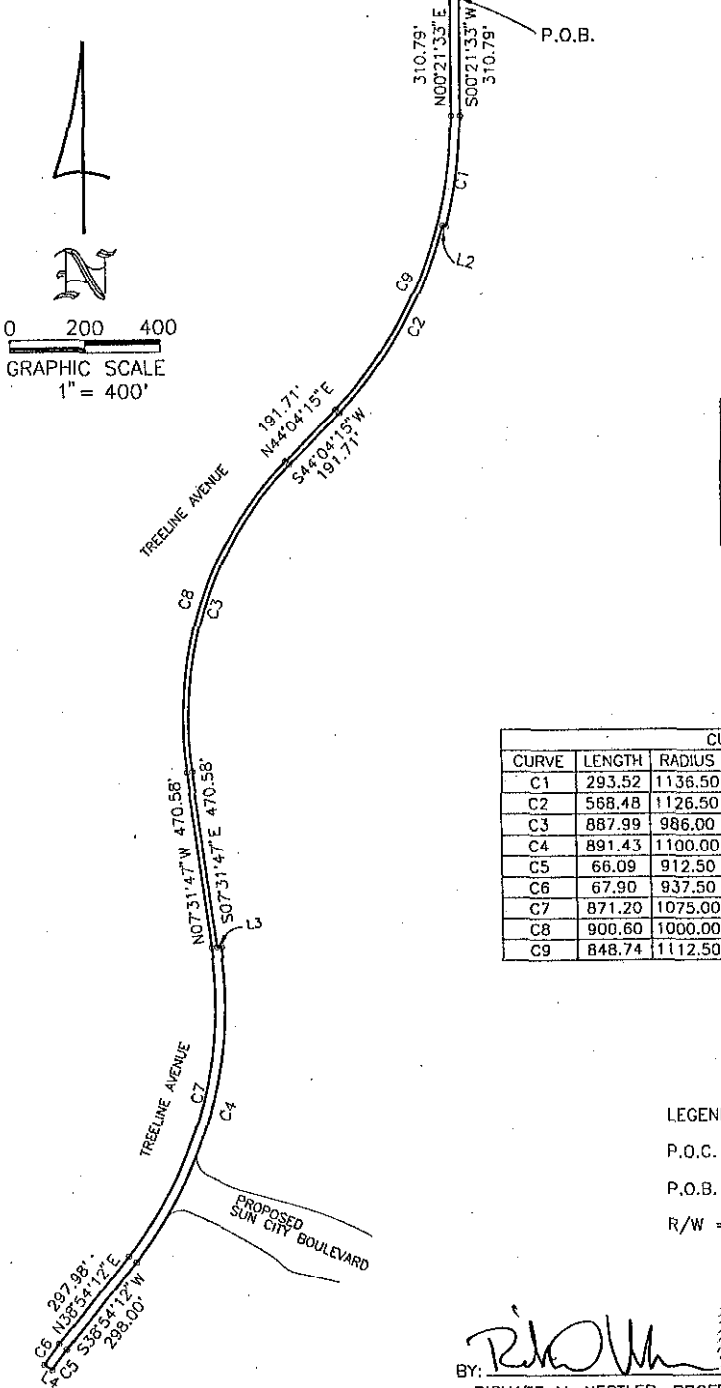
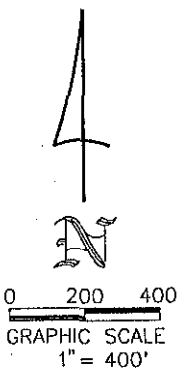
FLORIDA CERTIFICATE OF AUTHORIZATION #6952

BY:  DATE: 7/19/01  
RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786

NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.

Ref. 99-0233-2S-EAST

COLONIAL BOULEVARD (250' WIDE)  
 SOUTH R/W LINE  
 (BEARING BASIS)  
 N 89°38'27" W 2192.82'  
 NORTH LINE SECTION 35-44-25

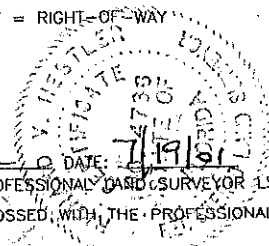


LINE	LENGTH	BEARING
L1	125.00	S00°21'33"W
L2	10.00	N74°50'35"W
L3	11.00	N82°28'13"E
L4	25.00	N55°14'46"W
L5	24.00	S89°38'27"E

CURVE	LENGTH	RADIUS	DELTA	CB	CD
C1	293.52	1138.50	14°47'52"	S07°45'29"W	292.71
C2	568.48	1126.50	28°54'50"	S29°36'50"W	562.47
C3	887.99	986.00	51°36'02"	S18°16'14"W	858.28
C4	891.43	1100.00	46°25'55"	S15°41'11"W	867.24
C5	66.09	912.50	04°08'58"	S36°49'43"W	66.07
C6	67.90	937.50	04°08'58"	N36°49'43"E	67.88
C7	871.20	1075.00	46°26'00"	N15°41'13"E	847.55
C8	900.60	1000.00	51°36'02"	N18°16'14"E	870.47
C9	848.74	1112.50	43°42'43"	N22°12'54"E	828.31

LEGEND  
 P.O.C. = POINT OF COMMENCEMENT  
 P.O.B. = POINT OF BEGINNING  
 R/W = RIGHT-OF-WAY

BY: *R. Nestler*  
 RICHARD V. NESTLER, PROFESSIONAL LAND SURVEYOR LS# 4786  
 NOT VALID UNLESS EMBOSSED WITH THE PROFESSIONAL'S SEAL.  
 FLORIDA CERTIFICATE OF AUTHORIZATION #6952



\*\*\* THIS IS NOT A SURVEY \*\*\*

**RWA** INC.  
 SURVEYING  
 1342 Colonial Boulevard, Suite H-80  
 Fort Myers, Florida 33907  
 (941) 278-5224, FAX: (941) 278-5410  
 E-Mail: www.consult-rwa.com  
 Florida Certificate of Authorization #6952

DATE: 7-18-01  
 SCALE: 1" = 400'  
 DRAWN BY: RN  
 CHECKED BY: RN  
 CLIENT: WATERMARK COMMUNITIES INC.  
 TITLE: SKETCH TO ACCOMPANY DESCRIPTION OF PARCEL EAST OF TREELINE AVE.  
 SHEET NUMBER: 3 OF 3  
 PLAN NUMBER: 99-0233  
 FILE NUMBER: 2S-EAST

MEMORANDUM  
FROM  
COUNTY LANDS

02 APR 16 PM 3:59  
RECEIVED BY  
LEE CO. ATTORNEY

Date: April 16, 2002  
To: Andrew Getch, P.E.  
Professional Engineer II  
From: Karen L. W. Forsyth  
Karen L. W. Forsyth  
Director of County Lands

**RE: APPRAISAL REVIEW**

**Project:** Treeline Extension (EXCHANGE), Project No. 4068

**Owner:** Bay Colony - Gateway, Inc.

**Date of Valuation:** February 25, 2002

**Special Assumption:** It is assumed that the parcel being conveyed to Lee County has the same ratio or less of wetlands to uplands as the parent tract.

**Date of Review:** April 12, 2002

- I. **Identification of the Reports Being Reviewed:** The report being reviewed is a summary appraisal report prepared by William E. Stewart, Jr. MAI, of the appraisal firm of Stewart & Company. This report is identified by the appraiser as No. 02 - 0032.
- II. **Purpose:** The purpose of the appraisal was to estimate the market value of the subject property.

Market Value is defined as:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."<sup>1</sup>

Subject's legal description, Exhibit "A", is attached hereto and made a part hereof.

**III. Function:** The function of the appraisal is to serve as a basis for determining impact fee credits to be granted by Lee County, in exchange for road right-of-way.

**IV. Interest Appraised:** The interest appraised is the fee simple interest.

**V. Valuation:**

6.3 acres - \$255,000.00

The appraised value of the parcel for roadway impact fee credits is \$255,000.00.

<sup>1</sup> Standards of Professional Appraisal, Practice of the Appraisal Institute.

cc: Robert Clemens  
Dawn Lehnert  
Nicole Maxey



## ASSUMPTIONS AND LIMITING CONDITIONS

1. The review report attached hereto is based on data and information contained in the appraisal report that is the subject of this review as well as additional information from other sources that may be applicable.
2. It is assumed that the data and information are factual and accurate.
3. The reviewer reserves the right to consider any additional data or information that may subsequently become available to her and to revise her opinions and conclusions if such data and information indicate the need for such change.
4. *All of the assumptions and limiting conditions contained in the appraisal report that is the subject of this review are also conditions of this review unless otherwise stated.*
5. **It is assumed fee simple interest will be conveyed to the County, subject only to zoning and use restrictions imposed by governmental authority, and restrictions and easements common to the area and of record.**

## EXECUTIVE SUMMARY

**PROJECT NAME:** Treeline Boulevard right-of-way to be acquired from Sun City Center parcel.

**OWNER OF RECORD:** Bay Colony-Gateway, Inc. according to the 2001 Lee County, Florida tax roll.

**LOCATION:** The subject property is located on the south side of Colonial Boulevard, at its intersection with Treeline Boulevard.

**LAND AREA:** 1,016.98 Acres-Sun City Center Site  
6.3 Acres-Treeline Boulevard Right-of-Way

**IMPROVEMENTS:** None considered. It should be noted that as the effective date of the appraisal the Sun City Center development was under construction, and that the golfcourse, plus a significant amount of the infrastructure was in place. However, I am estimating the value of the site as if vacant and available to be put to its highest and best use, and these infrastructure improvements are not considered when estimating the market value of the larger tract adjacent to the Treeline Boulevard right-of-way.

**ZONING/LAND USE:** The property is zoned SDA (Special Development Area) by the City of Fort Myers. The Special Development Area designation also applies to the Fort Myers Future Land Use Plan. The property is part of a larger development of regional impact which allows for a total of 2,500 residential units to be built on the

site. This zoning also allows for 45,000 square feet of village center which includes space for allocated recreational uses, 170,000 square feet of retail space and 130,000 square feet of office space. Also, 450 ALF units can be built on the site.

HIGHEST AND BEST USE: Mixed Use Development

ESTIMATE OF VALUE -  
COST APPROACH: N/A

ESTIMATE OF VALUE -  
INCOME APPROACH: N/A

ESTIMATE OF VALUE -  
SALES COMPARISON APPROACH: \$255,000

FINAL VALUE ESTIMATE: \$255,000

PER UNIT VALUE: \$41,790 Per Acre

INTEREST APPRAISED: Fee Simple

DATE OF VALUATION: November 13, 2001

APPRAISERS: STEWART & COMPANY  
William E. Stewart, Jr., MAI

SPECIAL ASSUMPTIONS: None

## Exhibit "A"

THIS INSTRUMENT PREPARED BY:

Dawn E. Perry-Lehnert  
Lee County Attorney's Office  
Post Office Box 398  
Fort Myers, Florida 33902

Strap No.:

### TREELINE BOULEVARD REALIGNMENT AGREEMENT

THIS AGREEMENT is made this 13th day of November, 2001 between Worthington Holdings, LLC, a Florida Limited Liability Company, whose address is 14291 Metro Parkway, Building 1300, Fort Myers, Florida 33912 (Worthington); Bay Colony-Gateway, Inc, a Delaware Corporation whose address is 24381 Walden Center Drive, Bonita Springs, Florida 34134 (Bay Colony); Gateway Services District, whose address is 13240 Commerce Lakes Drive, Fort Myers, Florida 33913(GSD) ; and Lee County, a political subdivision of the State of Florida (County), whose address is Post Office Box 398, Fort Myers, Florida 33902.

WHEREAS, the parties wish to provide for the realignment of the existing Treeline Boulevard right-of-way from Colonial Boulevard south to the quarter-section line of Section 11, Township 45 South, Range 25 East; and,

WHEREAS, the parties wish to eliminate the public's interest in two other unimproved road rights-of-way in Sections 34 and 35, Township 44 South, Range 25 East; and,

WHEREAS, the parties believe this Agreement will facilitate County right-of-way needs, accommodate the property owner and developer desires, and adequately protect the public interest.

NOW, THEREFORE, in consideration of the mutual covenants in this Agreement, the parties agree as follows:

1. The alignment of Treeline Boulevard from Colonial Boulevard south to the quarter-section line of Section 11, Township 45 South, Range 25 East will be modified to reflect the alignment as indicated in attached Exhibit A.
2. The Lee County Department of Transportation will file a petition to vacate the existing alignment of Treeline Boulevard from Colonial Boulevard south to the

quarter-section line of Section 11, Township 45 South, Range 25 East [Exhibit B-1]. The petition will also include the two unimproved road rights-of-way in Sections 34 and 35, Township 44 South, Range 25 East [Exhibits B-2 and 3] and one unimproved roadway easement in Section 11, Township 45 South, Range 25 East [Exhibit B-4]. These four road rights-of-way are specifically described and depicted in attached Exhibit B. The County will bear all costs of this petition and will process the petition as fast as reasonably possible. However, the County makes no representation or warranty as to the status of the title to the resulting real property interests, if the Board decides to vacate the public interest in the rights-of way identified above.

3. If the Lee County Board of County Commissioners denies any part of the petition to vacate described in paragraph 2. above, then this Agreement will be void and the parties will have no further obligation, or responsibility to each other under this Agreement.
4. Worthington will convey to the County replacement right-of-way for Treeline Boulevard as follows:
  - a. 125 foot wide right-of-way in the NW1/4 of Section 11, Township 45 South, Range 25 East as specifically described and depicted in attached Exhibit C.
  - b. 100 foot wide right-of-way in Section 2, Township 45 South, Range 25 East as specifically described and depicted in Exhibit C.

These replacement rights-of-way will be conveyed free and clear of all encumbrances with the sole exception of the existing flowway crossing for the Gateway surface water management system as depicted on Exhibit B-1. The mutual covenants and agreements contained herein will be the sole consideration for conveyance of these replacement rights-of-way.

5. Worthington and Bay Colony will execute drainage easements, in a form substantially similar to Exhibit D, providing for roadway surface water retention over an across the property adjacent to the road right-of-way as realigned and depicted on Exhibit A. Specifically, Worthington will provide the drainage easements for the Section 11 area; Worthington will provide a drainage easement for 50% of the drainage within Section 2; Bay Colony will provide a drainage easement for 50% of the drainage within Section 2; and, Bay Colony will provide the drainage easements for the Section 35 area. No additional consideration will be paid by the County for these easements.
6. Worthington will provide any document or other action needed to release the County from any obligation to provide access to any property in Section 34, Township 44 South, Range 25 East and Section 3, Township 45 South, Range 25 East. In particular, the County seeks a release from the continued obligation to

provide access to the Wood and May property in accordance with Lee County Contract Number C940731 and the Stipulated Settlement Agreement in *May & Wood v. Lee County*, Circuit Court Case No. 92-7867.

7. Bay Colony will convey to the County replacement right-of-way for Treeline Boulevard as follows:

- all* (a.) 25 foot wide right-of-way in Section 2, Township 45 South, Range 25 East as specifically described and depicted in attached Exhibit E. Said right-of-way being adjacent to and east of the right-of-way conveyed by Worthington under paragraph 4.b. above.
- 25' only* (b.) 125 foot of right-of-way in Section 35, Township 44 South, Range 25 East as specifically described and depicted in attached Exhibit E.

These replacement rights-of-way will be conveyed free and clear of all encumbrances with the sole exception of the existing flowway crossing for the Gateway surface water management system as depicted on Exhibit B-1. Bay Colony will receive Lee County Road Impact Fee Credits, in accordance with Lee County road impact fee regulations, as consideration for the conveyance of the replacement right-of-way described in paragraph 7.a and 25 feet of the property described in paragraph 7.b. Land values for the purposes of road impact fee credit issuance will be determined based upon the date this Agreement is fully executed. The mutual covenants and agreements contained herein will be the sole consideration for conveyance of 100 feet of the replacement right-of-way described in paragraph 7.b.

8. The cost of constructing a culvert to accommodate a 6 lane roadway with median and sidewalk across the drainage facility that currently exists in Section 2, Township 45 South, Range 25 East is estimated, in current dollars, as \$185,800. A copy of the engineering cost estimate is attached as Exhibit F. The parties agree to share the cost of constructing this culvert as follows: Worthington 25% (\$46,450), Bay Colony 25% (\$46,450) and County 50% (\$92,900). The funds from Worthington and Bay Colony are due and payable in full if, and when, the right-of-way vacations described in paragraph 2 are granted by the Board of County Commissioners.

Payment by Worthington and Bay Colony with respect to the culvert construction described above is limited to the amount stated. The County agrees not to seek additional funds for the culvert project in the future, unless changes to the location and type of project are precipitated by the adjacent property owners.

9. GSD agrees to obtain a permit from Lee County Department of Transportation prior to commencing any work, except emergency repairs and routine maintenance or operations, on or adjacent to the flowway and within the right-of-way.

Lee County agrees to submit copies of plans for review and approval to GSD prior to commencing any work, except emergency repairs and routine maintenance or operations, on, in, over or adjacent to the flowway.

The parties mutually agree not to undertake work that will negatively impact either the road right-of-way or the flowway without the prior written consent of the County and/or GSD. Any damage caused by a party undertaking construction, repair or maintenance of, to or within the road-right-of-way or the flowway must be repaired by the party causing the damage . The repair must serve to return the damaged portion to the condition in which it existed prior to the damage.

10. At the time any party applies to South Florida Water Management District for water management permits that may effect Treeline Boulevard within the area identified in Exhibit A, a copy of these documents must also be contemporaneously provided to the other parties. These copies will be reviewed by the receiving party to determine compliance with the terms of the Agreement. If necessary, appropriate action will be taken to ensure compliance with this Agreement.
11. All documents necessary to complete the conveyances and other obligations contemplated by this Agreement must be properly executed and delivered to the County Attorney prior to scheduling of the public hearing on the petition to vacate described in paragraph 2. above. The County Attorney will hold these documents in escrow subject to the terms of this Agreement. If the petition is denied, then the documents will be returned immediately to their makers, otherwise the documents will be delivered immediately to the appropriate parties in order to accomplish the intent of this Agreement.
12. Upon full execution, the County will record this Agreement in the public records.
13. The parties agree that any purchasers of property affected by the obligations contained in this Agreement will be notified of the requirement to comply with the Agreement provisions.
14. This Agreement, including all exhibits, constitutes the entire Agreement between the parties. Any modifications of this Agreement must be in writing and executed with the same formality.
15. This Agreement is binding upon the parties, their successors and assigns.
16. This Agreement will be interpreted and construed in accordance with the laws of the State of Florida.
17. This Agreement may be executed in counterparts.
18. This Agreement will be effective on the date of signing by the last party hereto.

IN WITNESS WHEREOF, the undersigned have signed and sealed this document through their authorized representatives.

ATTEST:

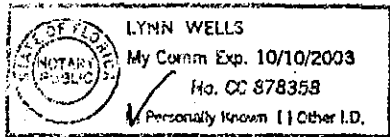
BAY COLONY-GATEWAY, INC.

By: *Unrentlasif*  
Secretary

By: *[Signature]*  
Timothy OAK V.P.  
Name and Title

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing Treeline Boulevard Realignment Agreement was acknowledged before me on Oct 4, 2001 by Tim OAK, President of Bay Colony-Gateway, Inc, on behalf of the corporation. He/She is personally known to me or has produced the following identification: \_\_\_\_\_



*Lynn Wells*  
Notary Signature

LYNN WELLS  
Printed Name



ATTEST:

GATEWAY SERVICES DISTRICT

By: Lusan S. Pritchard  
Secretary

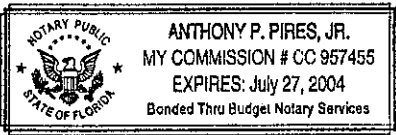
By: R. Lee Menzies  
R. LEE MENZIES, CHAIRMAN  
Name and Title

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing Treeline Boulevard Realignment Agreement was acknowledged before me on September 10, 2001 by R. LEE MENZIES as CHAIRMAN, on behalf of the District. He She is personally known to me or has produced the following identification: \_\_\_\_\_

[Signature]  
Notary Signature

ANTHONY P. PIRES, JR.  
Printed Name



WITNESSED:

Wendy L. Lofgren  
Signature  
Wendy L. Lofgren  
Printed Name

WORTHINGTON HOLDINGS, LLC

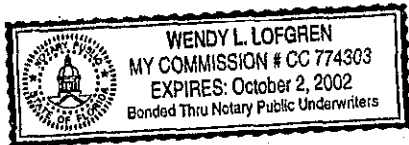
By: Jeff Darragh  
Jeff Darragh, President

Signature

Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing Treeline Boulevard Realignment Agreement was acknowledged before me on Sept. 24, 2001 by Jeff Darragh, as President of Worthington Holdings, LLC. He is personally known to me or has produced the following identification:



Wendy L. Lofgren  
Notary Signature  
Wendy L. Lofgren  
Printed Name

ATTEST:  
Clerk of Court  
CHARLIE GREEN, CLERK

By: Jisa J. Pierce  
Deputy Clerk

LEE COUNTY, FLORIDA, by its  
BOARD OF COUNTY COMMISSIONERS

By: [Signature]  
Chairman

APPROVED AS TO FORM

By: [Signature]  
Office of County Attorney

**Attachments:**

**Exhibit A - Proposed Treeline Boulevard Alignment**

**Exhibit B - Existing ROW to be vacated**

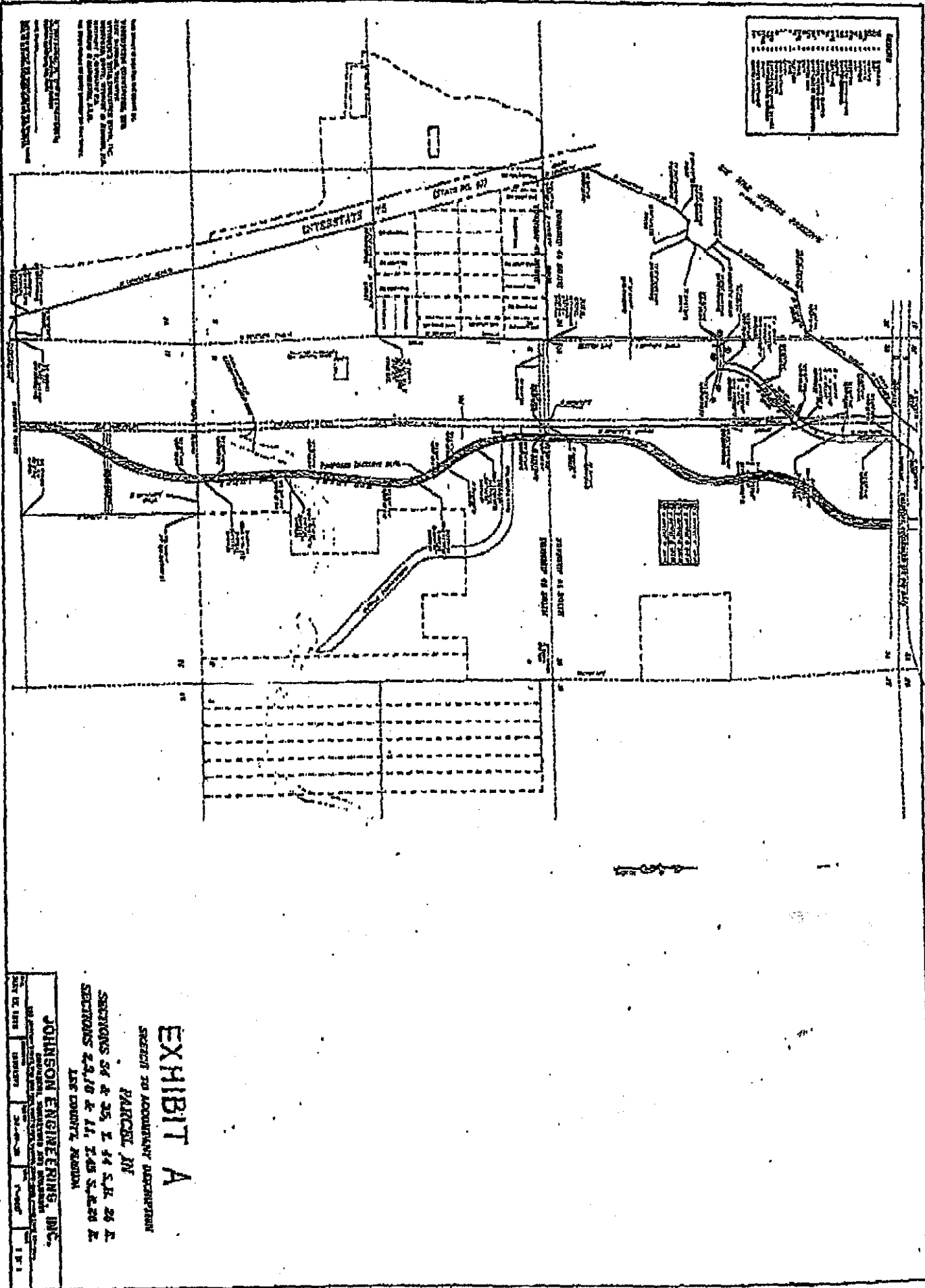
**Exhibit C - ROW to be conveyed by Worthington**

**Exhibit D - Form Drainage Easement**

**Exhibit E - ROW to be conveyed by Bay Colony**

**Exhibit F - Engineering Cost Estimate for Culvert**

NOT A PART OF THE CONTRACT



THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF JOHNSON ENGINEERING, INC. AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF JOHNSON ENGINEERING, INC.

SYMBOL	DESCRIPTION
(Symbol)	EXISTING LOT
(Symbol)	EXISTING BUILDING
(Symbol)	EXISTING DRIVE
(Symbol)	EXISTING SIDEWALK
(Symbol)	EXISTING CURB
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING UTILITY
(Symbol)	EXISTING FENCE
(Symbol)	EXISTING WALL
(Symbol)	EXISTING POLE
(Symbol)	EXISTING SIGN
(Symbol)	EXISTING LIGHT
(Symbol)	EXISTING TREE
(Symbol)	EXISTING PLANT
(Symbol)	EXISTING WATER
(Symbol)	EXISTING SEWER
(Symbol)	EXISTING GAS
(Symbol)	EXISTING ELECTRIC
(Symbol)	EXISTING TELEPHONE
(Symbol)	EXISTING CABLE
(Symbol)	EXISTING FURNACE
(Symbol)	EXISTING AIR COND.
(Symbol)	EXISTING H.V.A.C.
(Symbol)	EXISTING ROOF
(Symbol)	EXISTING FLOOR
(Symbol)	EXISTING CEILING
(Symbol)	EXISTING WALL
(Symbol)	EXISTING DOOR
(Symbol)	EXISTING WINDOW
(Symbol)	EXISTING STAIR
(Symbol)	EXISTING ELEVATOR
(Symbol)	EXISTING RAMP
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING GARAGE
(Symbol)	EXISTING PORCH
(Symbol)	EXISTING PATIO
(Symbol)	EXISTING DECK
(Symbol)	EXISTING BALCONY
(Symbol)	EXISTING TERRACE
(Symbol)	EXISTING DRIVE
(Symbol)	EXISTING SIDEWALK
(Symbol)	EXISTING CURB
(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING UTILITY
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(Symbol)	EXISTING GAS
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(Symbol)	EXISTING TELEPHONE
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(Symbol)	EXISTING DRIVEWAY
(Symbol)	EXISTING GARAGE
(Symbol)	EXISTING PORCH
(Symbol)	EXISTING PATIO
(Symbol)	EXISTING DECK
(Symbol)	EXISTING BALCONY
(Symbol)	EXISTING TERRACE

# EXHIBIT A

SECTION 54 & 35, E 44 S.R. 28 E  
 SECTION 2, 10 & 11, T48 S.R. 20 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS AND ARCHITECTS  
 1000 W. UNIVERSITY BLVD., SUITE 100  
 TAMPA, FLORIDA 33606  
 TEL: 813-288-1111 FAX: 813-288-1112  
 WWW.JOHNSONENGINEERING.COM

"EXHIBIT B-1"

DESCRIPTION  
OF  
EXISTING TREELINE BOULEVARD RIGHT-OF-WAY

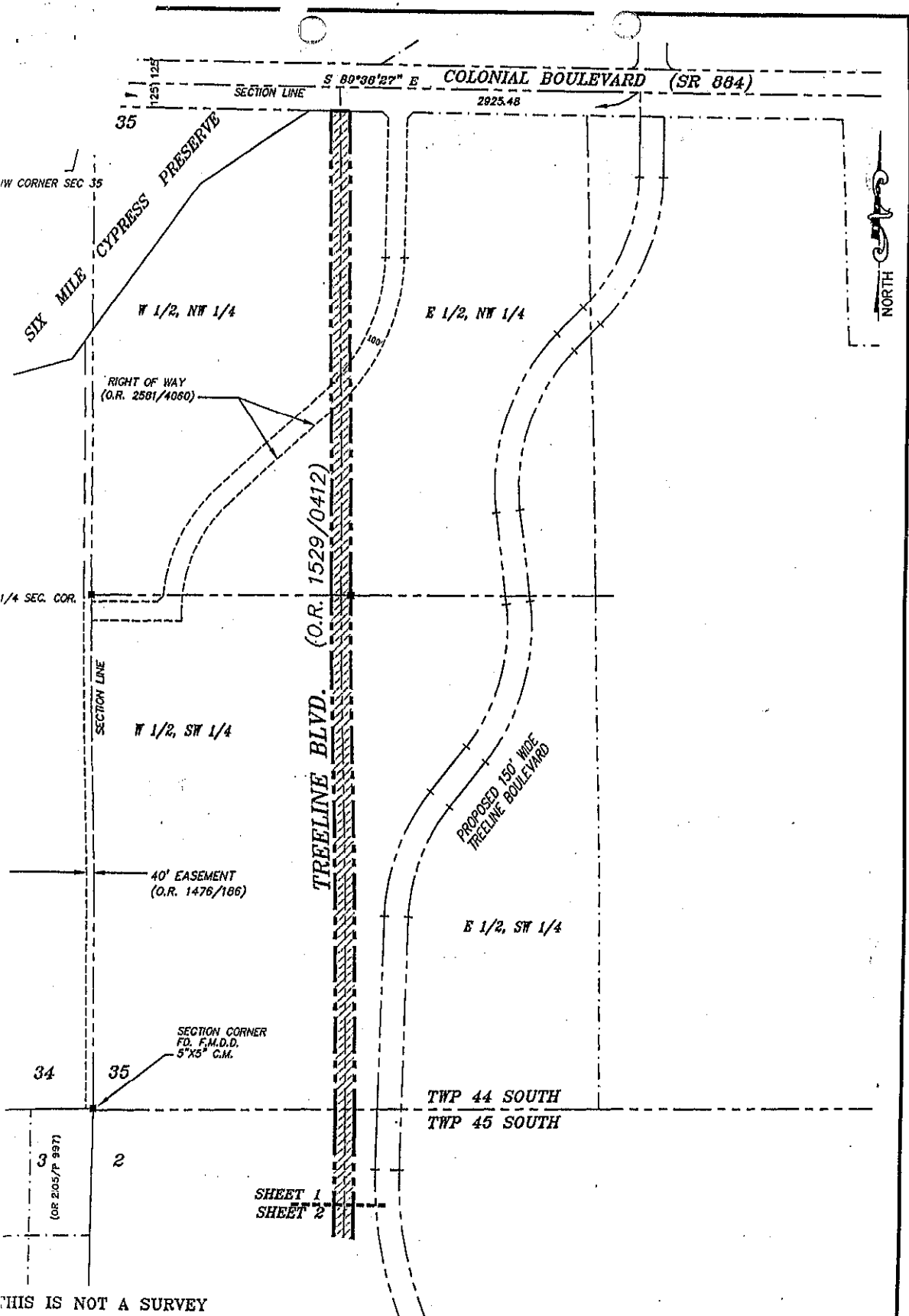
SECTION 35, TOWNSHIP 44 S., RANGE 25 E.,  
SECTION 2, TOWNSHIP 45 S., RANGE 25 E.  
AND SECTION 11, TOWNSHIP 45 S., RANGE 25 E.  
LEE COUNTY, FLORIDA

The West 50 feet of the southeast quarter (SE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) and the West 50 feet of the east half (E $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ), Section 2, Township 45 South, Range 25 East, Lee County, Florida.

The West 50 feet of the east half (E $\frac{1}{2}$ ) of the northwest quarter (NW $\frac{1}{4}$ ), the East 50 feet of the west half (W $\frac{1}{2}$ ) of the northwest quarter (NW $\frac{1}{4}$ ), the West 50 feet of the east half (E $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ), and the East 50 feet of the west half (W $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) Section 35, Township 44 South, Range 25 East, Lee County, Florida, LESS the right-of-way for Colonial Boulevard Extension (SR S-82-B) as described in deed recorded in Official Record Book 891 at page 230, Lee County Records.

The West 50 feet of the northeast quarter (NE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ), the East 50 feet of the west half (W $\frac{1}{2}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) and the East 50 feet of the west half (W $\frac{1}{2}$ ) of the southwest quarter (SW $\frac{1}{4}$ ), Section 2, Township 45 South, Range 25 East, Lee County, Florida.

The West 50 feet of the east half (E  $\frac{1}{2}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) and the East 50 feet of the west half (W $\frac{1}{2}$ ) of the northwest quarter (NW $\frac{1}{4}$ ), Section 11, Township 45 South, Range 25 East, Lee County, Florida.



THIS IS NOT A SURVEY

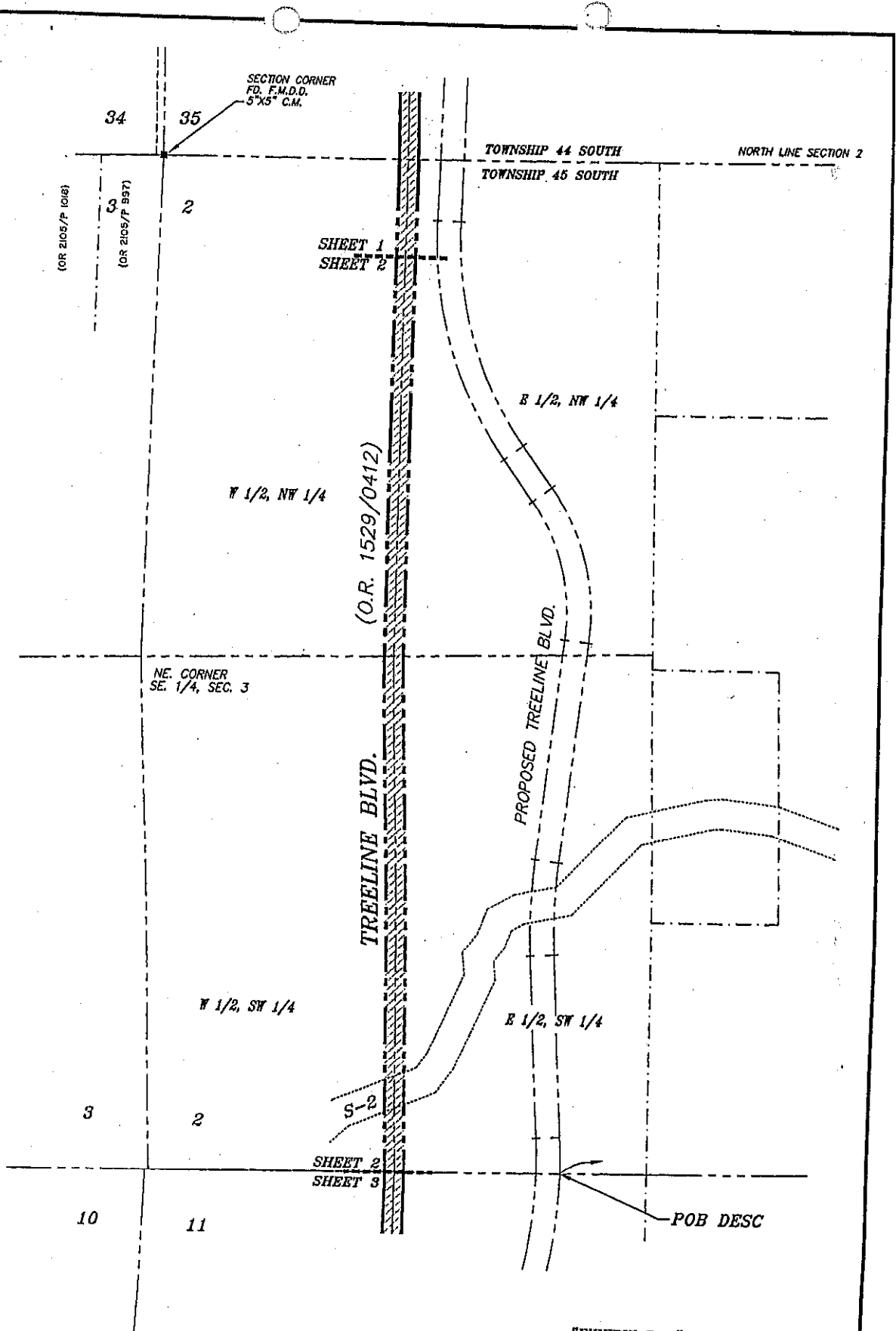
*W. Britt Pomeroy*  
 W. BRITT POMEROY (FOR THE FIRM LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448  
 DATE SIGNED: 1-11-2000

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

"EXHIBIT B-1"  
 SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 PARCEL IN SEC 2, TWP 45 S, RGE 25 E &  
 PARCEL IN SECTION 11, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2180 JOHNSON STREET, POST OFFICE BOX 1550, FORT MYERS, FLORIDA, 33902-1550, PHONE (813) 334-0248

JAN 10, 2000	1991557	35-44-25	1"=600'	1 OF 3
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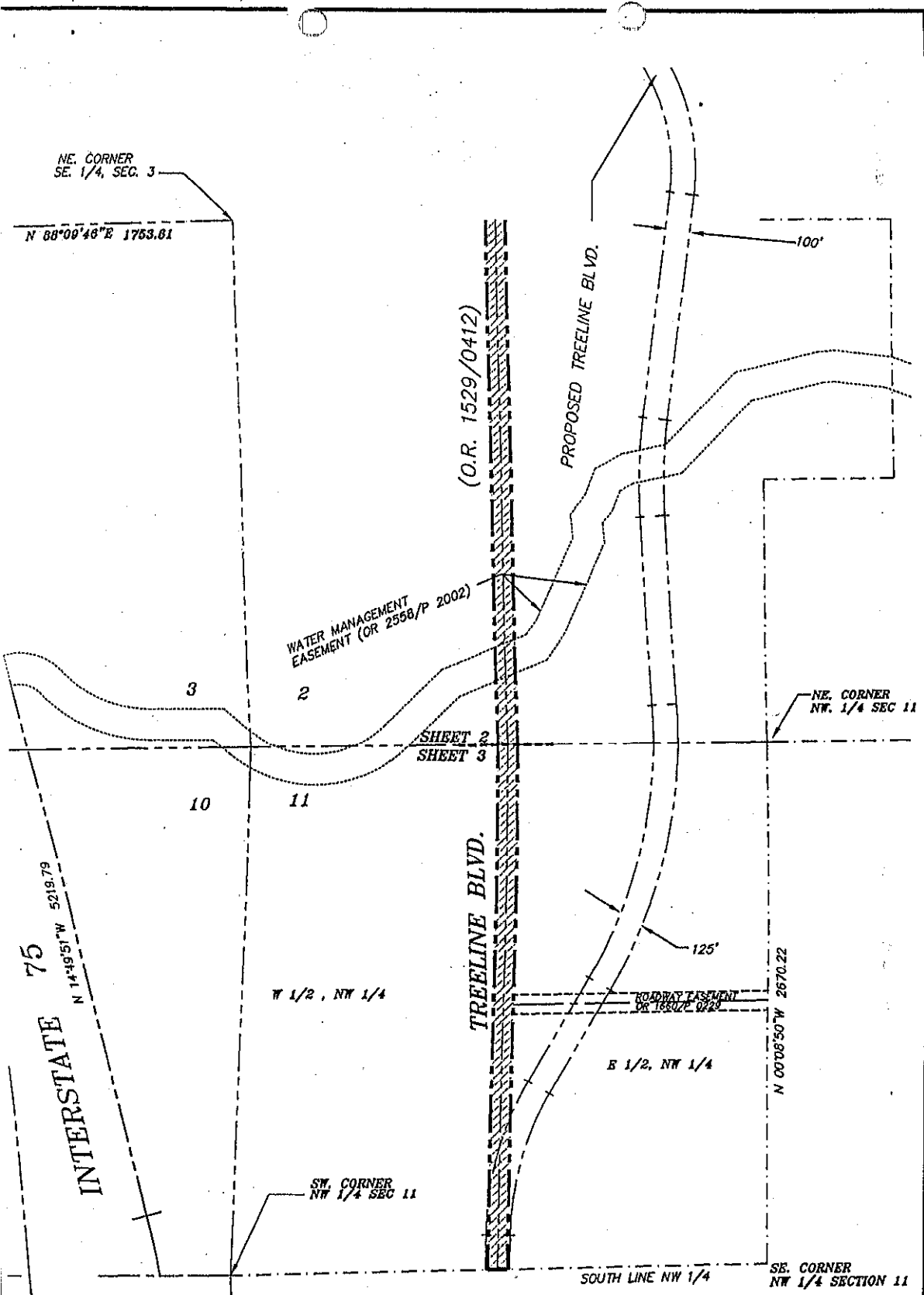
"EXHIBIT B-1"  
 SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 PARCEL IN SEC 2, TWP 45 S, RGE 25 E &  
 PARCEL IN SECTION 11, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2188 JOHNSON STREET, POST OFFICE BOX 1550, FORT MYERS, FLORIDA, 33902-1550

JAN 10, 2000	19991557	35-44-25	1"-80
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WCI

J:\001557\EXHIBITS



"EXHIBIT B-1"  
 SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 PARCEL IN SEC 2, TWP 45 S, RGE 25 E &  
 PARCEL IN SECTION 11, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2188 JOHNSON STREET, POST OFFICE BOX 1850, FORT MYERS, FLORIDA 33902-1850, PHONE (811) 334-0216

JAN 10, 2000	19991557	35-44-25	1"=600'	3 OF 3
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DESCRIPTION

OF

A strip of land (100 feet wide) lying in the northwest quarter (NW 1/4) and the southwest quarter (SW 1/4) of Section 35, Township 44 south, Range 25 east, Lee County, Florida being further described as follows:

Commencing at the northwest corner of the northwest quarter (NW 1/4) of the above said Section 35; thence S89°38'27"E for 368.00 feet to a point of tangency on the centerline of Colonial Boulevard (S-884) - 250.00 feet in width; thence S89°38'27"E along said centerline for 1237.27 feet to centerline station 399+42.00; thence S00°21'33"W for 125.00 feet to the south right-of-way line of Colonial Boulevard and the Point Of Beginning; thence N89°38'27"W along said right-of-way line for 80.00 feet; thence S44°38'27"E for 42.43 feet; thence S00°21'33"W for 721.50 feet to a point of curvature; thence run southwesterly along a curve to the right of radius 950.00 feet having for its elements a central angle of 47°04'19", chord bearing of S23°53'43"W for 780.48 feet to a point of tangency; thence S47°25'52"W for 758.09 feet to a point of curvature; thence run southwesterly along a curve to the left of radius 850.00 feet having for its elements a central angle of 42°44'42", chord bearing of S26°03'31"W for 634.13 feet to a point to which a radial line bears N85°18'50"W; thence S47°04'42"W for 40.45 feet; thence S89°28'13"W for 348.18 feet to a point on the west line of the southwest quarter (SW 1/4) of a foresaid Section 35; thence S00°47'42"E along said west line for 100.00 feet; thence N89°28'13"E for 474.07 feet; thence N00°31'47"W for 50.00 feet to a point of curvature; thence run northeasterly along a curve to the right of radius 750.00 feet having for its elements a central angle of 47°57'39", chord bearing of N23°27'02"E for 627.81 feet to a point of tangency; thence N47°25'52"E for 758.09 feet to a point of curvature; thence run northeasterly along a curve to the left of radius 1050.00 feet having for its elements a central angle of 47°04'19", chord bearing of N23°53'43"E for 862.64 feet to a point of tangency; thence N00°21'33"E for 721.50 feet; thence N45°21'33"E for 42.43 feet to a point on the south right-of-way line of Colonial Boulevard; thence N89°38'27"W along said right-of-way line for 80.00 feet to the point of beginning containing 343,806.96 square feet (7.8927 acres) more or less.

Bearings mentioned hereinabove are based on State Plane, Florida West Zone (1979 Adjustment) recorded in Official Records Book 891, page 230, Public Records of Lee County, Florida.

  
Arthur W. Parsons  
Professional Land Surveyor  
Florida Certificate No. 2987

[dottpce/9213]

POINT OF COMMENCEMENT  
NW CORNER SEC. 35

DESCRIPTION  
OF

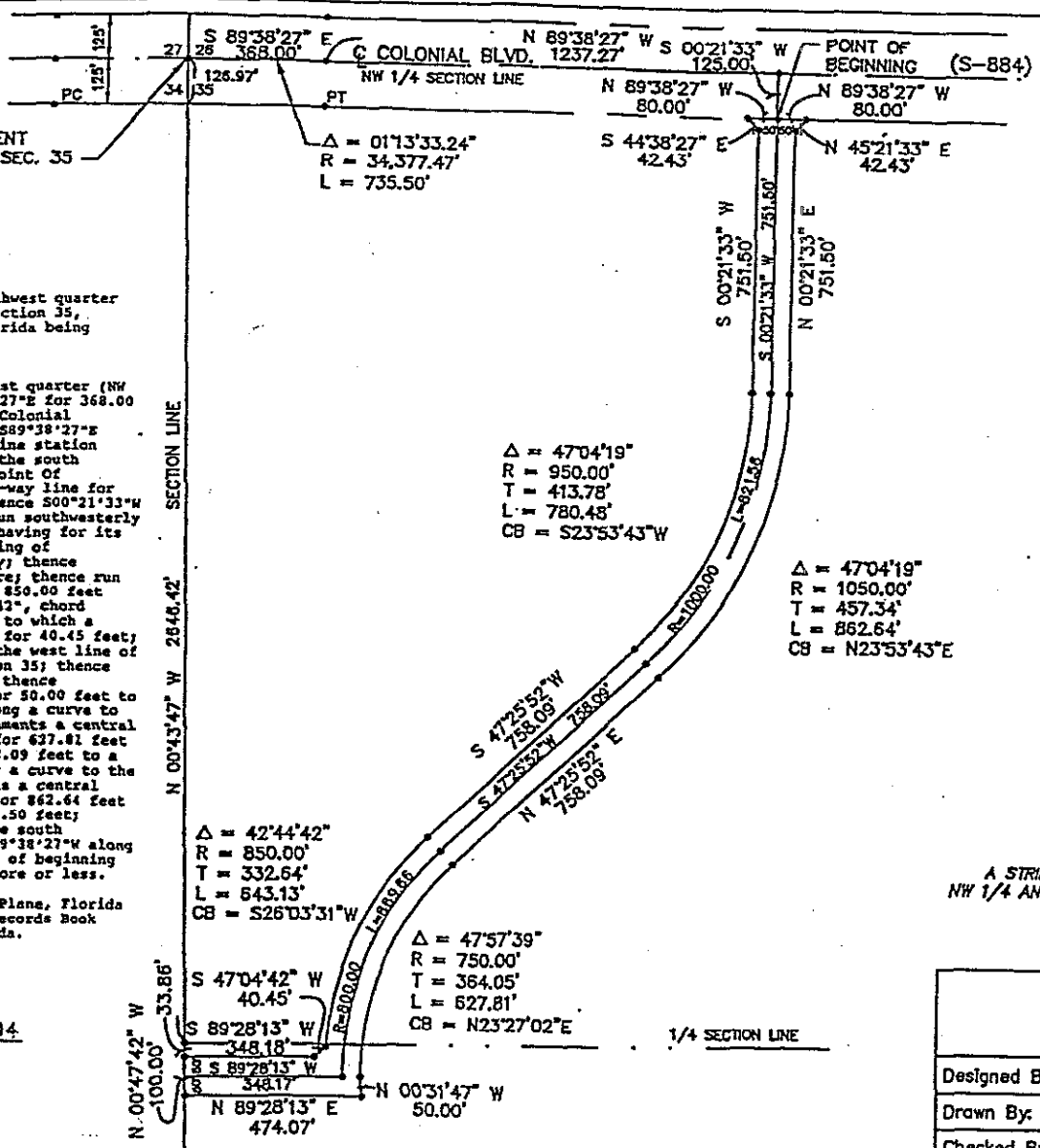
A strip of land (100 feet wide) lying in the northwest quarter (NW 1/4) and the southwest quarter (SW 1/4) of Section 35, Township 44 south, Range 25 east, Lee County, Florida being further described as follows:

Commencing at the northwest corner of the northwest quarter (NW 1/4) of the above said Section 35; thence S89°38'27"E for 368.00 feet to a point of tangency on the centerline of Colonial Boulevard (S-884) - 250.00 feet in width; thence S89°38'27"E along said centerline for 1237.27 feet to centerline station 399+42.00; thence S00°21'33"W for 125.00 feet to the south right-of-way line of Colonial Boulevard and the Point Of Beginning; thence N89°38'27"W along said right-of-way line for 80.00 feet; thence S44°38'27"E for 42.43 feet; thence S00°21'33"W for 721.50 feet to a point of curvature; thence run southwesterly along a curve to the right of radius 950.00 feet having for its elements a central angle of 47°04'19", chord bearing of S23°53'43"W for 780.48 feet to a point of tangency; thence S47°25'52"W for 758.09 feet to a point of curvature; thence run southwesterly along a curve to the left of radius 850.00 feet having for its elements a central angle of 42°44'42", chord bearing of S26°03'31"W for 634.13 feet to a point to which a radial line bears N85°18'50"W; thence S47°04'42"W for 40.45 feet; thence S89°28'13"W for 348.18 feet to a point on the west line of the southwest quarter (SW 1/4) of a forasaid Section 35; thence S00°47'42"E along said west line for 100.00 feet; thence N89°28'13"E for 474.07 feet; thence N00°31'47"W for 50.00 feet to a point of curvature; thence run northeasterly along a curve to the right of radius 750.00 feet having for its elements a central angle of 47°57'39", chord bearing of S23°27'02"E for 627.81 feet to a point of tangency; thence N47°25'52"E for 758.09 feet to a point of curvature; thence run northeasterly along a curve to the left of radius 1050.00 feet having for its elements a central angle of 47°04'19", chord bearing of N23°53'43"E for 862.64 feet to a point of tangency; thence N00°21'33"E for 721.50 feet; thence N45°21'33"E for 42.43 feet to a point on the south right-of-way line of Colonial Boulevard; thence N89°38'27"W along said right-of-way line for 80.00 feet to the point of beginning containing 343,806.96 square feet (7.8927 acres) more or less.

Bearings mentioned hereinabove are based on State Plane, Florida West Zone (1979 Adjustment) recorded in Official Records Book 891, page 230, Public Records of Lee County, Florida.

DATE : 02/94

Arthur W. Parsons  
Professional Land Surveyor  
Florida Certificate No. 2987



SKETCH TO ACCOMPANY A  
LEGAL DESCRIPTION

A STRIP OF LAND (100 FEET WIDE) LYING IN THE  
NW 1/4 AND THE SW 1/4 OF SEC. 35, T5. 44S, R6. 25E,  
LEE COUNTY, FLORIDA

NOT A SURVEY

LEE COUNTY DEPARTMENT OF TRANSPORTATION	
Designed By: A.W.P. Date 02/94	Project: 40202701
Drawn By: M.T.G. Date 02/94	Scale: 1" = 400'
Checked By: A.W.P. Date 02/94	Disk No. 94001

"EXHIBIT B-3"

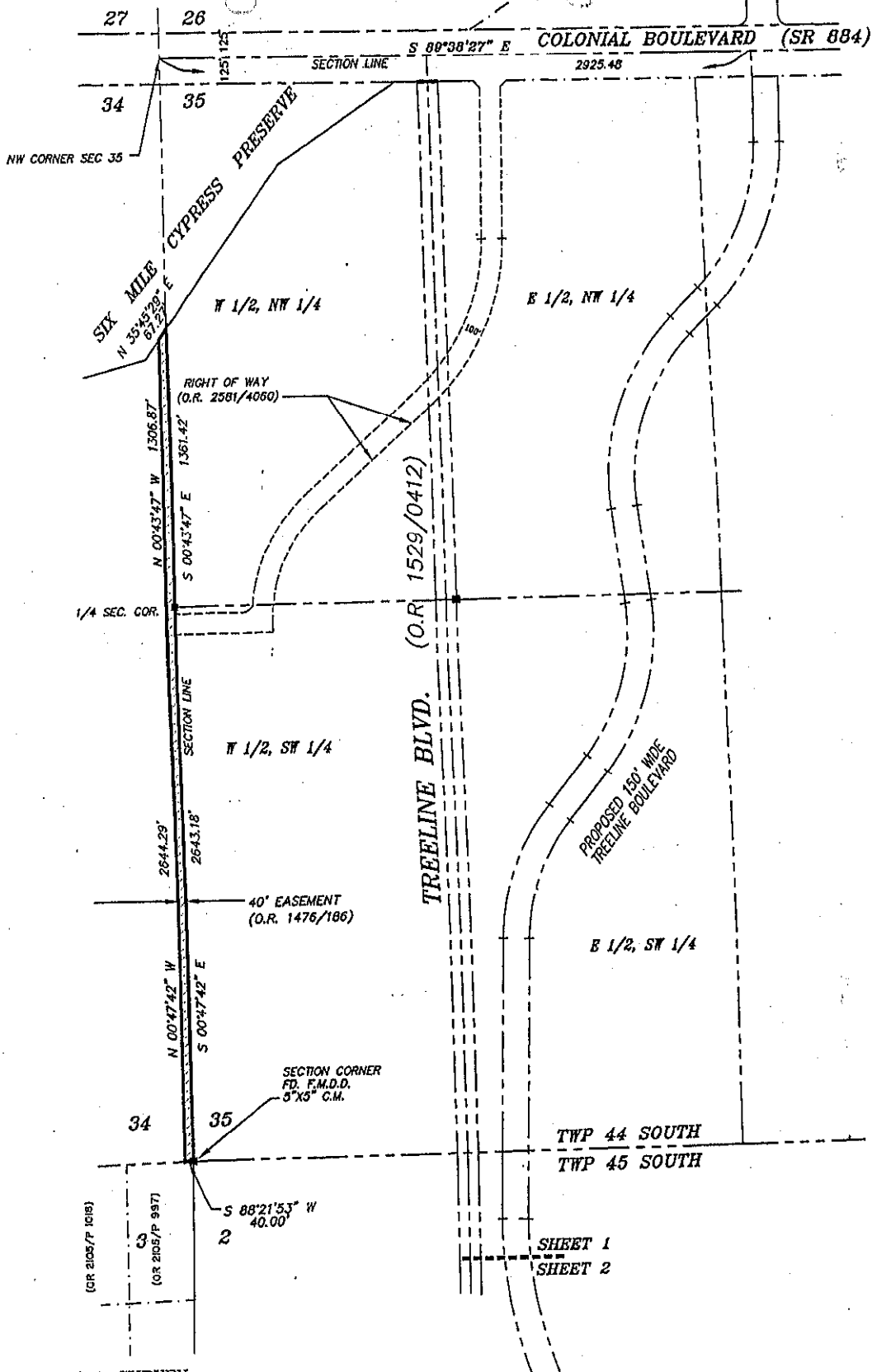
DESCRIPTION  
OF  
EXISTING ROAD AND UTILITY EASEMENT

SECTION 34, TOWNSHIP 44 S., RANGE 25 E.  
LEE COUNTY, FLORIDA

A parcel of land for a permanent road and utility easement more particularly described as follows:

Start at the NE corner of Section 34; then go S 00° 44' 17" E for 1285.00 feet along the east line of said section 34 to the P.O.B.; then continue same bearing along said east line of said Section 34 for 1364.85 feet to a point; then go S 00° 48' 06" E for 2643.31 feet along said east line of said Section 34 to the SE corner of Section 34; then go N 89° 39' 11" W for 40.00 feet along the south line of said Section 34 to a point; then go N 00° 48' 06" W for 2643.31 feet to a point, said point being 40.00 from east line of said Section 34; then go N 00° 44' 17" W for 1364.85 feet to a point, said point being 40.00 from east line of said Section 34; then go N 35° 45' E for 55.00 feet ± back to the P.O.B.; of the following described parcel of land:

Section 34, LESS I-75 right-of-way, all lying, being and situate in Township 44 South, Range 25 East, Lee County, Florida.



THIS IS NOT A SURVEY

*W. Britt Pomeroy*  
 W. BRITT POMEROY (FOR THE FIRM) - LB#642  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 1-11-2000

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

"EXHIBIT B-3"  
 SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN  
 SECTION 11, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

<b>JOHNSON ENGINEERING, INC.</b>				
ENGINEERS, SURVEYORS, AND ECOLOGISTS				
<small>2158 JOHNSON STREET, POST OFFICE BOX 1850, FORT MYERS, FLORIDA, 33907-1850, PHONE (941) 334-0046</small>				
JAN 10, 2000	19991557	11-45-25	1"=600'	1 OF 1

"EXHIBIT B-4"

DESCRIPTION  
OF  
EXISTING ROAD EASEMENT

SECTION 11, TOWNSHIP 45 S., RANGE 25 E.  
LEE COUNTY, FLORIDA

The South 50 feet of the northeast quarter (NE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) and the North 50 feet of the southeast quarter (SE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ), Section 11, Township 45 South, Range 25 East, Lee County, Florida.

NE. CORNER  
SE. 1/4, SEC. 3

N 08°09'46"E 1763.81

TREELINE BLVD. (O.R. 1529/0412)

PROPOSED TREELINE BLVD.

WATER MANAGEMENT  
EASEMENT (OR 255B/P 2002)

100'

NE. CORNER  
NW. 1/4 SEC 11

SHEET 2  
SHEET 3

3

2

10

11

NW 1/4, NW 1/4

INTERSTATE  
75  
N 14°49'51"W 5219.79

W 1/2, NW 1/4

125'

ROADWAY EASEMENT  
OR 1660/P 0229

SE 1/4, NW 1/4

N 00°08'50"W 2670.22

SW. CORNER  
NW 1/4 SEC 11

SOUTH LINE NW 1/4

SE. CORNER  
NW 1/4 SECTION 11

THIS IS NOT A SURVEY

*W. Britt Pomeroy*  
W. BRITT POMEROY (FOR THE FIRM - LB#642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 1-11-2000

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

"EXHIBIT B-4"  
SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN  
SECTION 11, TWP 45 S, RGE 25 E  
LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
ENGINEERS, SURVEYORS, AND ECOLOGISTS  
2159 JOHNSON STREET, POST OFFICE BOX 1850, FORT MYERS, FLORIDA, 33902-1850, PHONE (741) 331-0044

JAN 10, 2000	19991557	11-45-25	1"=600'	1 OF 1
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# JOHNSON ENGINEERING, INC.

BONITA SPRINGS  
FORT MYERS  
NAPLES  
FORT CHARLOTTE

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS

2158 JOHNSON STREET  
TELEPHONE (941) 334-0046  
FAX (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

June 29, 1999

## DESCRIPTION

### PROPOSED TREELINE BOULEVARD IN SECTIONS 2 AND 11, TOWNSHIP 45 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

CARL E. JOHNSON  
1911-1988

A tract or parcel of land lying in Sections 2 and 11, Township 45 South, Range 25 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 2 run S 89° 03' 49" W along the south line of said Section for 3096.27 feet to a point of curvature and the Point of Beginning.

From said Point of Beginning run southerly along an arc of said curve to the right of radius 2625.00 feet (chord bearing S 15° 09' 16" W) (chord 1324.13 feet) (delta 29° 13' 02") for 1338.59 feet to a point of tangency; thence run S 29° 45' 48" W for 618.63 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1487.50 feet (chord bearing S 15° 20' 35" W) (chord 740.87 feet) (delta 28° 50' 26") for 748.75 feet to a point of tangency; thence run S 00° 55' 22" W for 166.09 feet to an intersection with the south line of the Northwest Quarter (NW-1/4) of said Section 11; thence run S 88° 33' 56" W along said south line for 125.11 feet; thence run N 00° 55' 22" E for 171.23 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1612.50 feet (chord bearing N 15° 20' 35" E) (chord 803.13 feet) (delta 28° 50' 26") for 811.67 feet to a point of tangency; thence run N 29° 45' 48" E for 618.63 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 2500.00 feet (chord bearing N 12° 57' 22" E) (chord 1445.75 feet) (delta 33° 36' 51") for 1466.69 feet to a point of tangency; thence run N 03° 51' 03" W for 959.31 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2800.06 feet (chord bearing N 01° 21' 05" E) (chord 507.76 feet) (delta 10° 24' 15") for 508.45 feet to a point of tangency; thence run N 06° 33' 12" E for 1166.54 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 1000.00 feet (chord bearing N 14° 58' 12" W) (chord 733.76 feet) (delta 43° 02' 48") for 751.31 feet to a point of tangency; thence run N 36° 29' 36" W for 266.36 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2000.00 feet (chord bearing N 17° 39' 36" W)

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

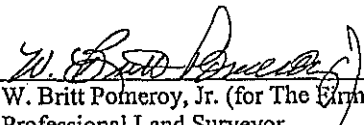
PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
CHRIS D. HAGAN  
KENTON R. KEILING  
W. BRITT POMEROY  
ANDREW D. TILTON  
MARK G. WENTZEL  
KEVIN M. WINTER

ASSOCIATES  
LONNIE V. HOWARD  
MICHAEL L. LOHR  
PATRICIA H. NEWTON  
BARRY E. SYREN

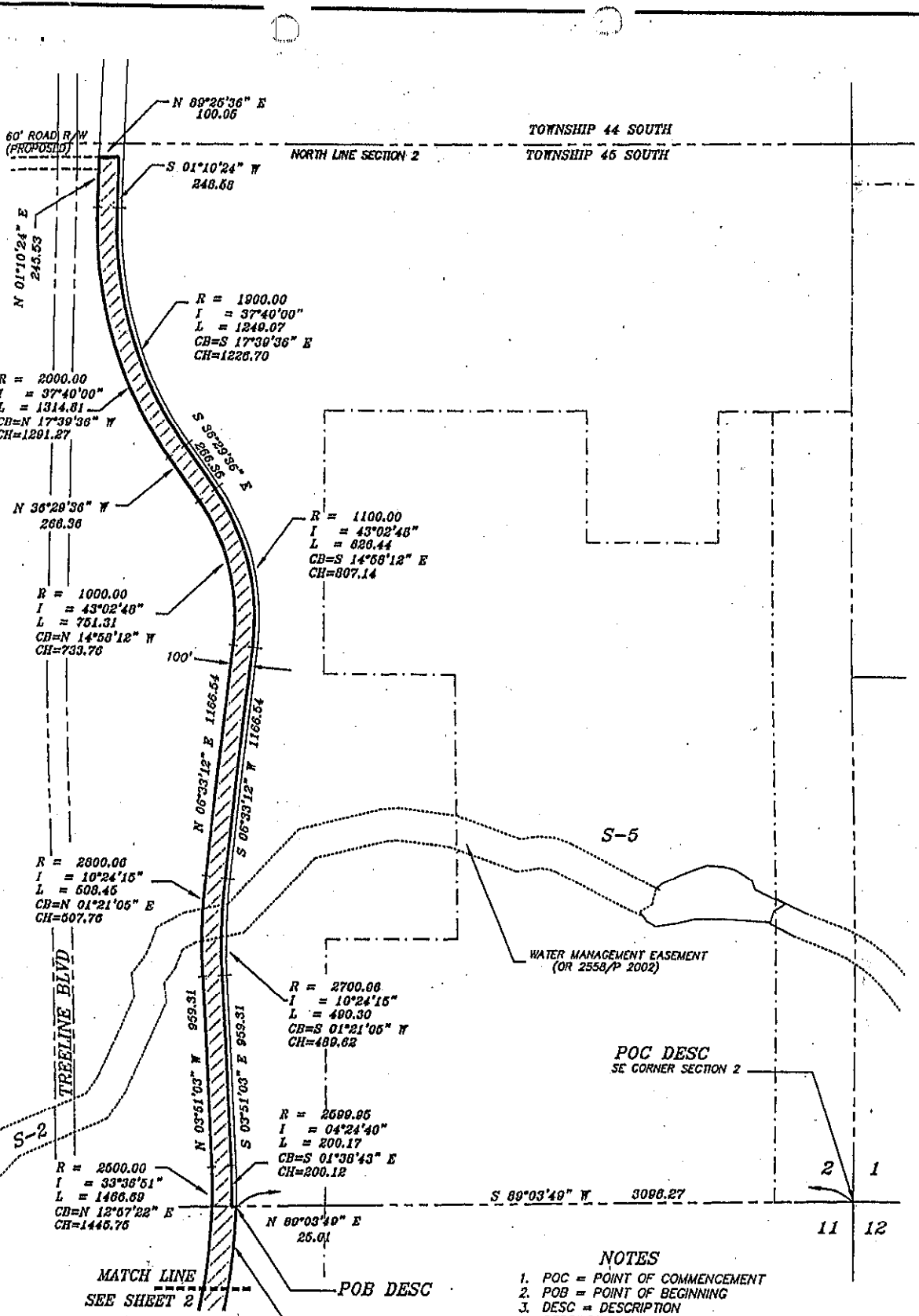
(chord 1291.27 feet) (delta 37° 40' 00") for 1314.81 feet to a point of tangency; thence run N 01° 10' 24" E for 245.53 feet; thence run N 89° 25' 36" E for 100.05 feet; thence run S 01° 10' 24" W for 248.58 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1900.00 feet (chord bearing S 17° 39' 36" E) (chord 1226.70 feet) (delta 37° 40' 00") for 1249.07 feet to a point of tangency; thence run S 36° 29' 36" E for 266.36 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1100.00 feet (chord bearing S 14° 58' 12" E) (chord 807.14 feet) (delta 43° 02' 48") for 826.44 feet to a point of tangency; thence run S 06° 33' 12" W for 1166.54 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 2700.06 feet (chord bearing S 01° 21' 05" W) (chord 489.62 feet) (delta 10° 24' 15") for 490.30 feet to a point of tangency; thence run S 03° 51' 03" E for 959.31 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 2599.95 feet (chord bearing S 01° 38' 43" E) (chord 200.12 feet) (delta 04° 24' 40") for 200.17 feet to a point on a non-tangent line and an intersection with the south line of said Section 2; thence run N 89° 03' 49" E along said south line for 25.01 feet to the Point of Beginning.

Parcel contains 20.66 acres.

Bearings hereinabove mentioned are based on the South line of Section 2, Township 45 South, Range 25 East to bear S 89° 03' 49" W.

  
W. Britt Pomeroy, Jr. (for The Firm LB-642)  
Professional Land Surveyor  
Florida Certificate No. 4448





TOWNSHIP 44 SOUTH  
TOWNSHIP 45 SOUTH

NORTH LINE SECTION 2

60' ROAD R/W (PROPOSED)

WATER MANAGEMENT EASEMENT (OR 2558/P 2002)

POC DESC SE CORNER SECTION 2

POB DESC

NOTES

1. POC = POINT OF COMMENCEMENT
2. POB = POINT OF BEGINNING
3. DESC = DESCRIPTION
4. DESCRIPTION ATTACHED
5. PARCEL CONTAINS: 20.66 ACRES ±

THIS IS NOT A SURVEY

*W. Britt Pomeroy*  
W. BRITT POMEROY (FOR THE FIRM) (L#642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 10-27-99

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN SECTIONS 2 & 11  
TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
ENGINEERS, SURVEYORS, AND ECOLOGISTS  
2150 JOHNSON STREET, POST OFFICE BOX 1550, FORT WORTH, FLORIDA 33902-1550, PHONE (817) 331-0048

MAY 1999	19991557	02-45-25	1"=600'	1 OF 2
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NE. CORNER  
SE. 1/4, SEC. 3

N 88°09'40" E 1763.81

TREELINE BLVD. (O.R. 1529/0412)

PROPOSED TREELINE BLVD.

WATER MANAGEMENT  
EASEMENT (OR 2558/P 2002)

R = 2500.05  
I = 04°24'40"  
L = 200.17  
CB=S 01°36'43" E  
CH=200.12

NE. CORNER  
NW. 1/4 SEC 11

N 89°03'49" E  
25.01

S 89°03'49" W 476.16

SEE SHEET 1  
MATCH LINE

POB DESC

R = 2500.00  
I = 33°36'51"  
L = 1406.89  
CB=N 12°57'22" E  
CH=1446.75

R = 2625.00  
I = 29°13'02"  
L = 1338.69  
CB=S 16°09'16" W  
CH=1324.13

R = 1612.50  
I = 28°50'26"  
L = 811.87  
CB=N 15°20'36" E  
CH=803.13

ROADWAY EASEMENT  
OR 1860/P 0225

N 25°12'24" E  
618.83

S 29°49'16" W  
618.83

R = 1487.50  
I = 28°50'26"  
L = 748.75  
CB=S 16°20'36" W  
CH=740.87

SW. CORNER  
NW. 1/4 SEC 11

N 00°55'22" E  
171.23

S 00°55'22" W  
166.09

N 88°33'56" E 2745.77

SOUTH LINE NW 1/4

SE. CORNER  
NW. 1/4 SECTION 11

S 80°33'56" W  
125.11

INTERSTATE  
75  
N 14°49'51" W 5219.79

SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN SECTIONS 2 & 11  
TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
ENGINEERS, SURVEYORS, AND ECOLOGISTS  
2188 JOHNSON STREET, POST OFFICE BOX 1550, FORT MYERS, FLORIDA 33902-1550, PHONE (813) 334-0044

JUNE 29, 1999	19991557	02-45-25	1"=600'	2 OF 2
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THIS INSTRUMENT PREPARED BY:

Lee County Attorney's Office  
Post Office Box 398  
Fort Myers, Florida 33902

Strap No.:

**PERPETUAL DRAINAGE EASEMENT**

This indenture is made this \_\_\_\_ day of \_\_\_\_\_, 2001 between \_\_\_\_\_, whose address is \_\_\_\_\_ (Grantor), and Lee County, a political subdivision of the State of Florida, Post Office Box 398, Fort Myers, Florida, 33902 (Grantee), as follows:

For good and valuable consideration, receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, a perpetual drainage easement over that portion of the surface water management system on Grantor's property identified in South Florida Water Management District General Permit and Stormwater Discharge Certification No. \_\_\_\_\_, the Treeline Boulevard Realignment Agreement dated \_\_\_\_\_, 1999, also known as Lee County Contract # \_\_\_\_\_, and more particularly described in attached Exhibit "A".

This easement includes the right to use the water management system to store water quality volumes and water quantity volumes in accordance with the SFWMD (Permit # \_\_\_\_\_) requirements applicable to the improvements associated with the Treeline Boulevard Improvement Project. Grantee has the right and authority to maintain the water management system within the easement area, including the right to enter upon Grantor's lands, in the event the Grantor fails to properly maintain the system so that it will continuously accommodate the off-site water volume storage required by the Treeline Boulevard Improvement Project. However, primary maintenance responsibility rests with Grantor.

Grantor warrants that subject to existing easements, if any, for public highways, roads, railroads, laterals, ditches, pipelines and electrical transmission and/or distribution lines and telephone and cable television lines covering the land described above, Grantor is lawfully possessed of the land and has good and lawful right and power to convey, and that the property is free and clear of all liens and encumbrances except the mortgage recorded in OR Book \_\_\_\_\_, Page \_\_\_\_\_ held by \_\_\_\_\_, which is the subject of a mortgagee consent and joinder recorded in conjunction with this easement

This easement is binding on the parties, their successors and assigns.

**EXHIBIT "D"**

In witness of the above, Grantor executes this easement on the date first written above.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Printed Name.

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Printed Name

STATE OF FLORIDA

COUNTY OF LEE

The foregoing Perpetual Drainage Easement was acknowledged before me on \_\_\_\_\_, 2001 by \_\_\_\_\_, who is personally known to me or has produced the following identification: \_\_\_\_\_

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Name

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman or Vice Chairman

APPROVED AS TO FORM

By: \_\_\_\_\_  
County Attorney's Office

# JOHNSON ENGINEERING, INC.

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS

BONITA SPRINGS  
FORT MYERS  
NAPLES  
PORT CHARLOTTE

2150 JOHNSON STREET  
TELEPHONE (941) 334-0046  
FAX (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

June 29, 1999

## DESCRIPTION

### PROPOSED TREELINE BOULEVARD IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST AND SECTION 2, TOWNSHIP 45 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

CARLE E. JOHNSON  
1911-1968

A tract or parcel of land lying in Section 35, Township 45 South, Range 25 East and Section 2, Township 45 South, Range 25 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 2 run S 89° 03' 49" W along the south line of said Section for 3096.27 feet to the Point of Beginning.

From said Point of Beginning continue S 89° 03' 49" W along said south line for 25.01 feet to a point on a non-tangent curve; thence run northerly along an arc of said curve to the left of radius 2600.00 feet (chord bearing N 01° 38' 43" W) (chord 200.12 feet) (delta 04° 24' 40") for 200.17 feet to a point of tangency; thence run N 03° 51' 03" W for 959.31 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2700.06 feet (chord bearing N 01° 21' 05" E) (chord 489.62 feet) (delta 10° 24' 15") for 490.30 feet to a point of tangency; thence run N 06° 33' 12" E for 1166.54 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 1100.00 feet (chord bearing N 14° 58' 12" W) (chord 807.14 feet) (delta 43° 02' 48") for 826.44 feet to a point of tangency; thence run N 36° 29' 36" W for 266.36 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1900.00 feet (chord bearing N 17° 39' 36" W) (chord 1226.70 feet) (delta 37° 40' 00") for 1249.07 feet to a point of tangency; thence run N 01° 10' 24" E for 248.58 feet; thence run S 89° 25' 36" W for 100.05 feet; thence run N 01° 10' 24" E for 1075.82 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1062.50 feet (chord bearing N 20° 02' 18" E) (chord 687.10 feet) (delta 37° 43' 48") for 699.67 feet to a point of tangency; thence run N 38° 54' 12" E for 297.98 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 950.00 feet (chord bearing N 15° 41' 13" E) (chord 748.99 feet) (delta 46° 25' 59") for 769.89 feet to a point of tangency; thence run N 07° 31' 47" W for 470.58 feet

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
CHRIS D. HAGAN  
KENTON R. KEILING  
W. BRITT POMEROY  
ANDREW D. TILTON  
MARK G. WENTZEL  
KEVIN M. WINTER

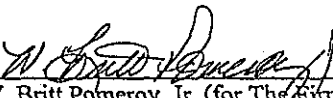
ASSOCIATES  
LONNIE V. HOWARD  
MICHAEL L. LOHR  
PATRICIA H. NEWTON  
BARRY E. SYREN

to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing N 18° 16' 14" E) (chord 979.28 feet) (delta 51° 36' 02") for 1013.17 feet to a point of tangency; thence run N 44° 04' 15" E for 191.71 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 987.50 feet (chord bearing N 22° 12' 54" E) (chord 735.24 feet) (delta 43° 42' 42") for 753.38 feet to a point of tangency; thence run N 00° 21' 33" E for 310.79 feet to an intersection with the south line of Colonial Boulevard (S.R. 884) (250 feet wide); thence run S 89° 38' 27" E along said south line for 125.00 feet; thence run S 00° 21' 33" W for 310.79 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1112.50 feet (chord bearing S 22° 12' 54" W) (chord 828.31 feet) (delta 43° 42' 42") for 848.74 feet to a point of tangency; thence run S 44° 04' 15" W for 191.71 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1000.00 feet (chord bearing S 18° 16' 14" W) (chord 870.47 feet) (delta 51° 36' 02") for 900.60 feet to a point of tangency; thence run S 07° 31' 47" E for 470.58 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1075.00 feet (chord bearing S 15° 41' 13" W) (chord 847.55 feet) (delta 46° 25' 59") for 871.19 feet to a point of tangency; thence run S 38° 54' 12" W for 297.98 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 937.50 feet (chord bearing S 20° 02' 18" W) (chord 606.26 feet) (delta 37° 43' 48") for 617.36 feet to a point of tangency; thence run S 01° 10' 24" W for 1321.35 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1875.00 feet (chord bearing S 17° 39' 36" E) (chord 1210.56 feet) (delta 37° 40' 00") for 1232.64 feet to a point of tangency; thence run S 36° 29' 36" E for 266.36 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing S 14° 58' 12" E) (chord 825.48 feet) (delta 43° 02' 48") for 845.22 feet to a point of tangency; thence run S 06° 33' 12" W for 1166.54 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 2675.06 feet (chord bearing S 01° 21' 05" W) (chord 485.09 feet) (delta 10° 24' 15") for 485.76 feet; to a point of tangency; thence run S 03° 51' 03" E for 959.31 feet to a point of curvature; thence run southerly along an arc of said curve to

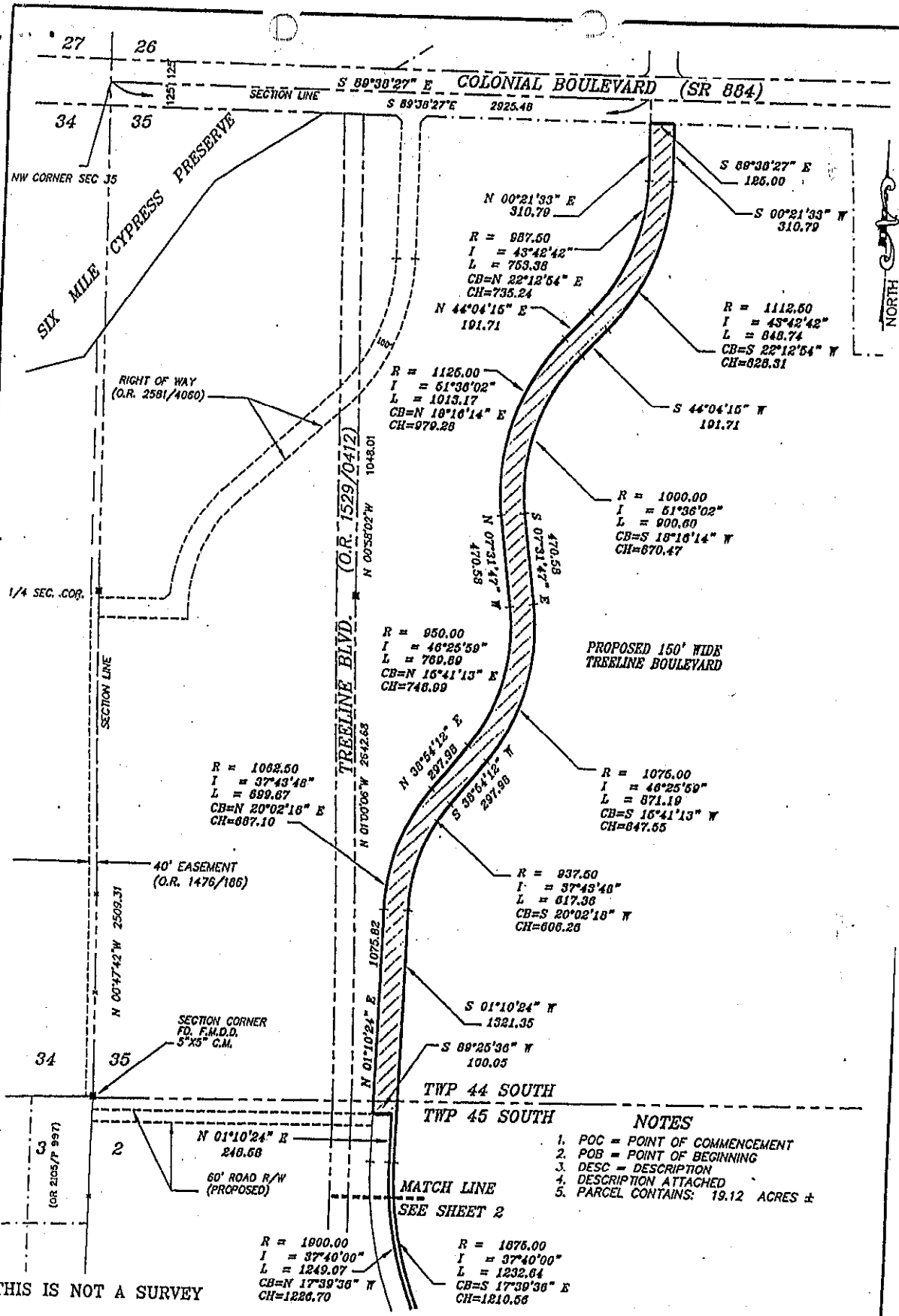
the right of radius 2625.00 feet (chord bearing S 01° 39' 09" E)  
(chord 201.39 feet) (delta 04° 23' 49") for 201.44 feet to the  
Point of Beginning.

Parcel contains 19.12 acres.

Bearings hereinabove mentioned are based on the South line of Section 2,  
Township 45 South, Range 25 East to bear S 89° 03' 49" W.

  
W. Britt Pomeroy, Jr. (for The Firm LB-642)  
Professional Land Surveyor  
Florida Certificate No. 4448

19991513\Des-062999



THIS IS NOT A SURVEY

- NOTES**
1. POC = POINT OF COMMENCEMENT
  2. POB = POINT OF BEGINNING
  3. DESC = DESCRIPTION
  4. DESCRIPTION ATTACHED
  5. PARCEL CONTAINS: 19.12 ACRES ±

*W. Britt Pomeroy*  
 W. BRITT POMEROY (FOR THE FIRM - LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448  
 DATE SIGNED: 6-29-99

SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
 SECTION 2, TWP 45 S, RGE 25 E  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2159 KENNETH STREET, POST OFFICE BOX 1920, FORT MYERS, FLORIDA 33902-1850, PHONE (941) 334-0046

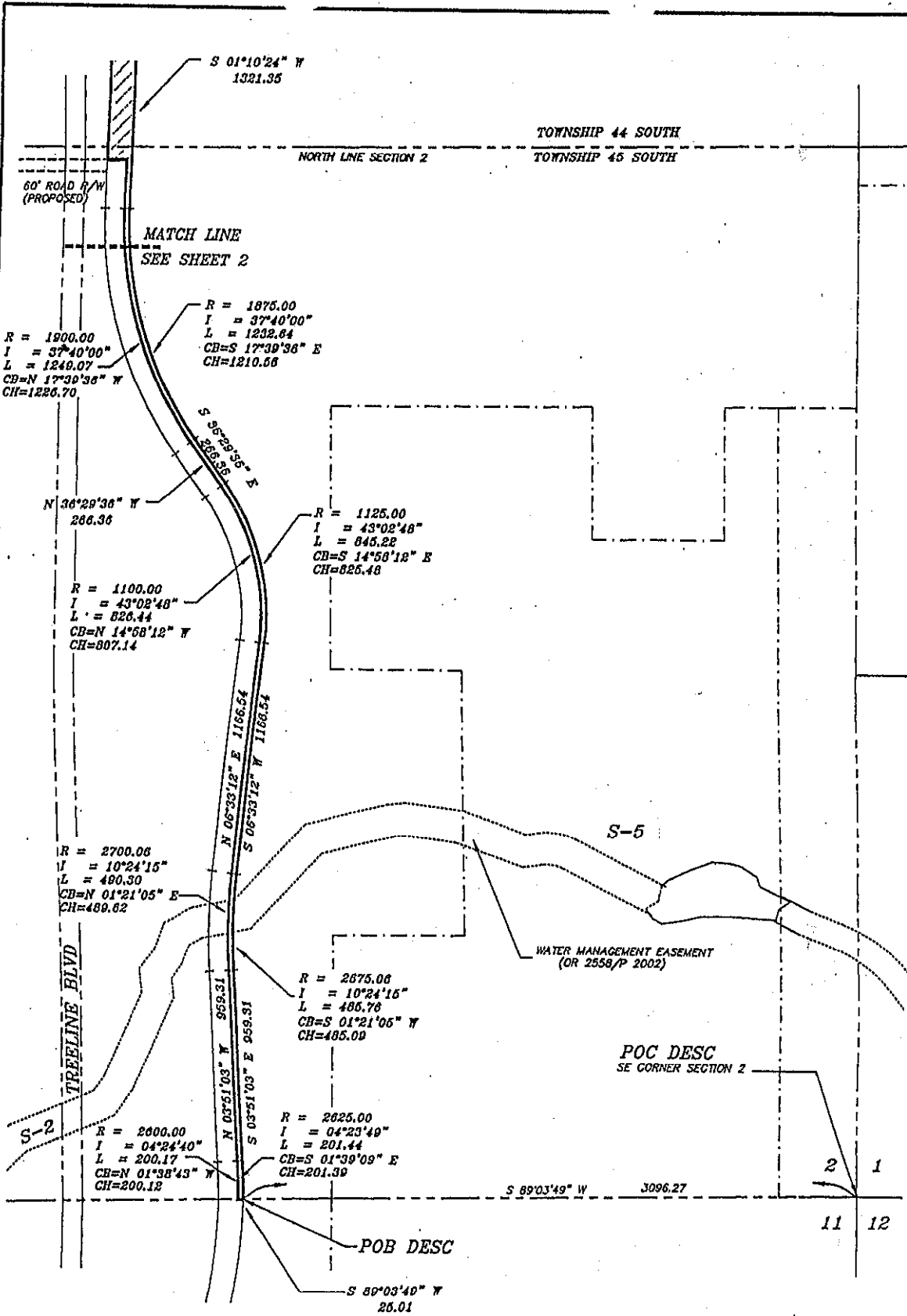
JUNE 29, 1999	1991557	35-44-25	1"=600'	1 OF 2
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EXHIBIT E

WCI

J:\991557\195TRF0000





THIS IS NOT A SURVEY

W. BRITT POMEROY (FOR THE FIRM - LB#642)  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED:

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN SEC 35, TWP 44 S, RGE 25 E &  
SECTION 2, TWP 45 S, RGE 25 E  
LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
ENGINEERS, SURVEYORS, AND ECOLOGISTS  
2150 JOHNSON STREET, POST OFFICE BOX 1950, FORT MYERS, FLORIDA 33902-1950, PHONE (941) 331-8018

JUNE 29, 1999	195	J5-44-25	1"=600'	2 OF 2
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May 21, 2001

Nicole Maxey  
Lee County Department of Transportation  
1500 Monroe Street  
Post Office Box 398  
Fort Myers, Florida 33902-0398

Re: Box Culvert

Dear Nicole:

Please see the information below regarding box culverts under Treeline Avenue.

**Box Culvert in Main Outfall under Treeline**

Size from Gateway Services District Master Plan is 2 - 11' x 6' concrete box culverts.

**125 Foot Road Right-of-Way Only**

Concrete volume for 32' with endwalls is approximately	95 cubic yards.
Concrete volume per lineal foot is approximately	2.3 cubic yards.
Total volume for 125' of culvert to cross the entire right-of-way is	308.9 cubic yards.

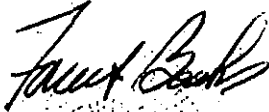
Estimating the cost of labor, materials and supplies to excavate, construct and backfill at a cost of

\$580 per cubic yard would make the total culvert cost	\$179,800
150 Feet of guardrail @ \$40.00/foot	\$ 6,000
<b>Total construction cost</b>	<b>\$185,800</b>

If you have any questions regarding any of this information, please do not hesitate to contact the office.

Sincerely,

JOHNSON ENGINEERING, INC.



Forrest H. Banks, P.E.

cc: Scott Connell

EXHIBIT F

2158 Johnson Street • Post Office Box 1550 • Fort Myers, Florida 33902-1550  
(941) 334-0046 • Fax (941) 334-3661

RECEIVED  
MAY 30 2001

# CHICAGO TITLE INSURANCE COMPANY

REVISED

## COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:



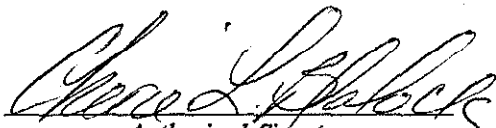
President

By:

ATTEST



Secretary



Authorized Signatory

## STANDARD EXCEPTIONS FOR OWNER'S POLICY

The owner's policy will be subject to the mortgage, if any, noted under item one of Section 1 of Schedule B hereof and to the following exceptions: (1) rights or claims of parties in possession not shown by the public records; (2) encroachments, overlaps, boundary line disputes, and any matters which would be disclosed by an accurate survey and inspection of the premises; (3) easements, or claims of easements, not shown by the public records; (4) any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records; (5) taxes or special assessments which are not shown as existing liens by the public records.

## CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Exclusions from Coverage and the Conditions and Stipulations of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

Chicago Title Insurance Company

ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

Schedule A

Effective Date: **March 26, 2002 at 11:00:00 PM**

1. Policy or Policies to be issued:	Policy Amount
X ALTA Owner's Policy - 1992 (Owner's Form) Proposed Insured:	<b>\$255,000.00</b>

**Lee County, a Political Subdivision of the State of Florida**

ALTA Loan Policy - 1992 (Lender's Form)  
Proposed Insured:

2. Fee Simple interest in the land described in this commitment is owned, at the Commitment Date,  
By:

**Bay Colony-Gateway, Inc., a Delaware corporation**

3. The land referred to in this Commitment is located in the County of , State of and described as follows:

**SEE EXHIBIT "A"**

Issued Date: **June 6, 2002**

**First Fidelity Title, Inc.** as issuing agent for  
**Chicago Title Insurance Company**

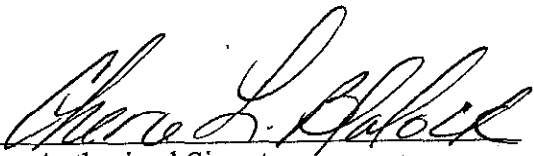
By:   
Authorized Signatory

Exhibit A

PROPOSED TREELINE BOULEVARD  
IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST  
AND SECTION 2, TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 35, Township 45 South, Range 25 East and Section 2, Township 45 South, Range 25 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 2 run S 89° 03' 49" W along the south line of said Section for 3096.27 feet to the Point of Beginning.

From said Point of Beginning continue S 89° 03' 49" W along said south line for 25.01 feet to a point on a non-tangent curve; thence run northerly along an arc of said curve to the left of radius 2600.00 feet (chord bearing N 01° 38' 43" W) (chord 200.12 feet) (delta 04° 24' 40") for 200.17 feet to a point of tangency; thence run N 03° 51' 03" W for 959.31 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2700.06 feet (chord bearing N 01° 21' 05" E) (chord 489.62 feet) (delta 10° 24' 15") for 490.30 feet to a point of tangency; thence run N 06° 33' 12" E for 1166.54 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 1100.00 feet (chord bearing N 14° 58' 12" W) (chord 807.14 feet) (delta 43° 02' 48") for 826.44 feet to a point of tangency; thence run N 36° 29' 36" W for 266.36 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1900.00 feet (chord bearing N 17° 39' 36" W) (chord 1226.70 feet) (delta 37° 40' 00") for 1249.07 feet to a point of tangency; thence run N 01° 10' 24" E for 248.58 feet; thence run S 89° 25' 36" W for 100.05 feet; thence run N 01° 10' 24" E for 1075.82 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1062.50 feet (chord bearing N 20° 02' 18" E) (chord 687.10 feet) (delta 37° 43' 48") for 699.67 feet to a point of tangency; thence run N 38° 54' 12" E for 297.98 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 950.00 feet (chord bearing N 15° 41' 13" E) (chord 748.99 feet) (delta 46° 25' 59") for 769.89 feet to a point of tangency; thence run N 07° 31' 47" W for 470.58 feet

to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing N 18° 16' 14" E) (chord 979.28 feet) (delta 51° 36' 02") for 1013.17 feet to a point of tangency; thence run N 44° 04' 15" E for 191.71 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 987.50 feet (chord bearing N 22° 12' 54" E) (chord 735.24 feet) (delta 43° 42' 42") for 753.38 feet to a point of tangency; thence run N 00° 21' 33" E for 310.79 feet to an intersection with the south line of Colonial Boulevard (S.R. 884) (250 feet wide); thence run S 89° 38' 27" E along said south line for 125.00 feet; thence run S 00° 21' 33" W for 310.79 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1112.50 feet (chord bearing S 22° 12' 54" W) (chord 828.31 feet) (delta 43° 42' 42") for 848.74 feet to a point of tangency; thence run S 44° 04' 15" W for 191.71 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1000.00 feet (chord bearing S 18° 16' 14" W) (chord 870.47 feet) (delta 51° 36' 02") for 900.60 feet to a point of tangency; thence run S 07° 31' 47" E for 470.58 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1075.00 feet (chord bearing S 15° 41' 13" W) (chord 847.55 feet) (delta 46° 25' 59") for 871.19 feet to a point of tangency; thence run S 38° 54' 12" W for 297.98 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 937.50 feet (chord bearing S 20° 02' 18" W) (chord 606.26 feet) (delta 37° 43' 48") for 617.36 feet to a point of tangency; thence run S 01 10' 24" W for 1321.35 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1875.00 feet (chord bearing S 17° 39' 36" E) (chord 1210.56 feet) (delta 37° 40' 00") for 1232.64 feet to a point of tangency; thence run S 36° 29' 36" E for 266.36 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1125.00 feet (chord bearing S 14° 58' 12" E) (chord 825.48 feet) (delta 43° 02' 48") for 845.22 feet to a point of tangency; thence run S 06° 33' 12" W for 1166.54 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 2675.06 feet (chord bearing S 01° 21' 05" W) (chord 485.09 feet) (delta 10° 24' 15") for 485.76 feet; to a point of tangency; thence run S 03° 51' 03" E for 959.31 feet to a point of curvature; thence run southerly along an arc of said curve to

the right of radius 2625.00 feet (chord bearing S 01° 39' 09" E)  
(chord 201.39 feet) (delta 04° 23' 49") for 201.44 feet to the  
Point of Beginning.

Bearings hereinabove mentioned are based on the South line of Section 2,  
Township 45 South, Range 25 East to bear S 89° 03' 49" W.



LEGAL DESCRIPTION  
LYING IN  
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,  
LEE COUNTY FLORIDA.

(EAST SIDE OF TREELINE AVENUE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,  
LYING IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG  
THE NORTH LINE OF SAID SECTION 35 N.89°38'27"W., FOR 2,192.82 FEET; THENCE  
S.00°21'33"W., FOR 125.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COLONIAL  
BOULEVARD (250' WIDE), BEING THE POINT OF BEGINNING;

THENCE CONTINUE S.00°21'33"W. ALONG SAID LINE, FOR 310.79 FEET TO A POINT OF  
CURVATURE;

THENCE SOUTHERLY 293.52 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE RIGHT HAVING A RADIUS OF 1,136.50 FEET THROUGH A CENTRAL  
ANGLE OF 14°47'52" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.07°45'29"W. FOR 292.71 FEET;

THENCE N.74°50'35"W., FOR 10.00 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY 568.48 FEET ALONG THE ARC OF A NON-TANGENTIAL  
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1,126.50 FEET THROUGH A  
CENTRAL ANGLE OF 28°54'50" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.29°36'50"W. FOR 562.47 FEET;

THENCE S.44°04'15"W., FOR 191.71 FEET TO A POINT OF CURVATURE;

THENCE SOUTHERLY 887.99 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 986.00 FEET THROUGH A CENTRAL ANGLE  
OF 51°36'02" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.18°16'14"W. FOR  
858.28 FEET;

THENCE S.07°31'47"E., FOR 470.58 FEET;

THENCE N.82°28'13"E., FOR 11.00 FEET TO A POINT OF CURVATURE;

THENCE SOUTHERLY 891.43 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR  
CURVE TO THE RIGHT HAVING A RADIUS OF 1,100.00 FEET THROUGH A CENTRAL  
ANGLE OF 46°25'55" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
S.15°41'11"W. FOR 867.24 FEET;

THENCE S.38°54'12"W., FOR 298.00 FEET TO A POINT OF CURVATURE;

THENCE SOUTHWESTERLY 66.09 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 912.50 FEET THROUGH A CENTRAL ANGLE  
OF 04°08'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS S.36°49'43"W. FOR  
66.07 FEET;

THENCE N.55°14'46"W., FOR 25.00 FEET TO A POINT OF CURVATURE;

THENCE NORTHEASTERLY 67.90 FEET ALONG THE ARC OF A NON-TANGENTIAL  
CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 937.50 FEET THROUGH A  
CENTRAL ANGLE OF 04°08'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS  
N.36°49'43"E. FOR 67.88 FEET;

THENCE N.38°54'12"E., FOR 297.98 FEET TO A POINT OF CURVATURE;

THENCE NORTHERLY 871.20 FEET ALONG THE ARC OF A NON-TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 1,075.00 FEET THROUGH A CENTRAL  
ANGLE OF 46°26'00" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.15°41'13"E.

FOR 847.55 FEET;  
THENCE N.07°31'47"W., FOR 470.58 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 900.60 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE RIGHT HAVING A RADIUS OF 1,000.00 FEET THROUGH A CENTRAL  
ANGLE OF 51°36'02" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.18°16'14"E.  
FOR 870.47 FEET;  
THENCE N.44°04'15"E., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 848.74 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR  
CURVE TO THE LEFT HAVING A RADIUS OF 1,112.50 FEET THROUGH A CENTRAL  
ANGLE OF 43°42'43" AND BEING SUBTENDED BY A CHORD WHICH BEARS N.22°12'54"E.  
FOR 828.31 FEET;  
THENCE N.00°21'33"E., FOR 310.79 FEET TO SAID SOUTH RIGHT OF  
WAY LINE;  
THENCE S.89°38'27"E., ALONG SAID SOUTH RIGHT OF WAY LINE FOR 24.00 FEET TO  
THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 35, TOWNSHIP 44 SOUTH,  
RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING N.89°38'27" W.

LEGAL DESCRIPTION  
LYING IN  
SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST,  
LEE COUNTY FLORIDA.

(WEST SIDE OF TREELINE AVENUE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE,  
LYING IN SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG  
THE NORTH LINE OF SAID SECTION 35°N.89°38'27"W., FOR 2,341.82 FEET; THENCE  
S.00°21'33"W., FOR 125.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COLONIAL  
BOULEVARD (250' WIDE), BEING THE POINT OF BEGINNING;

THENCE CONTINUE S.00°21'33"W. ALONG SAID LINE, FOR 310.79 FEET TO A POINT OF  
CURVATURE;  
THENCE SOUTHERLY 753.38 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE RIGHT HAVING A RADIUS OF 987.50 FEET THROUGH A CENTRAL ANGLE OF 43°42'42" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS S.22°12'54"W. FOR 735.24 FEET;  
THENCE S.44°04'45"W., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE SOUTHERLY 1,013.17 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE LEFT HAVING A RADIUS OF 1,125.00 FEET THROUGH A CENTRAL ANGLE OF 51°36'02" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS S.18°16'14"W. FOR 979.28 FEET;  
THENCE S.07°31'47"E., FOR 470.28 FEET;  
THENCE N.09°46'52"W., FOR 280.02 FEET;  
THENCE N.07°31'47"W., FOR 190.48 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 1,023.08 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE RIGHT HAVING A RADIUS OF 1,136.00 FEET THROUGH A CENTRAL ANGLE OF 51°36'02" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS N.18°16'14"E. FOR 988.85 FEET;  
THENCE N.44°04'15"E., FOR 191.71 FEET TO A POINT OF CURVATURE;  
THENCE NORTHERLY 744.98 FEET ALONG THE ARC OF A TANGENTIAL CIRCULAR CURVE TO  
THE LEFT HAVING A RADIUS OF 976.50 FEET THROUGH A CENTRAL ANGLE OF 43°42'42" AND  
BEING SUBTENDED BY A CHORD WHICH BEARS N.22°12'54"E. FOR 727.05 FEET;  
THENCE N.00°21'33"E., FOR 310.79 FEET TO SAID SOUTH RIGHT OF WAY LINE;  
THENCE S.89°38'27"E. ALONG SAID SOUTH RIGHT OF WAY LINE FOR 11.00 FEET TO THE POINT  
OF BEGINNING.

BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 35, TOWNSHIP 44 SOUTH,  
RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING N.89°38'27" W.

# Chicago Title Insurance Company

## ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

### Schedule B-I

Part I. The following are the requirements to be complied with

1. Instrument(s) necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record:
  - a.) Warranty Deed from Bay Colony-Gateway, Inc., a Delaware corporation to Lee County, a Political Subdivision of the State of Florida.

NOTE: If the proposed instrument of conveyance is to be executed by an Officer other than a Chief Executive Officer, President or Vice President, a certified Resolution authorizing said Officer to sign on behalf of the corporation must be recorded.

2. Payment to, or for the account of the grantors and/or mortgagors of the full consideration for the estate or interest to be insured.
3. Payment of all taxes and/or assessments, levied and assessed against property, which are due and payable.
4. Release of the subject property described in Schedule A from the Consolidated, Amended and Restated Mortgage and Security Agreement which was executed by WCI Communities, Inc., a Delaware corporation, Bay Colony- Gateway, Inc., a Delaware corporation and JYC Holdings, Inc., a Florida corporation to Fleet National Bank f/k/a BankBoston, N.A., dated April 26, 2000 and recorded April 28, 2000 in O.R. Book 3248, Page 3065, of the Public Records of Lee County, Florida.
5. Release of the subject property from that certain Consolidated, Amended and Restated Collateral Assignment of Leases and Rents between WCI Communities, Inc., a Delaware corporation, Bay Colony-Gateway, Inc., a Delaware corporation, JYC Holdings, Inc., a Florida corporation and Fleet National Bank f/k/a BankBoston, N.A., recorded in O.R. Book 3248, Page 3350, Public Records of Lee County, Florida.
6. Release or termination of the Financing Statement between Fleet National Bank f/k/a BankBoston, N.A. (Secured Party), and Bay Colony - Gateway, Inc. and WCI Communities, Inc. (Debtors), recorded in O.R. Book 3140, Page 1634 and Amendment recorded in Official Records Book 3248, Page 3658, Public Records of Lee County, Florida.

# Chicago Title Insurance Company

## ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

7. Release or termination of the Financing Statement between Fleet National Bank f/k/a BankBoston, N.A. (Secured Party), and WCI Communities, Inc. (Debtor), recorded in O.R. Book 3140, Page 1924 and Amendment recorded in Official Records Book 3248, Page 3655, Public Records of Lee County, Florida.
8. Satisfactory evidence must be furnished showing that Bay Colony - Gateway, Inc., a corporation organized under the laws of Delaware, is currently in good standing in that state.

# Chicago Title Insurance Company

## ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

### Schedule B-II

Part II. Schedule B of the policy or policies to be issued will contain exception to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Standard Exceptions:
  - (a) Rights or claims of parties in possession not shown by the public records.
  - (b) Easements, or claim of easements, not shown by the public records.
  - (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
  - (d) Any lien, or right to a lien, for service, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
  - (e) Taxes or special assessments which are not shown as existing liens by the public records.
  - (f) Any claim that any portion of said lands are sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands and lands ccreted to such lands.
  - (g) Taxes and assessments for the year 2001 and subsequent years.
3. Standard exceptions (b) and (c) may be removed from the policy when a satisfactory survey and surveyor's report and inspection of the premises is made.
4. Standard exceptions (a) and (d) may be removed upon receipt of a satisfactory affidavit-indemnity from the party shown in title and in possession stating who is in possession of the lands and whether there are improvements being made at date of commitment or contemplated to commence prior to the date of closing which will not have been paid for in full prior to the closing.

NOTE: Taxes for the year 2001 have been paid. Taxes for the year become a lien on January 1, 2003, but are not due and payable un til November 1, 2003.

# Chicago Title Insurance Company

## ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

### Schedule B-II continued

5. Intentionally deleted.
6. Ordinance No. 2215 of the City of Fort Myers and Annexation Agreement recorded in Official Records Book 1709, page 1061, of the public records of Lee County, Florida.
7. Notice of Adoption of Development Order recorded in Official Records Book 1803, page 718, of the public records of Lee County, Florida.
8. Notice of Development Order recorded in Official Records Book 1869, page 3568, of the public records of Lee County, Florida.
9. Resolution of the Board of County Commissioners of Lee County recorded in Official Records Book 1885, page 3144, of the public records of Lee County, Florida.
10. Notice of Adoption of Third Development Order Amendment recorded in Official Records Book 1978, page 2734, of the public records of Lee County, Florida.
11. Notice of Adoption of Gateway DRI Development Order Amendment recorded in Official Records Book 2652, page 1553, of the public records of Lee County, Florida.
12. Notice of Adoption of DRI Development Order Sun City Fort Myers recorded in Official Records Book 3350, Page 1096, Public Records of Lee County, Florida.
13. Memorandum of Agreement between Peoples Gas System and WCI Communities, Inc., recorded in Official Records Book 3332, Page 3692, Public Records of Lee County, Florida and Subordination Agreement recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Lee County, Florida.
14. Final Order of the Florida Water Adjudicatory Commission recorded in Official Records Book 2227, page 4620, of the public records of Lee County, Florida.
15. Grant of Easement to Gateway Services District by instrument dated November 15, 1994, and recorded in Official Records Book 2558, page 2002, of the public records of Lee County, Florida.
16. Temporary, non-exclusive easement granted to George Sanders by instrument recorded in Official Records Book 3054, page 820, as amended by that certain Amendment recorded in Official Records Book 3129, page 2155 and easement recorded in Official Records Book 3199, page 489, of the public records of Lee County, Florida and Subordination Agreements recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_ and Official Records

# Chicago Title Insurance Company

## ALTA COMMITMENT

Agent's File Number: 02-0345

Commitment Number: 02-0345 REVISED

Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Lee County, Florida.

17. Drainage Easement Agreement recorded in Official Records Book 3562, Page 3787, Public Records of Lee County, Florida and Subordination Agreement recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Lee County, Florida.
18. Easement Agreement between Worthington Holdings, L.L.C., and Bay Colony-Gateway, Inc., recorded in Official Records Book 3562, Page 3748, Public Records of Lee County, Florida and Subordination Agreement recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Lee County, Florida.
19. Interlocal Agreement recorded in Official Records Book 3518, Page 3876, Public Records of Lee County, Florida.

NOTE: Subject property lies within the boundaries of the Gateway Services District

NOTE: Standard Exception 2(f) of Schedule B - Section 2 is hereby deleted.



This Instrument Prepared by:

Thomas H. Gunderson, Esq.  
Post Office Box 280  
Fort Myers, Florida 33902-0280  
Project: \_\_\_\_\_  
STRAP Number: \_\_\_\_\_

This Space for Recording

**WARRANTY DEED  
(Statutory)**

**THIS INDENTURE**, Made this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, between **WORTHINGTON HOLDINGS, LLC**, a Florida limited liability company, whose address is 6150 Diamond Centre Court, Bldg. 1300, Fort Myers, FL 33912, Grantor, and **LEE COUNTY**, a political subdivision of the State of Florida whose address is Post Office Box 398, Fort Myers, Florida, 33902-0398, Grantee.

**Grantor**, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns, the following described land:

**See attached Exhibit "A"**

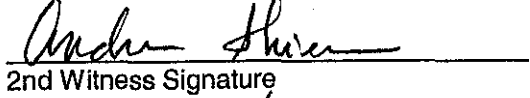
Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of two separate witnesses:

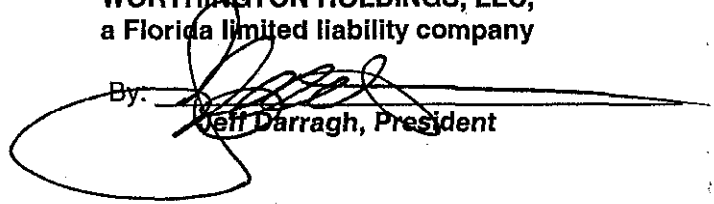
  
1st Witness Signature

John Conaway  
Printed Name of 1st Witness

  
2nd Witness Signature

Andrea Skiera  
Printed Name of 2nd Witness

**WORTHINGTON HOLDINGS, LLC,**  
a Florida limited liability company

By:   
Jeff Darragh, President

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 1 day of Mar, 2002, by  
Jeff Darragh, as President of Worthington Holdings, LLC, a Florida limited liability company, who is  
personally known to me or has produced \_\_\_\_\_ as identification.  
(type of identification)

Andrea Skiera



Andrea Skiera  
MY COMMISSION # DD075740 EXPIRES  
December 2, 2005  
BONDED THRU TROY FAIN INSURANCE, INC.

# JOHNSON ENGINEERING, INC.

BONITA SPRINGS  
FORT MYERS  
NAPLES  
PORT CHARLOTTE

ENGINEERS, SURVEYORS, PLANNERS AND ECOLOGISTS

2158 JOHNSON STREET  
TELEPHONE (941) 334-0046  
FAX (941) 334-3661  
POST OFFICE BOX 1550  
FORT MYERS, FLORIDA  
33902-1550

June 29, 1999

## DESCRIPTION

### PROPOSED TREELINE BOULEVARD IN SECTIONS 2 AND 11, TOWNSHIP 45 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

CARL E. JOHNSON  
1911-1968

A tract or parcel of land lying in Sections 2 and 11, Township 45 South, Range 25 East, Lee County, Florida, being described as follows:

From the southeast corner of said Section 2 run S 89° 03' 49" W along the south line of said Section for 3096.27 feet to a point of curvature and the Point of Beginning.

From said Point of Beginning run southerly along an arc of said curve to the right of radius 2625.00 feet (chord bearing S 15° 09' 16" W) (chord 1324.13 feet) (delta 29° 13' 02") for 1338.59 feet to a point of tangency; thence run S 29° 45' 48" W for 618.63 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1487.50 feet (chord bearing S 15° 20' 35" W) (chord 740.87 feet) (delta 28° 50' 26") for 748.75 feet to a point of tangency; thence run S 00° 55' 22" W for 166.09 feet to an intersection with the south line of the Northwest Quarter (NW-1/4) of said Section 11; thence run S 88° 33' 56" W along said south line for 125.11 feet; thence run N 00° 55' 22" E for 171.23 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 1612.50 feet (chord bearing N 15° 20' 35" E) (chord 803.13 feet) (delta 28° 50' 26") for 811.67 feet to a point of tangency; thence run N 29° 45' 48" E for 618.63 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 2500.00 feet (chord bearing N 12° 57' 22" E) (chord 1445.75 feet) (delta 33° 36' 51") for 1466.69 feet to a point of tangency; thence run N 03° 51' 03" W for 959.31 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2800.06 feet (chord bearing N 01° 21' 05" E) (chord 507.76 feet) (delta 10° 24' 15") for 508.45 feet to a point of tangency; thence run N 06° 33' 12" E for 1166.54 feet to a point of curvature; thence run northerly along an arc of said curve to the left of radius 1000.00 feet (chord bearing N 14° 58' 12" W) (chord 733.76 feet) (delta 43° 02' 48") for 751.31 feet to a point of tangency; thence run N 36° 29' 36" W for 266.36 feet to a point of curvature; thence run northerly along an arc of said curve to the right of radius 2000.00 feet (chord bearing N 17° 39' 36" W)

CHAIRMAN  
FORREST H. BANKS

PRESIDENT  
STEVEN K. MORRISON

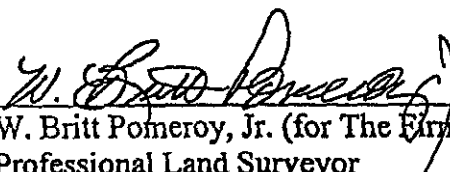
PARTNERS  
GARY R. BULL  
DAN W. DICKEY  
JOSEPH W. EBNER  
ARCHIE T. GRANT, JR.  
CHRIS D. HAGAN  
KENTON R. KEILING  
W. BRITT POMEROY  
ANDREW D. TILTON  
MARK G. WENTZEL  
KEVIN M. WINTER

ASSOCIATES  
LONNIE V. HOWARD  
MICHAEL L. LOHR  
PATRICIA H. NEWTON  
BARRY E. SYREN

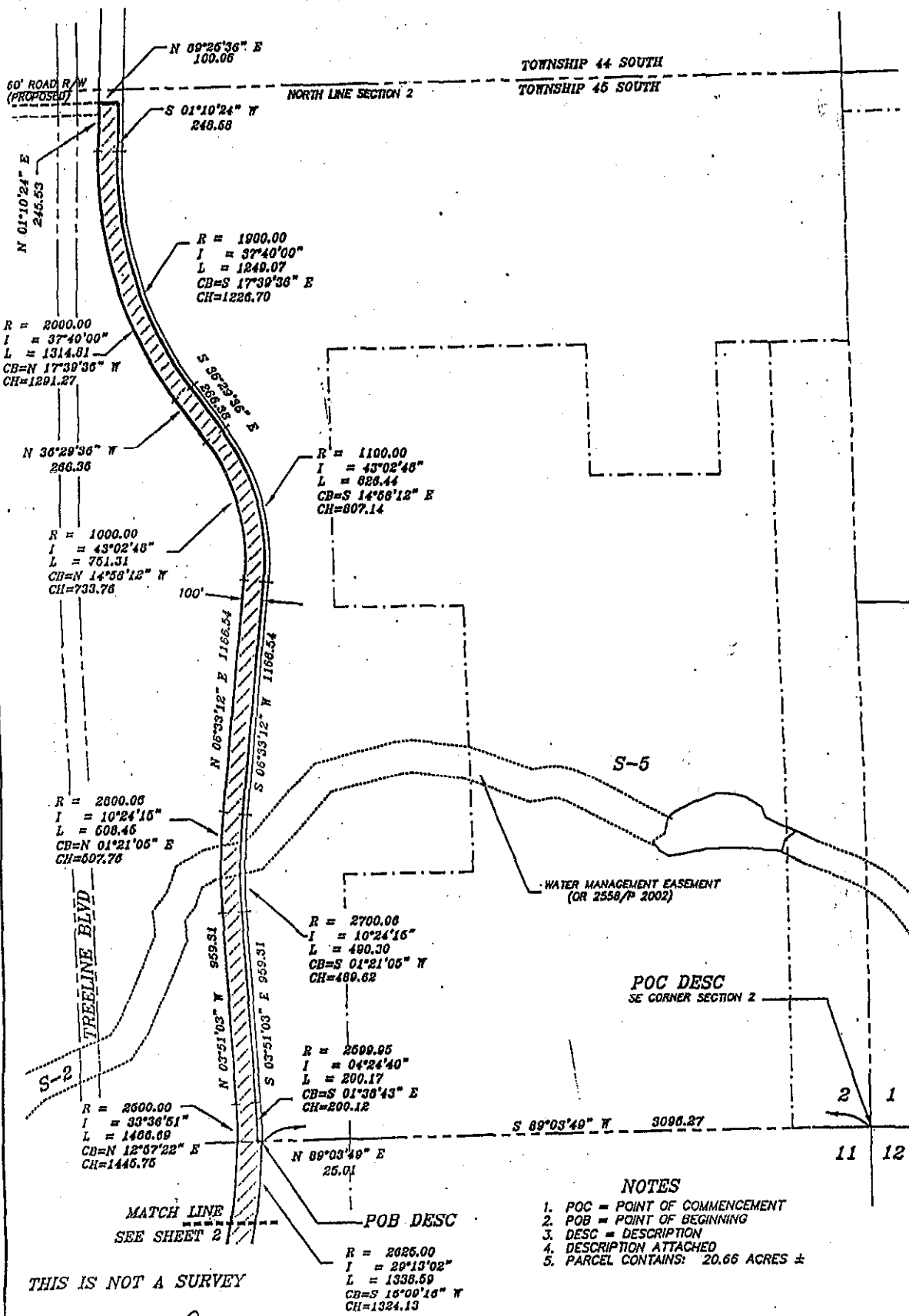
(chord 1291.27 feet) (delta 37° 40' 00") for 1314.81 feet to a point of tangency; thence run N 01° 10' 24" E for 245.53 feet; thence run N 89° 25' 36" E for 100.05 feet; thence run S 01° 10' 24" W for 248.58 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 1900.00 feet (chord bearing S 17° 39' 36" E) (chord 1226.70 feet) (delta 37° 40' 00") for 1249.07 feet to a point of tangency; thence run S 36° 29' 36" E for 266.36 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 1100.00 feet (chord bearing S 14° 58' 12" E) (chord 807.14 feet) (delta 43° 02' 48") for 826.44 feet to a point of tangency; thence run S 06° 33' 12" W for 1166.54 feet to a point of curvature; thence run southerly along an arc of said curve to the left of radius 2700.06 feet (chord bearing S 01° 21' 05" W) (chord 489.62 feet) (delta 10° 24' 15") for 490.30 feet to a point of tangency; thence run S 03° 51' 03" E for 959.31 feet to a point of curvature; thence run southerly along an arc of said curve to the right of radius 2599.95 feet (chord bearing S 01° 38' 43" E) (chord 200.12 feet) (delta 04° 24' 40") for 200.17 feet to a point on a non-tangent line and an intersection with the south line of said Section 2; thence run N 89° 03' 49" E along said south line for 25.01 feet to the Point of Beginning.

Parcel contains 20.66 acres.

Bearings hereinabove mentioned are based on the South line of Section 2, Township 45 South, Range 25 East to bear S 89° 03' 49" W.

  
W. Britt Pomeroy, Jr. (for The Firm LB-642)  
Professional Land Surveyor  
Florida Certificate No. 4448

19991557\Des-062999



- NOTES**
1. POC = POINT OF COMMENCEMENT
  2. POB = POINT OF BEGINNING
  3. DESC = DESCRIPTION
  4. DESCRIPTION ATTACHED
  5. PARCEL CONTAINS: 20.66 ACRES ±

THIS IS NOT A SURVEY

*W. Britt Pomeroy*  
 W. BRITT POMEROY (FOR THE FIRM) (LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 6-27-99

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SKETCH TO ACCOMPANY DESCRIPTION  
 PARCEL IN SECTIONS 2 & 11  
 TOWNSHIP 45 SOUTH, RANGE 25 EAST  
 LEE COUNTY, FLORIDA

**JOHNSON ENGINEERING, INC.**  
 ENGINEERS, SURVEYORS, AND ECOLOGISTS  
 2158 JOHNSON STREET, POST OFFICE BOX 1550, FORT MYERS, FLORIDA 33901-1550, PHONE (813) 331-0048

MAY 1999	19991557	02-45-25	1"=600'	1 OF 2
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NE. CORNER  
SE. 1/4, SEC. 3

N 88°09'48" E 1763.81

TREELINE BLVD. (O.R. 1529/0412)

PROPOSED TREELINE BLVD.

WATER MANAGEMENT  
EASEMENT (OR 2558/P 2002)

R = 2599.95  
I = 04°24'40"  
L = 200.17  
CB=S 01°38'43" E  
CH=200.12

NE. CORNER  
NW. 1/4 SEC 11

S 89°03'49" W 476.16

N 89°03'49" E  
26.01

SEE SHEET 1  
MATCH LINE

POB DESC

R = 2500.00  
I = 33°38'51"  
L = 1400.89  
CB=N 12°57'22" E  
CH=1446.76

R = 2825.00  
I = 28°13'02"  
L = 1338.59  
CB=S 15°09'16" W  
CH=1324.13

R = 1612.50  
I = 28°50'26"  
L = 811.87  
CB=N 15°20'36" E  
CH=803.13

ROADWAY EASEMENT  
OR 16807/0228

N 28°45'28" E  
810.93  
S 28°45'28" W  
810.93

R = 1487.50  
I = 28°50'26"  
L = 748.73  
CB=S 15°20'36" W  
CH=740.87

SW CORNER  
NW 1/4 SEC 11

N 00°55'22" E  
171.23

S 00°55'22" W  
166.09

N 88°33'56" E 2745.77

SOUTH LINE NW 1/4

SE. CORNER  
NW 1/4 SECTION 11

S 88°33'56" W  
125.11

SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN SECTIONS 2 & 11  
TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.

ENGINEERS, SURVEYORS, AND ECOLOGISTS  
2128 JOHNSON STREET, POST OFFICE BOX 1850, FORT MYERS, FLORIDA 33907-1850, PHONE (407) 331-0044

INTERSTATE 75  
N 14°49'51" W 5219.79

3

2

10

11

125'

N 00°09'50" W 2670.22